

A MEETING
OF THE UNIVERSITY FACULTY SENATE
WEDNESDAY, FEBRUARY 10, 2016

1. CALL TO ORDER

Professor and Chair Department of Science and Technology Studies and Speaker, Bruce Lewenstein: "Good afternoon. I'd like to call the meeting to order. I'm Bruce Lewenstein, speaker of the senate. I want to remind the body that there are no photos or recording devices of any kind allowed, except for the official recording that produces the minutes. I want to ask you all to turn off your cell phones, your beepers, your tablets, your old-fashioned abacuses that click too loudly, whatever else makes noise. Try to keep the meeting in order. I am reminding the body that senators have priority in speaking, but others may speak as well. And only senators or their designated alternates may introduce motions or vote.

"During the time when we will be having speakers, we have three microphones in the aisles. I will call on people and we will ask you to identify yourself by department at that time. As in the past, we will try to ask -- we will ask people to hold their comments to two minutes. We expect a fair number of people to wish to speak today, and we want to give as much opportunity for people as possible. We have a very small amount of time on the agenda allocated for Good and Welfare. We have one item in that time, and nobody has requested any additional time.

"You all have seen the agenda. And the first item on the agenda are a couple of consent items. First approval of the minutes of the last meeting December 9th. Are there any corrections to those minutes? And those minutes will stand as approved. The College of Arts and Sciences has approved the professor of practice -- use of the professor of practice title. That's an information item.

"Any objections?"

"And that also is approved.

"Next on the agenda will be Associate Dean of the Faculty and Acting Dean of the Faculty, Mike Fontaine."

2. REPORT FROM THE ACTING DEAN OF THE FACULTY, MIKE FONTAINE

Acting Dean Michael Fontaine, Associate Dean of the University Faculty and Professor, Classics Department: "Good afternoon, everybody. Welcome back for the semester. I have got a lot to get through today. So I have written it out and will be speaking rather quickly. But if you have questions, please let me know after.

"I have a joint report today. First I'm delivering the remarks that Dean Joe Burns always normally gave. After that, I'm going to inform you of the status of our upcoming elections. And in the final minutes of today's meeting, the UFC would like to offer a resolution of gratitude to Joe Burns for all that he's done as dean of faculty. Paper copies of that resolution are here with us, along with all the other resolutions and responses that we've gotten.

"So first off, I am pleased to welcome the provost to today's meeting. And at the same time, I'm sorry to remind you that the president could not make it, nor could she call in, though she wanted to. She has sent us her sincere regrets and she does plan to come to our March meeting.

"Other items, the Faculty Soup has started back up over in the Statler Hotel. Go check it out. It's delicious.

"As I explained in my email back in December, I have also started releasing a draft agenda from the UFC to the senate as soon as we have items to populate it. I do want to let you know that decision was not greeted with unanimous enthusiasm by the UFC, but I couldn't see any other way to let all of you and all of your constituents know as soon as we, the UFC, know what's happening at the next month.

"Going forward you will get an email from the dean of faculty office when we have something that the UFC has learned about. The draft agenda is hosted on the dean of faculty website. Anybody can look.

"I'd like to announce and remind you that one week from today the Provost is hosting a Town Hall. We have this on the slide, I think, Bruce, if you could go to the next one. He's going to be hosting a Town Hall where he's going to take questions specifically about the College of Business. The time and venue are here. That's 4:30 to 6:00 in Lewis Auditorium, Goldwin Smith Hall. Gives you a chance to check out Klarman Hall which we're very proud of in the humanities.

"On the same issue, I wanted to let you know that I myself attended the January Board of Trustees meeting in New York City along with Barbara Baird and

Mariana Wolfner. Those are our two faculty trustees. All three of us were there. Both of them will be here shortly if they haven't arrived yet. If any of you have questions for us during the open portion of the meeting later on, we'd be happy to answer them.

"The two major topics that were discussed at that meeting of greatest concern here, first were the resolution about divestment from fossil fuels and the new protocols for guiding the trustees for further calls for divestment. And the other topic was the creation of the Business College. And in conjunction with the latter, the Provost has created a committee of faculty drawn from three colleges, the three colleges that are being merged in the Business College. It's charged with determining academic structures and policies. I am on that committee myself by virtue of the office. It's met several times so far already and seems to be working well. I think the Provost will speak to us more about it in his portion of the meeting.

"He will also speak about the curriculum oversight committee that he has formed and probably can answer questions. Again, I am on that committee by virtue of the office.

"Other matters from our own committees. First there's no Educational Policy Committee report, but they are debating a couple of issues. First, whether staff rather than faculty may be used as witnesses in the Engineering College for allegations of academic misconduct. There are a great number of these it turns out. And so they are trying to relieve the pressure on faculty.

"The other major issue is the cost of course packets through the Cornell Bookstore which several people have told me have doubled in one year, or more, so we are looking into that.

"There's no CAPP report, but I believe that CAPP will meet in conjunction with the College of Business Academic Committee in some capacity later on. There is no update for the status of the ad hoc committee that was formed to investigate the Cornell University Police Department incident last spring at the Board of Trustees' meeting.

"If you recall, there was an incident over there at the meeting where a student had entered into the auditorium. And so the senate called for a committee to investigate. I do believe the committee is complete -- they have completed their

investigation. And I am currently nagging the chair for the report. And I hope to get that to you shortly.

“Finally, I have learned from CAPE, that's the Committee on Emeritus Professors, that emeritus professors, emeritus faculty are, for some reason, not receiving important email communications from Day Hall that are meant to go to all of us. For example, they didn't get the notice about the creation of the Business College the rest of us got. They did not receive the news a couple of days ago about the health of the president. So I have contacted Joel Malina, and I'm hoping he will give quick attention to that issue and make sure we get that fixed right away.

“As I mentioned before, we have received and posted to the website a number of responses that we have gotten since our December faculty senate meeting. The paper copies are out in the hall if you didn't get them. Please take a look. Specifically, we got the response about the fossil fuel divestment and the new guidelines about divestments from the Board of Trustees. We received President Garrett's response to our December Resolution about the tabling the creation of the Business College.

“And just a couple of days ago, we received the trustees' response to the December Resolution along with a memo from the university counsel that informed their decision. The dean of faculty website -- the dean of faculty office should launch a new website next month. It looks spectacular. Much easier to navigate your way around. It looks terrific. I'll let you know as soon as we have it live.

“And now, apart from committee updates, it's a great pleasure to be able to present the Steven H. Weiss presidential fellows. They were announced at the Board of Trustees meeting. We have three here. There is Professor Charles Chip Aquadro, Molecular Biology and Genetics, Professor Laura Harrington of Entomology and Professor Sean Nicholson of Policy Analysis and Management. So this is great. I make these announcements with equal parts admiration and envy, never having been the recipient of any such honor myself. I think it's really extraordinary. I believe Professor Harrington is away from campus at an NIH study and the other two winners I think are here with us. If they are, I would like to ask each of them to stand and please be recognized.

