

Minutes of a Meeting of the
University Faculty Senate
September 8, 2010

1. CALL TO ORDER

Speaker Steve Beer: "Good afternoon, ladies and gentlemen. I would like to welcome you to the first meeting of the University Faculty Senate for the 2010-2011 academic year. I would like to remind the people present here that there will be no photos taken, no tape recording of the proceedings, other than that done by the administration.

"I would like everyone to please turn off or silence your cell phones and ask that anyone who speaks please rise and identify yourself by name and department or other administrative unit.

"At this point, we have no Good and Welfare speakers, so the seven minutes in addition to the proposed agenda will be allocated as needed to other items on the agenda. We will adjourn today at 5:30, which is one half hour earlier than the usual 6:00 adjournment time.

"At this point, I would like to call on associate dean of the faculty and chair of the Nominations and Election Committee to give the Nominations and Election Committee report. Professor Fred Gouldin.

2. REPORT FROM NOMINATIONS & ELECTIONS

Associate Dean and Secretary, Fred Gouldin: "Thanks very much. From the length of this report, the number of names on it, you will know the Nominations and Elections Committee worked very hard over the summer. I would like to thank them all for their extremely hard work.

"So there are one, two, three, four, five, six different committees. The first one is Academic Freedom and Professional Status of the Faculty. Jerry Hass of the Business School has agreed to serve another term and he will be chairing the committee. And Carl Hopkins of CALS is joining the committee. On Academic Programs and Policies, Tom Cleland of Arts and Sciences will be chair. Jon Parmenter of Arts and Sciences will serve on the committee. Elliot Shapiro, Arts and Sciences. And finally, Qi Wang of CHE.

"Thanks. Faculty Advisory Committee on Athletics and Physical Education, Brad Bell of ILR; Paul Bowser of that, and Andrea Simitch of Architecture and Planning.

"Thank you. The Financial Policies Committee, Joe Burns in Engineering, Tom DiCiccio of ILR, and Amy McCune of CALS. Moving on to the Library Board, Mark Constas, Chris Earls, Rebecca Harris-Warrick, John Hermanson and Nerissa Russell.

"On North Campus and Collegetown, Sandra Greene, Anthony Hay; my colleague in Mechanical Engineering, Michel Louge and Jack Muckstadt. So that completes the report. Thank you very much."

Speaker Beer: "Thank you very much, Associate Dean, for this report, which the senate receives. I would like to now call on Dean Fry to present the report of the Committee on Academic Programs and Policies."

3. REPORT FROM CAPP COMMITTEE

Dean of Faculty, Bill Fry: "I am obviously not Tom Cleland. He is the new chair of Academic Programs and Policies, but I would like to say this committee has made an action already this year. They have approved the change of a field from Textiles to Fiber Science and Apparel Design. My purpose today was just to report that approval."

4. APPROVAL OF MINUTES FROM MAY 2010 SENATE MEETING

Speaker Beer: "I would like to now call on you, senators, to approve the minutes of the University Faculty Senate meeting of May 12, 2010. Are there any objections? Hearing none, I presume that the minutes are approved as distributed.

"We will now call on Professor Steve Morgan and his co-chair -- I trust you can tell us -- for a resolution concerning Cornell Childcare Center."

5. RESOLUTION CONCERNING THE CORNELL CHILD CARE CENTER

Professor Marinella Casasola, Department of Human Development, CHE:

"Thank you. I want to acknowledge my committee members, Steve Morgan, the co-chair from the Department of Sociology; Kim Weeden, also from Sociology and part of the CU Advance Team; Rachel E. Donovan, associate professor, Department of Policy Analysis and Management, who deals with childcare issues and policy; Peter Enns, Department of Government, who couldn't be here;

Jennifer Thaler, Entomology; and myself, Department of Human Development. I have one of the infant labs on campus. And Steve Hamilton, also Department of Human Development.

“So we have three of the committee members who have currently or have children at the center as well, and I want to begin by thanking Human Resources and Mary Opperman for their help in gathering information and also acknowledging the hard work it took to put a childcare center on campus.