[APPLAUSE]

“Congratulations. It's really something to be the finest teachers this year. Another announcement in conjunction with the Weiss fellowships, we learned at the Board of Trustees meeting from the president that there are two new Weiss awards that have been created. The first is the Stephen H. Weiss Provost Teaching Fellows Award. So two of these awards will be awarded each year to non-tenured track faculty. That means lecturers or senior lecturers, professor of the practice, clinical professor and in exceptional cases research and senior research associates. The other is the Stephen H. Weiss Jr. Fellows Awards. Two of these awards will go each year to early career tenured faculty. So the assumption is associate professors.

“The nominations for all the Weiss awards are due March 11th, so in just over a month's time. So please begin thinking now about who among our colleagues is the most deserving of one.

“So now switching hats to give you the nominations and elections report, do we have the next one? Our upcoming faculty elections will begin March 21st. Unlike previous years, we're going to have a shorter election period this time. It's going to be three days rather than a week or more as we have done. We were advised that this is probably at least as robust a period to elect a candidate as before. You will be getting more details about the elections soon. But I'm also announcing right now that the nominations and elections committee has authorized a one-week extension of the deadline for nominations for all elected faculty positions. So the new deadline is February 18th. That's one day from tomorrow, and tomorrow morning I'll send an email around to all faculty on campus alerting them to this.

“Why are we doing that? Because in our most recent meeting, the Nominations and Elections Committee agreed that all the individuals currently standing for election are excellent, however, the members present at the meeting were unanimous in finding that in the aggregate and despite their best recruitment efforts the slate does not sufficiently represent the diversity of our faculty. This was a problem in last year's election.

“In the interest of transparency, the committee also was unanimous in wanting to share with you the next slide of their efforts for recruitment. You can have a look here. These are all the nominations, individuals who were nominated. If they are not slated now, they declined for various reasons to stand for election. Nevertheless, the committee wants to do all they can. So the nomination extension period is open to all faculty. But the committee is particularly

encouraging nominations of faculty that will create a representative range of candidates.

“Now on the following slides, I want to announce the candidates we now have for these positions. So these are the open seats. For Dean of the Faculty -- could you go back? Go ahead, Bruce.

“For Dean of the Faculty, we have three candidates up here as you can see on the slide. Professor Risa Lieberwitz, Professor Paul Soloway, Professor Charles Van Loan.

“For Associate Dean of the Faculty, that is my regular job, we have two candidates, Professor Chris Schaffer and Professor Alex Susskind.

“This is for Faculty Trustee, you may not be able to see. One trustee is rotating off. This is for a single spot. We have four candidates, Professor Charles Brittain, Professor Eric Cheyfitz, Professor Bruce Lewenstein and Professor Laurent Saloff-Coste.

“And we are still populating the slate for the University Faculty Committee, the UFC. We have one candidate, Professor Durba Ghosh. We have more spaces. We have two vacancies, so we need one or preferably two or three more candidates to run a competitive election.

“We are most welcoming of self-nominations. And we have for Nominations and Elections itself, the committee that brings all this to you -- we are still populating that as well. If you do have candidates who would like to know more about Dean of the Faculty or Associate Dean of the Faculty, I will be happy to meet or speak with anyone who is interested. That concludes it. Thank you.”

Speaker Lewenstein: “Thank you, Dean Fontaine. Next on the agenda is the report from the Provost. Welcome, Mike Kotlikoff.”

3. REPORT FROM THE PROVOST, MICHAEL KOTLIKOFF

Provost Kotlikoff: “Hello, everybody. Good afternoon. I'm going to do four things today. First, obviously the difficult medical situation for our president has prevented her from being here. I'm going to start out by reading verbatim her comments to the faculty senate that she meant to deliver as an introduction to this meeting. I'll then present some update on some of the work we have been

doing in the committees that I reported the last time I was here and some of the membership of those committees.

“The third thing I'd like to do is present to the faculty the academic case for the creation of the College of Business. That's something that has not been presented to this body and I have been looking forward to presenting. And then the last thing I'll do is make some comments about the faculty resolution that followed the announcement of the College of Business.

“So beginning with Beth's comments: 'I'm pleased to join you today with Provost Kotlikoff. It is my plan to visit the full senate at the beginning of each semester to discuss issues of importance and answer your questions. In this case, I know there's a particular issue of attention for the senate, the trustees' action to establish a Cornell College of Business in the bylaws and the beginning of a robust process of consultation and discussion, largely a matter for faculty and academic leadership, but with roles for staff, alums and students to fill in the details of this integration of our three outstanding accredited business schools.

“I know there are other issues as well that some of you have brought to our attention. And we are happy to answer those questions. Before I turn it over to the Provost to explain the rationale behind the new College of Business and the way forward, as a prelude, let me provide a quick framework for how I approach issues as president of Cornell.

“One overriding value and one way to think about issues that are presented to our community, our overriding objective is academic excellence in all of our missions, teaching, research and creative work and public engagement. We will pursue opportunities that are consistent with excellence, even when they involve change and some discomfort. I know that is your goal as well, and that while we may disagree about what can best achieve excellence, we are united in the same goal. That should shape the tone and focus of our disagreements. Second, when we are asked to embark on an initiative like how we will be involved in the very important issues surrounding sustainability, climate change and energy use, I begin with the belief that our comparative advantage lies in our triple mission. By focusing on how we can be involved through those activities, we have a much better chance to affect change with significant impact and broad consequence beyond our campus. It also helps us think about how we invest our limited resources. I am acutely aware of our limited resources. All organizations face that issue and the need to prioritize.

“You have heard my priorities clearly. The first is recruitment, retention and support for faculty. And the second is investment in bringing the finest students, undergrad and grad to Cornell which is not only a matter of financial support, but of providing rigorous curriculum and other learning experiences in the state, nation and world.’

“For both those goals, we must have a top professional staff to support us all. To the extent an initiative diverts resources from these priorities, I find it problematic for an institution of higher education, and particularly Cornell.

“On the matter of the faculty senate resolution regarding the role of the faculty senate in establishing the CCB, Chairman Bob Harrison -- oh, I'm sorry. This is my statement at the end of this. Sorry.

“Got ahead of myself. Okay. Let me now talk a little bit about where we are in terms of the committees that we have established and an update on the governance and working committees, all of which involve, as you will see, representatives from the faculty senate, students, and representatives from the faculty and in some cases staff.

“And then I'll talk about the College of Business. We have established these committees, these six committees, one, to work on administrative and support costs to try and control those costs and to focus as much of our resources on academics as we can.

“Secondly, a Strategic Capital Planning Committee. I have talked about the fact that some of our capital planning tends to occur in isolation, tends to arise from individual colleges or individual units having resources, and then bringing forth a plan without having that broadly contextualized in terms of what we need overall and what are our priorities overall. So this is an early planning committee in which the faculty serve as well to be able to think about our needs on the facilities side.

“An Academic Technology and Online Learning Committee to try and think about how we strategically organize our online learning initiatives. A Public and Global Activities Committee and an Admissions and Financial Aid Committee and Curriculum Oversight Committee which we have now split into three

groups for common curricular elements, governance and access to gateway courses. And I'll talk about that a bit.

“So first I want a little bit of update on admissions and financial aid. One of the things that the Board of Trustees did at this past meeting is pass two resolutions. Both of those resolutions came through this faculty senate committee, were recommended by the faculty. They also went through the deans. They were unanimously approved by the deans. And they also came to this body. So they were presented to the faculty senate by Barb, by Associate Provost Knuth. Those were following analysis of the international undergraduate admissions process to change that to a need-aware admissions. And the brief story of that is that we had been admitting students with demonstrated financial aid need, and then running out of financial aid for international students. And about 1/3 of the students that had been so admitted came to Cornell without the resources that they needed to survive and benefit from this education.

“So we changed that. The recommendation was to the trustees, which was passed, to treat these as need-aware as all of our colleagues in the Ivy League do with the exception of those Harvard, Princeton, and Yale that have enough resources to fully meet the need of all the international students that are accepted.

And then secondly, the proposal was to treat undocumented students as domestic students in terms of financial aid. So to fully meet the financial aid of undocumented students who graduate from high schools in the U.S. -- and this is DACA status, undocumented students. These are a status of deferred action for childhood arrivals.

“It is a federal status for these students. This also eliminates what had been an issue in the past in which these students had been treated as international students in terms of financial aid. By the time we got to them, almost all these students received no financial aid, came to Cornell without financial aid. Then a brief update on the curriculum committees. As I said, we have broken into three of these committees. One looking at common curricular elements. One looking at governance and college processes. And one looking at access to gateway courses.

“I want to emphasize to the faculty senate that my intention is to have these committee recommendations come back to the faculty senate for the faculty senate approval. Particularly common curricular element subcommittee which

will presumably propose some common curriculum for all of our undergraduate students. That's one outcome. They may decide not to propose that. But this is an issue that the faculty -- will come to the faculty senate and the faculty senate will consider. Similarly, the governance committee will recommend governance processes by which the mounting of new courses which overlap with existing courses will be where we will achieve oversight of those courses. That will also come back to the faculty senate as a motion to the faculty senate for approval by the faculty senate.

"The third committee is the Access to Gateway Courses. And this is meant to try and resolve some of the issues around gateway courses where we run out of TAs. There are individual bargaining between individual colleges and their access to courses depending on their resource allocation. And so these three, I just briefly give you the makeup of these courses so you see a Ross Brann is chairing the subcommittee for the curricular elements committee. And you'll see several senators on this -- are members of this committee. The governance committee is chaired by Ron Harris-Warrick. Again, several members, David Delchamps who chairs the Curriculum Committee of the faculty senate, Mike Fontaine, of course. And then the last committee, Gateway Courses is chaired by Chris Ober and again heavily populated by faculty.

"The intent and the goal here is to achieve faculty input into this process, to share governance through this process and to come back to the faculty senate. Okay. Now, let me make the case, the academic case and rationale for the College of Business. What I will talk about is first, what is our vision, what we want to do with the College of Business, why we think it's necessary to create this. And then finally, critically, how we have chosen to go about it, which I know has generated a lot of controversy with the faculty senate.

"So, first of all, we now have since 2014 three separately accredited business programs on Cornell's campus. With a lot of confusion about access to those courses, where one goes, and also substantial overlap as I'll describe because each of these courses -- each of these programs has to be accredited by the College of Business accreditation committee. And each, therefore, has to maintain the same standards in terms of general business curriculum. Our goal was to do this and to balance two tensions. One, two create a college with the ability to succeed as I'll describe, but the other goal here clearly kept in mind is to preserve the identities and the excellence of the individual schools.

“From the beginning, that has been the goal of this process. We'll talk a little bit about how we hope to achieve that, what are the mitigation strategies around the risks associated with this. The Dyson School from the beginning is a complicated matter. The other two schools, the Johnson School and the Hotel School are stand-alone endowed school. But the Dyson School is a special case. It sits within CALS, so it must be a shared college, a shared school. And secondly, it sits within a statutory college, so we must attend to the issues around that endowed statutory balance.

“First, what are we trying to achieve here? We are trying to increase the excellence, impact and visibility of our business programs at Cornell. We want to attract the strongest faculty and students, innovate to meet future challenges, have a scale and scope of this challenge to create programs and collaborate in a way in which the three smaller schools have difficulty doing, and raise the awareness of Cornell's business programs, both on this campus, nationally and globally.

“The vision is to focus on three areas in which we have deep expertise represented by these three schools. Three of the largest, the biggest industries in the world -- food, hospitality, and technology, all increasingly the focus, particularly technology on the Johnson side, Johnson School side with their engagement at Cornell Tech, are areas in which we have expertise which is deeper than we feel any other business school in the country.

“As part of this vision, not trying to recreate a large business college in Ohio State or a Wharton North or a Harvard Business School, but to try and create something that addresses the problems facing society. And there we have deep expertise in the areas of sustainability, food security, shared prosperity, wealth and balance.

“And so we feel that this is an opportunity to really do what Cornell has always done. Create new knowledge, but also apply that knowledge in a meaningful way to society's problems. And as part of that, prepare business students in a world of business which is changing very rapidly, which is being impacted by technology and in a way in which we need to adjust nimbly and is difficult for three schools to adjust to.

“I also want to emphasize this is not a new idea. This is not my idea. This is not President Garrett's idea. This is an idea that has engaged faculty and leadership in the business schools since 2008 when the first study was commissioned and

reported. In 2009 -- and we have handed out for you some quotes from each of these studies. But in 2009, a group of faculty and administrators addressed the fragmentation of business programs on Cornell's campus, recommended a number of remedies. Those remedies, that fragmentation has been repeated in numerous studies.

"In addition, we had the 2013-2014 AACSB accreditation report which identified very, very significant deficiencies in one of our undergraduate programs. That was very close to not being accredited which would not have accredited the other two business schools as well.

So how could I summarize this fragmentation for you briefly? First of all, we have three small accredited programs. Each school ranges -- Dyson and Hotel are around 45 faculty and Johnson is 57. And they compete in a marketplace with other schools that are far, far larger, which I'll show you in a minute for Dyson. Each must hire faculty in general business areas of accounting, finance, marketing, etc.

"Last year each of these schools was separately recruiting a finance faculty member. And those finance faculty members in some cases were joining very small cohorts. So Dyson has three or four finance faculty members, which you are recruiting to as opposed to the full cohort of finance faculty members on campus which are 25 approximately.