RESOLUTION

WHEREAS the Dean of the Faculty appointed an ad hoc committee to analyze the challenges facing the Cornell Child Care Center, as set forth in the resolution passed by the Faculty Senate on March 10, 2010,

WHEREAS a detailed report was prepared by the appointed ad hoc committee, shared in draft form with the University Faculty Committee on August 4, 2010, and then submitted in final form to the Dean of the Faculty on August 31, 2010,

WHEREAS a redacted version of the submitted report, omitting some confidential information, has been distributed to the Faculty Senate,

WHEREAS the report details management problems with the Cornell Child Care Center, therefore

BE IT RESOLVED that the Faculty Senate recommends that the President implement the primary recommendations of the ad hoc committee, which are to

- *Give notice to Bright Horizons Family Solutions that Cornell intends to terminate its contract for service in August of 2011,*
- *Develop and release a new Request for Providers by January 1, 2011,*
- *Improve the quality of care in a budget-neutral manner by reducing the management costs and introducing a sliding scale for tuition,*
- *Appoint a seven-member Advisory Board, chaired by a senior administrator, and consisting of four faculty (two with expertise in child development and two with expertise in management) as well as three representatives of non-academic units of the university, and*
- *Enhance the University's capacity to use the center for recruitment and retention of faculty and staff by increasing the quality of the center and by giving the Provost control over the allocation of a small fraction of the slots at the center.*

BE IT FURTHER RESOLVED that the Faculty Senate requests that the President indicate by November 1, 2010, through a letter to the University Faculty Committee, whether he will implement these recommendations.

“We have here the resolution. The first three points, the whereases are simply a summary of what led us to form the committee. What I would like to do is read point by point the resolutions. Be it resolved the Faculty Senate recommends that the president implement the primary recommendations of the ad hoc committee, which are: Improve the quality of care in budget-neutral manner, by reducing the management costs and introducing a sliding scale for tuition.

“Second, give notice to Bright Horizons Family Solutions that Cornell intends to terminate its contract for service in August of 2011; develop and release a new request for providers by January 1, 2011; appoint a seven-member advisory board, chaired by a senior administrator, consisting of four faculty, two with expertise in child development and two with expertise in management, as well as three representatives of non-academic units of the university.

“Finally, enhance the university's capacity to use the center for recruitment of faculty and staff by increasing the quality of the center and giving the provost control over the allocation of a small fraction of the slots at the center. Be it further resolved the Faculty Senate requests the president indicate by November 1st, 2010, through a letter to the University Faculty Committee, whether he will implement these recommendations.”

Speaker Beer: “Thank you very much. The resolution is now before us, and perhaps there are questions of fact before we debate the resolution, which eventually will be voted upon. Any questions of information at this point?

“If not, then we'll entertain debate. First we'll hear from a speaker in favor of the several resolutions. Any speaker wish to speak in favor of these several resolutions?

“Yes. Would you please wait for the microphone.”

Professor Linda Nicholson, Molecular Biology and Genetics, CALS: “I have a colleague and also a neighbor, two separate couples, who have had kids at the childcare center; and they made a point to seek me out and to encourage support of this resolution. So these are parents who withdrew their children from the center because of very serious concerns that they had, so I'm in support of it.”

Speaker Beer: "Thank you. Is there a senator or member of the faculty who wishes to speak in opposition of the several resolutions? Gentleman in the far corner."

Professor Dan Magaziner, History Department, A&S. "Hi, I am Dan Magaziner, from the History Department, and I would speak in opposition to the resolution. I find myself somewhat surprised to do so. I was involved in some of the original efforts to provide additional faculty oversight over the center. My daughter is there. She has been there over a year; but in the last many months, it has been my impression and experience that Bright Horizon has improved the way they do things there. The teachers are better trained; the staff, in general, at the place is happier. It is a better-run operation.

"I have no love for Bright Horizons. I am not in love with the idea we outsource our childcare to this massive corporate entity; but at the end of the day, my daughter is extremely happy there and she's extremely happy with her teachers, and I would urge my senators and senators in general to vote against the resolution, unless we have some.... I would like to know what would happen to the teachers and if there is perhaps some way to vote for more oversight perhaps, but not actually to the step of giving notice to Bright Horizons that we will be terminating the contract. It seems to me they should be allowed to continue the progress and good work that I think they are doing."

Speaker Beer: "Just a point of clarification; the resolutions that are presented to the senate are not subject to amendment on the floor. We will vote on the resolution after some time. The only possibility for alteration of the resolution is to refer it back to the committee who brought the resolution, and then it could be further considered at a future meeting.

"So now, is there a person who wishes to speak in favor? The lady in the front. And please wait for the microphone -- in the first row."

Professor Kim Weeden, Department of Sociology. "Kim Weeden, Department of Sociology and member of CU Advance and also a member of this committee. I just wanted to address some of the issues the gentleman in the rear raised, which I think are actually very much consistent in some sense with what we outlined in the report.

"We do have data from parents that show that there has been a slight improvement in the parents who are remaining at the center's view. When you dig further into the data, there's a number of problems becoming quite clear and led us to this recommendation. Teacher turnover has been a major issue at the center throughout, and it is actually getting worse. It's gotten higher in the last six months than it was in the prior twelve months and before that, so there's no indication that Bright Horizons has been able to turn around in terms of teacher turnover.