"Limited visibility amongst the top business programs because of this separation. Each of these optimizing their own programs, rather than thinking about how students can cross boundaries and faculty can cross boundaries. Tuition flow is, of course, as we all know, something that's kept in mind when we think about students crossing boundaries to take courses in other programs. It's been difficult to mount some programs. We have been trying for three or four years to mount an entrepreneurship minor that again addresses, challenges or threatens some of the schools that are not -- whose students would be taking an entrepreneurship minor in another school.

"And then finally, we have graduate programs that are redundant, and some of which are not that strong. So just a couple of pieces of data for you to see what we're talking about. This is a listing of the faculty, just the top business programs and the numbers of faculty of those. And Johnson, the bottom rectangle here ranks 15th in terms of those faculty sizes of all the business schools. But if you put on top of Johnson Dyson, which is the next block and Hotel which is one above it, we are ranked 3rd.

Same thing to a slightly different degree with operating resources and operating funds. 14th if you just take Johnson, 4th if you take all together. If we just take the Dyson School, this is the Dyson School which is undersized relative to the other 10 -- nine of the 10 top 10 undergraduate only business programs. So if you take the median of all those programs, Dyson has 57% of the marketing faculty of the median of the other nine. Less than 1/3 of the finance faculty. About 1/4 of the accounting faculty. And you see the rest. So we're not competing effectively with our peers.

"A quick summary of the benefits for Cornell. Increasingly, business colleges sit in this place between discovery of new knowledge and application of new knowledge. And they are critical to bringing capital to bear on problems and educating students both about how to do that and also what those problems are. And that's really what we need -- one of the things that we need at Cornell is an outstanding Business College. We have that. We have the elements of that, but they are fragmented. So this will be a great improvement to Cornell, and it will not be a subtraction of resources from other programs to go into the business program. It will simply be focusing those resources in an effective way on a College of Business.

"Students are increasingly drawn to this area as we know. We will be one of the top 10 business schools in terms of numbers of students and faculty. We will be able to improve we believe across disciplinary research not just within the business programs, but here in Ithaca between business and technology, business and other colleges, and also Cornell Tech and in global programs, and allow us to really fully appreciate and provide to our students the full cohort of faculty that we have on this campus.

"Then for each of the schools, it will enhance faculty and student interactions. Part of that is how we are integrating the faculty. It will, I think, like we found with the economics department, improve our success in recruiting faculty to Cornell. Expand opportunities for joint graduate programs. Expand participation in Cornell Tech. Allow us to launch programs together. And then provide some efficiencies overall.

"So why now? And I know there's been criticism of this being a rushed process. There's really a number of reasons. First of all, since 2014 -- that's the first time that we have had three fully accredited business programs.

Secondly, when I started as provost, we were in the middle of a search for a Hotel School dean. We either had to stop that search, which meant I would -- have me explain this to the Hotel faculty and, therefore, accelerate this process, or hire a new dean of the Hotel School which would be a five-year commitment to a job that we couldn't really immediately reverse.

"The same time we were also facing a change in leadership at Dyson as Chris Barrett had said that he was not continuing as the Dyson director. And we had current leadership capacity in the dean of our business school, Soumitra Dutta who has a vision and an energy willing to tackle creation of a new College of Business.

"And then finally, a new provost and a new president, understanding that this would be a controversial decision, understanding that many alumni of these schools would not be happy about it, but committed to doing what we needed to do to make Cornell stronger.

"So what are the risks? First and foremost is damage to CALS. And that's something from the beginning we have discussed mitigating, how to do this in a way in which Dyson remains in CALS, remains fully committed to the CALS' mission, but is also in the College of Business.

"And we at Cornell have many faculty in many shared departments which we do very well on this campus. And I was convinced and President Garrett was convinced that we could do this effectively and we could ask the faculty to solve this problem effectively.

"Secondly, Dyson and Hotel, how do we maintain their focus and excellence? And we will talk about mitigating those issues. Long-term alumni dissatisfaction, that's something that we've got a lot of concern by particularly our Hotel faculty who are looking at the school that they have graduated from, always autonomous, always sort of punching above its weight and underappreciated and feeling picked on. And that's something that both the president and I have spent a lot of time talking to alumni, meeting with alumni this weekend. Had a number of webcasts and continuing to meet and talk to people. It's something we need to attend to, but we're also seeing a little bit of a turn there where people had tried to sort of dig in their heels and say if I scream loud enough, it won't happen, and now we're accepting the fact that it's going to happen.

“Adding bureaucracy. We are adding deans, but we have a long-term plan to make this more efficient. And then the issue here at the faculty senate, how do we do this in a way in not damaging the long-term relationship between the provost and the faculty or the president and the faculty? And I'd like to say a few things about that at the end.

“So I won't go through all the mitigation strategies because there's not that much time. But schools will have their own deans. They will have their own faculty. They will have their own admissions. We're now going through the process of getting faculty to think about how to integrate and still maintain those things that are precious and required for their own identity.

“And so the process. So what we asked the trustees to do, what we announced early on was to create enabling legislation, if you will. Just get us past no. And that's the problem that the university faced since 2009. And the trustees had talked about this and talked about this. Previous provost had said in a trustees' meeting, if it were up to me, we would have a single College of Business on Cornell's campus. But these things are hard. And we knew that there would be an immediate response, both from individuals who were generous donors and to alumni who were passionate supporters of the school.

“And so what we said is to start us off. Create, if you will, an empty vessel and allow us to then go back to the faculty to say now fill that vessel. Now the faculty can only do what the faculty can do, which is determine those governance processes that will integrate the faculty. And that's what's happening now.

“And that's happening in these committees. We have a Steering Committee that has all the deans of the individual schools, plus Chris Schaffer is on that committee from the UFC, and John Siliciano as well. And we're working together to when we launch new searches for deans, how we think about the recommendations from this Governance Committee.

“And then the Faculty Governance Committee that Mike mentioned has met now four or five times. They are starting to work together well to think about these dual tensions that I mentioned. How do we create a functioning college and also preserve these individual schools?

“We have an Alumni Advisory Committee that we're using to bring alumni back in to the conversation, a staff group, a communications group from each of the schools and then undergraduate and graduate student committees, again students from each of the schools getting together, talking about what their concerns are and feeding back up into this process.

“But this Faculty Governance Committee, I have no preconceptions. I have put no template on the table. They can create departments like a business school. They can create other structures. That is up to the faculty.

“And then the timeline here, which is important, because what we asked again the trustees to do is to kick this off. And then we said there is no ending. We are not saying this has to be done by July 1. This is going to take as long as it takes. And these groups are going to work together. And when they are done, when we get a consensus, then we're going to launch the college and not before. So with that then, let me just end with one more comment. Sorry, Bruce. Briefly. So on the matter of faculty senate, the faculty senate resolution regarding the role of the faculty senate in establishing the Cornell College of Business, Chairman Bob Harrison has written to the Dean of the Faculty and has asked for an opinion from university counsel, from Jim Mingle.

“Both of these letters have been made available to the senators. I'm not going to comment or get involved in a discussion of the legality of this and Article 13, but I do want to say this. The role of the faculty senate in the establishment of a new college, whether it be Cornell Tech, CIS, the College of Computer and Information Sciences, or the Cornell College of Business and the interpretation of Article 13 of the university bylaws relative to the creation of those schools is something about which reasonable people can disagree.

“President Garrett has responded to the senate with her view of this issue. And I'm sure at the appropriate time, she will return to the senate to have a full discussion with respect to her interpretation of the bylaws of the university. This should not, however, prevent us from working together to advance Cornell, to enhance its stature and impact, to invest in our academic programs to that we continue to attract the strongest faculty and students and enable them to do the best work.

“President Garrett and I look forward to fully engaging the faculty in general and the faculty senate in particular in the critical decisions that we will make to

secure our future. And I hope that we can go forward in a spirit of mutual trust and collaboration.

“And I want to say one other thing to the faculty senate and the faculty here. Please do not consider the creation of the College of Business a general model by which the provost and the president will move forward in the future. This is something that, as I have described to you, has had its history and exigency and it's something that we felt needed to be moved forward expeditiously, but with a certain limit to that movement which would then bring forward the faculty.

“So I want to relieve those of you who are alarmed that you have an imperial president and imperial provost who will continue to operate without discussions and full transparency. And I think those of you in the faculty that know me and that who we have talked with in the UFC and the Finance Committee know the full transparency in which I have been dealing with those groups. So thank you very much.

[APPLAUSE]

Speaker Lewenstein: “Thank you, Provost Kotlikoff. So we have about 15 minutes of direct question and answer for the provost. And then we will move into more general discussion. And the provost has told me he intends to stay for that longer period.

“We will use the microphones in the aisles, so I ask people to go to those microphones. And I will recognize you individually. And we will ask people to limit their remarks to two minutes. And the parliamentarian will hold up his iPad with the timer.

Professor Greg Poe, Dyson School: “We have met many times over the last months. One of the things we have done the last few years in the Dyson School is we have increased our hiring, consistent with your recruitment and retention objectives of the new president.

“Unfortunately, since this has been announced, we have repeatedly asked you how is the tenure process for these new hires going to be handled. We have been told it is going to be turned over to the faculty governance. We have been told in two or three years, you're okay. And we've been asked what the time is.

As you have shown, the timeline may extend forever for this decision to be made. We are having faculty looking elsewhere already. It's hurting our retention. It's certainly hurting our recruitment. And I was just wondering why we can't do what most of us in the Dyson School feel is the fair, the reasonable thing to do -- is say the people who were hired before the trustee vote are guaranteed their tenure process as defined by their terms of hire. And you haven't been able to answer that. You said it goes to the faculty governance. And I'm wondering why we can't say that."

Provost Kotlikoff: "It's an excellent question. And it was my understanding that Provost Siliciano addressed this in a communication back to the Dyson School. Is that not correct?"

Professor Poe: "I believe that the Provost is also meeting with groups of the assistant professors, but it's still been vague. Nobody has had an answer when that's going to be resolved for those people. And there's a lot of uncertainty in these people's lives."

Provost Kotlikoff: "So we have tried to clarify that. I mean I think the basic thing that we're trying to balance is, as you say, the absolutely fair thing to do is to say to individuals who are -- who have been at Cornell, the conditions of your hiring, the way you were mentored and your expectations will determine your tenure process. And that's fully our intention.

"However, there are also questions about if you are hired six months ago or three months ago, is that something that you also say the next intervening four or five years don't matter. And that's the only, I think, question.

I don't really think we're talking about a lot of uncertainty. I know that I have talked to a number of junior faculty about this. And my sense is that people understand what the expectations are, and that the institution will do the right thing.

"But we also -- we want to make sure this has faculty governance and I don't as a provost dictate what the faculty want to do. But I think the principal point of yours with only a small side reserve for people that have been just immediately hired, is that -- and maybe they need to be additionally mentored and counseled going forward -- is that we will honor those commitments in the future."

Professor Linda Nicholson, Department of Molecular Biology and Genetics: "Hi, Mike. On the subject of --"

Speaker Lewenstein: "Step closer to the mic. David, can we get the microphone on?"

Professor Nicholson: "There we go. In 2007 President Skorton signed the America College and University President's -- we're fading out again. How about if I just yell?"

"Okay, very good. In 2007, President Skorton signed the American College and University President's Climate Commitment and pledged that Cornell's campus would develop and pursue a plan to achieve carbon neutrality by a target date of 2050.

"In December of 2013, this body, the faculty senate, voted overwhelmingly nearly 4-to-1 in favor of accelerating that date to 2035. Every other shared governance on campus, students and staff, subsequently passed resolutions supporting the 2035 goal.

"President Skorton responded by appointing a committee whose year-long work included a cost and feasibility review of becoming carbon neutral by 2035. After receiving this committee's report in January of 2015, President Skorton announced and I quote, "Today I again formally recognize the need to accelerate our efforts by embracing the goal of becoming carbon neutral by 2035." Two months ago at the 2015 Paris Climate Conference, the world agreed to limits on the rise in global temperature that's going to take action. These targeted limits are projected to require the U.S. to be mostly free of fossil fuels by 2035. There cannot be a more critical call to Cornell to lead in the pursuit of the 2035 goal.

"An essential aspect of leadership, excellence in leadership is leading by example. Cornell has already accepted this role by publicly and formally embracing -- formally embracing the 2035 goal for carbon neutrality. However, a February 2nd article in the "Cornell Sun" raised concern that our new administrative leadership might not honor Cornell's established commitment to pursuing our 2035 goal.

"So here's my simple question. Will you please clarify yes or no whether Cornell's new central administration honors and embraces our previously established goal of becoming carbon neutral by 2035? The goal that otherwise is supported by the full breadth and depth of our academic village."

Provost Kotlikoff: "Two thousand thirty-five is the goal. Whether, as I think David stated in his commitment that our goal is 2035, guaranteeing our ability to meet that goal is a step that David did not take and is a step that President Garrett has not taken. And there's a reason for that.

"Currently, the estimate of the cost of reaching that is in the range of \$500 million. We have no idea where that money would come from. There was never a plan to do that. And so, as I said to the university assembly last night, guaranteeing that Cornell will meet the 2035 deadline would mean that the administration would have to essentially write a blank check, and not understand what the cost would be to every other part of this institution. So if it required cutting budgets from schools, if it required cutting back on our financial aid commitment, if it required increasing tuition, these are issues that have to be seriously considered.

"So while it would be very easy to say I guarantee you we're going to make 2035, I believe that President Garrett feels -- and I agree with her -- it would be irresponsible. But that does not undermine our goal to achieve that. We have got a committee, a slag committee that we are looking at options. One of the things that we have done is enable a planning study to go out. The only way we can achieve this, as I understand it -- Bob may contradict me. But as I understand this, not being an expert, is with deep Earth source heating. The cost of that is unknown.

"We have a plan now to figure out what the cost would be to dig an initial test well and then to go out for financing for that well. But please understand that we don't really have a plan that would get us to 2035. That is our goal. And as I have said in many public fora, I happen to be carbon neutral. I've got a solar system. I drive an electric car. I'm fully committed to this. President Garrett is fully committed to this. But I really think we're talking about nuances between David's commitment and Beth's commitment."

Speaker Lewenstein: "Professor Howard."

Professor Bob Howard, Department of Evolutionary Biology: "I was one of the four representatives from Paris at the COP 21 meeting. I work on climate change. I'm also one of the authors of a plan to make the state of New York free of fossil fuels by 2030 which I think is believable. Indeed coming out of COP, the world said that we cannot let the plan of the Earth rise more than 1.5 degrees.

We're at target to do that 12 years from now. And that believes I believe that all responsible academics need to move as aggressively as we can to endorse carbon neutrality.

"I was very pleased to be part of the Cornell faculty when President Skorton agreed to that. I understand your personal commitment. I share that. I applaud it."

Provost Kotlikoff: "Bob is also carbon free."

Professor Howard: "I'm also carbon free. But the university, I think setting an absolute target is important. President Kennedy did not set the stage for getting a man on the moon by having a detailed work out of the budget. He said no, it's something we are going to do. We set it as a target and made it happen. I think the 2035 target is absolutely essential to get us moving there. There are a lot of unknowns. I fully understand that. I think there are also a lot of low-hanging fruits that we could be moving on much, much aggressively than we are."

Provost Kotlikoff: "Completely agree."

Professor Howard: "I think that needs leadership from you and the president to the rest of the administration, so I look forward to that."

Provost Kotlikoff: "And that's been my message as well. I completely agree."

Speaker Lewenstein: "Professor Shalloway."

Professor David Shalloway, Department of Molecular Biology and Genetics: "Hi, Mike. So we have heard three words: Commitment, goal and guarantee. And I think the distinction is important.

"Bob Howard just mentioned the moon shot. When Kennedy set that goal, a target date, when the people, when the nations at COP 21 set a target date, there was no guarantee. But there's a big difference. And a lot of what's going on that's needed with climate action is moral leadership.

"And no one expects it to be a guarantee, but there is a big difference between taking the risk, putting our name on the line before we know if we can do it. But if we want to be excellent, we have to have the courage to step out and say we

make this commitment. Just like Kennedy, we don't know that we can do it. We don't know the cost. But we have the confidence in ourselves. We keep saying this -- that we are excellent. And if we are, we have the confidence in ourselves that if it turns out that the deep geothermal cost benefit investment -- it isn't good, we have the confidence that we will come up with Plan B, biomass, shallow heat exchange. I don't know what.

"But we put out we should have that courage. And it's not just semantics. When we back off from a commitment to a goal, the world hears that. It's hard for us to take leadership when dealing and trying to influence policy in Albany and Washington. We should keep that target so that we have a leg to stand on in asking government to take the actions that we need."

Speaker Lewenstein: "Professor BenseL."

Professor Richard BenseL, Department of Government: "I'm going to say some things about why the faculty senate considered the issue so important that it unanimously passed that resolution.

"You know, it was like a week after the meeting that you announced in the Cornell Alumni Magazine in mid-December, -- well, they were reporting you, "Michael Kotlikoff announced the creation of a College of Business. I mean it was right after the meeting. It would have been easy for the central administration to have brought the issue to the faculty senate meeting. We had just met.

"So it looked, it appeared to be an intentional circumvention of the faculty senate. It has been, it is almost impossible to imagine another explanation except indifference.

"Now, I read Mingle's legal brief. It's not a legal brief, but it strikes me -- there are two things that strike me. One is in that brief is not a conclusive legal argument of any sort for circumventing the faculty senate in the case, in the approval of the Cornell College of Business. In fact, I think most of it is very general gibberish that has nothing to do with those issues. But we can talk about that.

"But the basic point is Cornell counsel is not the faculty senate. It is your folks. And the central administration should not be in the position of mobilizing other

groups that they control, they influence, they administer and run in order to counter the faculty senate as a governing body.

"Here's what I think is going -- here's what I think is happening. The Cornell bylaws do not say that the president and the provost may circumvent consultation with the faculty senate by talking to individuals. The bylaws do not -- also do not say that the president and provost may avoid consultation with the faculty senate by creating hand-picked committees.

"The bylaws also do not say that the president and provost may substitute confidential discussions with the university faculty committee or the dean of faculty for consultation with the faculty senate. What the Cornell bylaws do say--"

Speaker Lewenstein: "I will ask you to wrap up."

Professor Bensel: "-- is that the functions of the faculty senate, along with the university faculty, shall be to consider questions of educational policy which concern more than one college, school or separate academic unit or are general in nature. The College of Business is educational policy. You stated it yourself in your discussion."

Speaker Lewenstein: "I'll ask you to wrap up, please. We're at three minutes."

Professor Bensel: "When unique identity and focus of the schools, but then you said faculties are to be integrated academically. There's no way to square even the most general plan for the College of Business with not being or not involving educational policy."

Provost Kotlikoff: "So let me just briefly respond, Richard. As I said, I think we can respectfully disagree about what the scope of Article 13 is, what consideration means in this case and what educational policy means. I don't really want to get into a discussion about that, but I will say there was no intention to avoid the faculty senate or discussion in the faculty senate. There were constraints on our ability to discuss this activity in the timing of that announcement. And those related to some discussions with donors that had -- that were very concerned about this and constrained our ability to have public conversations, as well as our concerns about alumni in general.

“So those were really the things that were constraining our ability to have a broad discussion with the faculty. I would have loved to have made this academic case to the faculty before we announced it. And in fact, I did go to the faculty, individual faculty of each of the schools immediately after the announcement to have this conversation.

“But there were some constraints that are particular this issue, and I can't talk about them too much. But I can only say that over the course of time, we were able to work those out in a way in which the individuals involved are now comfortable with what we are doing, but were not comfortable at the beginning of the process.”

Speaker Lewenstein: “So we have reached the end of the provost's formal time. I know there are many people who have a variety of issues. We are now moving into an open Q & A. Mike, do you want to remain there?”

Provost Kotlikoff: “As long as you want me.”

Speaker Lewenstein: “Professor Grossman.”

Professor Yuval Grossman, Department of Physics: “I want to talk to you on a topic I actually talked to you about last month, and that's about the adjustment of the DACA studies. And the point following, it's also very well documented immigrant that after they arrive to the U.S. and when they apply to the green card, it's a very long process until they get the green card.

“It's the basically same situation as the DACA studies. They come in, they get the DACA studies, and then they apply for a green card. Now the way Cornell is going, if you came and you are undocumented, we give you financial aid. If you came and you were documented, we actually don't even consider you.”

Provost Kotlikoff: “I'm sorry. Repeat that last part.”

Professor Grossman: “Yes. So if, you know, so I myself I came to Cornell. I came on an H4 Visa. I was H1 and my kids were H4 so they were completely legal. Then we applied for a green card. The green card for me it was very fast. I got it in two and a half years. But you know you can get it whatever. Ten years it's not an uncommon thing.

“And during this time, Cornell do not give you financial aid, okay? And that's the same as what has been in the DACA studies. You get in and get some formal thing and then you can apply for a green card.

“Okay. I really hope very much that Cornell will actually make it the same. I made some research after last time and there are actually two schools that already did it. And unfortunately, it's NYU and another one that I don't remember. They only give this benefit for DACA studies student and not those that came with the documented. And I talked about it last time. And I really hope we will not do it only for the DACA, but we actually once we decide we will do it with both.”

Provost Kotlikoff: “Great point. But you agree we have made it better, but not good enough?”

Professor Grossman: “No. I think we should not treat those documented less than those that are undocumented.”

Provost Kotlikoff: “I understand. But previously you understand nobody was getting –”

Professor Grossman: “Previously there was nobody. And as long as we keep it nobody, that's fine. But I would think we do one, we should do both.”

Provost Kotlikoff: “Point taken. We will bring that back to the committee. I think that was the discussion, significant discussion in the committee. Maybe we will invite you to weigh in.”

Professor Grossman: “I will tell you my experience.”

Speaker Lewenstein: “Trying to go back and forth on both sides. Professor Cheyfitz.”

Professor Eric Cheyfitz, Department of English and the American Indian Program: “So hey, Mike. I just wanted to read something. There is a history of interpretation of Article 13. So that in 2000 -- I don't know if you and the president are aware of it. You may well be. There was an agreement signed between the president and the faculty senate.

"And it said this. It said, "Meaningful faculty governance requires adequate time for consideration of issues and development of recommendations. To that end, the president or other members of the administration will not reach final conclusions or take action on major multi-college educational policy issues until the normal steps for securing faculty input, including a reasonable period for relevant faculty senate committees to act and for subsequent deliberations by the faculty senate to occur have been completed."

"That seems to me to make Article 13 quite clear. Okay. So in that sense, it seems to me the administration has abrogated that agreement. Whether you intend to abrogate it or not, I would like to know. My second point is for the senate really. I have to say at this point, my confidence in the administration is not great. And that is, we have passed two resolutions in this senate. We passed a resolution last spring which contained which I just read which articulated our understanding of Article 13 as containing the kinds of changes that are being made by FIAT. And then we passed, of course, tabling the College of Business until we had time to discuss it per our understanding and this agreement's understanding of Article 13.

"So I actually want to know how the senate -- what the senate is going to do when two resolutions that we passed and stand behind are ignored, effectively ignored by the administration.

"And if we let that happen, I want to know what happens to the senate's integrity as a body. What happens to the senate's integrity when it passes resolutions and we don't get a substantive discussion with the administration about these resolutions before the administration takes the kind of action it has taken on the College of Business and in the past on other things like Cornell Tech? All right. Similar empty vessel. The metaphor is problematic to say the least."

Provost Kotlikoff: "So let me just briefly respond, Eric. As I understand it, the resolution was to the Board of Trustees to table this decision. And I just relate to the faculty there was a really thorough discussion of this resolution at the Board of Trustees. That board, that included faculty representation, staff representation and student representation, all of whom voted unanimously at the end of that discussion for this resolution.

"It was everything that you would hope a deliberative, thoughtful, nondenominational discussion would be. And by denominational, I mean many

of these trustees are graduates from the individual schools and were conflicted by their own individual passion or alignment with their schools. But at the end of the day, every single one of them voted to approve this motion.

"Now, they also considered the motion of the faculty senate. I think that's a decision that they took thoughtfully in terms of how they were exercising a restrained -- making a restrained decision in terms of changing the bylaws to list the College of Business full stop."

Professor Cheyfitz: "Can I just respond just briefly? Just really quickly. Except it still doesn't address the issue of resolutions that we are passing that are not being addressed directly to us in an open discussion and debate about these matters. It seems to me the senate is being bypassed any way you look at it and under any explanation you can offer."

Speaker Lewenstein: "Eric, there are other people waiting. Professor Miller, can you come to the microphone, please?"

Professor Richard Miller, Department of Philosophy: "Yes. Can I ask a procedural question?"

Speaker Lewenstein: "Yes."

Professor Miller: "My remarks are really addressed to the senate. I thought that was in order in this part of the agenda, rather than question and answer."

Speaker Lewenstein: "So in terms of with the labeling of the agenda item you mean?"

Professor Miller: "Yes."

Speaker Lewenstein: "I hear that. It goes in the minutes. That would be something the university faculty committee should address in its establishment."

Professor Miller: "Can I get a ruling as chair?"

Speaker Lewenstein: "I consider this an open discussion."

Professor Miller: "According to the organization and procedures of the faculty, there is a faculty administration partnership at Cornell that creates a broadly

based consensus of choices and goals, university leadership functions best when it is derived from the consent of the governed. The decision about the Business College is I think in the violation of the spirit, if not the letter of the statute that we in the administration are supposed to observe. Still strong condemnation of what the administration has done would not be in order unless there were grounds for worry about what they have done. I believe there are.

“On the one hand, suppose this decision is a matter of packaging, of uniting units that will stay basically the same to improve visibility. That is a very expensive package. The new dean, the new associate dean and their support staff will probably cost about \$1 million a year in a time of stress on teaching and research at Cornell.

“Suppose that this is not just a matter of packaging, that it's is very plausible that amalgamating units in a College of Business creates a framework pressing towards promotion of business and entrepreneurship. I think those are vitally important activities, that Adam Smith was right in saying that commerce is the basic way that we get help from others by providing help for them.

“I also think it's the mission of a great university to ensure context of research and teaching for the study and education and entrepreneurship which look instead to the study of the large-scale economic process and its impact on humanity. That is what happens at the Dyson School. A minority of faculty at the Dyson School do management. A majority of the faculty work in development economics, including extremely distinguished figures in the study of agriculture, looking to the improvement of humanity and some of them, a declining number of them, look at environmental economics.

“I believe that if this is not just packaging, it's pressure to move towards a more exclusive focus on entrepreneurship will make Cornell worse, especially when combined by the pressure on administration attention –“

Speaker Lewenstein: “Please begin to wrap up.”

Professor Miller: “-- of Cornell Tech. If this move had been improved through deliberations among the Dyson faculty, that would give me pause, conversations with a member of that faculty who I have known for years and completely trust tell me that the Dyson faculty was not consulted as a whole on this decision. I think it's wrong. I hope by March we consider a resolution to condemn these initiatives.”

Speaker Lewenstein: "Please wrap up. We're at three minutes. Thank you."

[APPLAUSE]

Speaker Lewenstein: "Professor Brown."

Professor Dan Brown, Department of Animal Science: "And he stole a lot of my points. I think his estimate of \$1 million a year is way low. When you look at the probable salary, deferred compensation, benefits, perks, travel budgets, on and on and on to support just of the three brass plate deans that have been appointed so far into this empty vessel, not to mention all their support staff and everything, you're probably talking several million dollars a year.

"Now, if the problem of Dyson is it's too small to be a good business school, I think that money would have gone a long ways to hire more faculty to make sure the undergraduate mission is met.

"Also, if you look at the 20-year timeline to meet the carbon neutral goal, 20 years at several million dollars a year get them a long ways towards that. This is a fiasco. I think that other business schools and other people in the country are laughing their elbows off at what we have done. If you want to have a single business school, that's fine. Get a good web page, get some good stationery, have the current deans rotate into the seat, the nominal seat of dean of business.

"Which every one of these visions, every one of these things you say can be carried out with the people we have now. If you have got an extra 2, 3, \$4 million a year lying around, let's spend it on faculty, let's spend it on scholarships for students. Let's make these schools better, not blow it on another layer of bureaucracy between these colleges and the provost office. I mean it's ludicrous. We have been told for 20 years that we're always in financial crisis. Our faculty is half the size it was 20 years ago. Facilities are being shut down left and right. And yet we've got the money for this, you know, needless layer of administration.

"As far as the secrecy it was done in, that's inexcusable. It was done clearly to avoid comments such as the ones I'm making now. And, you know, consulting with a few faculty on committees that contain administrators just from the

schools involved and not coming back to the entire faculty who may have insight on a better way to do this does not fix it either.

“You know, the idea that you are still only talking to a few faculty even within the schools that are involved. So two things which are very positive –“

Speaker Lewenstein: “Please wrap up.”

Professor Brown: “Okay. Two things that are positive that the central administration is doing. One, they said this is not a done deal, that they can take input. This can be completely reorganized. I hope they do along the lines I suggested. And also, that this is not going to be a model for the way they treat the faculty in the future. I hope in that I can find a promise that nobody is going to pull a stunt like this again.”

Speaker Lewenstein: “Professor Lieberwitz.”

Professor Risa Lieberwitz, ILR: “Is this working okay now? Okay, great. A couple of things. First, Mike, this is the first I have heard that you would have loved to come to the faculty senate to discuss this first, but that you were constrained by needing to talk to donors.

“I am shocked. In a certain way I am shocked to learn that the discussion with donors take precedence over discussions with the faculty senate. And that is what I heard you say. Perhaps that's not what you meant. But it seems to me that is not a good reason for not coming to the faculty senate. And I had not heard you say that before.

“I also hadn't heard you say that you would have loved to come to the faculty senate and I wish you had, because you would have heard good discussions. I don't think it's appropriate for you to say, well, we will basically pick and choose in the future which colleges we may create and which we don't. You're saying to us don't worry, we may not do this all the time.

“Well, past experience tells us that the Cornell Tech campus was created without consultation with the senate, that the computer and information science college or school was created without consultation with the senate. You are not personally responsible for that, I know. But we don't have a good history on that.

“And I also want to point out that with regard to the memorandum that university counsel James Mingle wrote, I hope everybody here will read that and read it carefully. If you do, I think you will be quite surprised and really insulted by the fact that it was written to emphasize only the power of the trustees and the administration to make final decisions about matters of policy. And it ignored the consultation aspect of the faculty's role in consulting with the administration prior to any decision making done by the administration and the trustees.

“It completely ignores it and narrows the definition of the faculty governance structure to things like grading and creating our courses and giving exams. And I think this is really disingenuous for counsel to do that. This is counsel's interpretation.”

Speaker Lewenstein: “Please wrap up.”

Professor Lieberwitz: “Yes, I will. Any kind of a ruling. And I wanted to point out to you that counsel said he took examples of governance from the faculty handbook, but he also ignored the organization and procedures of the university faculty which we just heard about, which is also in the faculty handbook. And another point I wanted to invite people to look at, particularly since we're in this room, there was a beta committee report in 1969 which is also in the faculty handbook and which is referenced in the organization and procedures of the university faculty.”

Speaker Lewenstein: “Please wrap up.”

Professor Lieberwitz: “-- which talks about the academic responsibilities of the faculty, which includes faculty consultation by the administration on any major educational programs, any changes that would affect educational policy. So we have that since 1969. And I hope we can work to enforce it.”

Speaker Lewenstein: “You want to respond?”

Provost Kotlikoff: “Just a brief comment. First, Risa, my comments did not state that I spoke to donors rather than to the faculty senate. One of my -- one of the issues here was our discussion of the ability to be public with information. And before we achieved some sort of understanding about what we meant by combining these schools. Some of these related to previous agreements, gift agreements associated with the naming of the school. And those required some

discussions about what the degrees of freedom were relative to those and the interpretation of the degrees of freedom relative to those gifts.

“On your substantive point about faculty -- consultation with the faculty senate, it's my understanding that, for example, Cornell Tech -- with Cornell Tech I was not the provost, but there was substantial consultation. There was not a decision or vote by the faculty senate to create Cornell Tech or CIS or CCB, but there was substantial faculty consultation. And that was both with the UFC and the full faculty senate. It's my understanding.”

Speaker Lewenstein: “Seeing no further questions, we will move to -- I thank the provost for his time and we will move to Good and Welfare.”

“So briefly the UFC has introduced a resolution to thank Joe Burns. He did a terrific job for three and a half years. He would still be doing it if he could right now as dean of the faculty.

“So I ask you to please have a look at the slide. If you haven't seen it, this is also in the paper resolution. We have the whereases clause and the -- therefore, be it resolved that the University Faculty Senate on behalf of the university faculty extends its sincere gratitude to Joseph A. Burns for the loyal and valuable service he has rendered during his three and a half years as the dean of the university faculty. And therefore, be it further resolved that the University Faculty Senate expends its heartfelt thanks to Joseph A. Burns and best wishes for good -- what's the last sentence there?

[LAUGHTER]

Acting Dean Fontaine: “Good health.

“I have clickers. I'd rather try it by acclamation. So all in favor, vote aye. All opposed say nay. All in favor, say aye.

Speaker Lewenstein: “Oh, whoa.

[LAUGHTER]

“I only have a few things I get to do.”

Acting Dean Fontaine: “Go ahead.”

Speaker Lewenstein: "A resolution has been introduced. Is there a second? I see a second.

"All in favor, raise your hands.

"Any opposed?

"Any abstentions?

The resolution passes unanimously. We have reached the end of the meeting. Thank you. The meeting is adjourned."

MEETING ADJOURNED