"Another area we have objective data is in the number of records of licensing violations registered against the center. Those have actually not declined at all; so much so there are actually five additional violations we didn't know about when we submitted the report three weeks ago to the UFC. The Bright Horizons accrued 61 licensing violations in a period of two years, whereas comparable centers of roughly the same size in Ithaca are more in the order of ten to twelve over that same period. So there doesn't seem to be a decline in the licensing violations.

"I think the third fact that led us to this recommendation is that there's been an increase, substantial increase in the investment Cornell has put into the center in response to problems that have been raised, and it is our view of the committee -- we unfortunately can't release the confidential information about how much money we are talking about, but it is our view this is simply not a sustainable improvement, unless there's a major, major shift in the budget model and a major increase in the amount of resources Cornell is willing to put into making Bright Horizons work. So that's what led us to this recommendation.

"We do, however, acknowledge that Bright Horizons and, in particular, I think Human Resources has been trying to respond; but our view is that although it may be better than it was before, it's still not up to the standards of care that Cornell faculty, staff and graduate students deserve for their children. Thank you."

Speaker Beer: "Thank you. Speaker in opposition to the several resolutions? The gentleman rising."

Professor Richard Burkhauser, Policy Analysis & Management, CHE: "I am not speaking in opposition -- but I would like to ask two questions. First question: If you give notice to Bright Horizons Family Solutions that you are going to

terminate the contract, is it correct that there's nothing that restricts them from applying for the new contract under the new rules?"

Professor Casasola: "Yes."

Professor Burkhauser: "So that's one answer to the point made before. The second one is - I'm mystified by this sentence: 'Improve the quality of care in a budget-neutral manner by reducing the management cost and introducing a sliding scale for tuition.' What does it mean? Does it really imply you are looking for a budget-neutral solution in the sense that the consumers of this product will pay the full cost, or are you saying that you want to hold the share of the subsidy provided by Cornell to this enterprise constant, but somehow shift the way that consumers share the subsidy? If so, how exactly would that work?"

Speaker Beer: "Refer that question to the co-chair of the committee."

Professor Casasola: "So more the latter. If we reduce the amount that we currently pay in management fees, we can, with just a, as you will see in the report, a modest, very modest tuition increase for only the upper portion of the families at the center would then defray whatever costs. So that is what we meant by a budget-neutral manner. Does that make sense?"

Speaker Beer: "Okay. Is there a person who wishes to speak in favor? Okay, would you like to speak in favor? Yes."

Professor John Hausknecht, Human Resources Studies, ILR. "I want to thank the committee for all their hard work. I am a former parent of a 2-year-old at the center until last year. It was really the teacher turnover that pulled us out of there, and we saw no -- I guess hope would be the right word, for things to improve to the point where we'd want to continue him in care.

"So the points that have been raised here I think go a long way to improving the conditions, maybe in the future, down the road for other children; but it was sort of a disappointment, I think, as a new faculty member and new parent to go through the growing pains the center had."

Speaker Beer: "Thank you. A speaker in opposition? The gentleman in the rear."

Professor Glenn Altschuler, American Studies and Vice President of University Relations. "I have two strikes against me. I do not have any children and I'm a vice president at Cornell as well, and I'm not really here to address the substantive matters here; and I, too, commend the committee for the hard work that it did.

"I would just make two observations: One, whatever this body does, it's very important that we make sure that this childcare center addresses the needs of everyone on this campus, and that means staff who have children, as well as faculty who have children, and there not be an academic-non-academic divide here. That's an important goal, and I hope everyone in this body will share it.

"To that end, if I may, I would like to make an observation about at least one of the resolutions. As a person who works closely with the provost, I would say it's something akin to madness to ask that the provost be the person responsible for any number of slots in this. Do you really want the provost to be spending his time deciding whether Johnny Smith's daughter is more appropriate than Susie Jones' daughter?

"Surely, there are better ways to address this than to have administrators scrambling to be in the childcare business and to micromanage at that level. My own advice is that whatever this body does, micromanaging a childcare center is probably not the best way for this body to be spending its time. Thank you."

Speaker Beer: "Is there a point of information from the committee on this issue?"

Professor Casasola: "Please note that the request is that the spots be reserved for both faculty and staff, not simply faculty. So there was no bias towards faculty in that resolution. Also, another point of clarification."

Speaker Beer: "We have another statement from the committee member."

Professor Kim Weeden, Department of Sociology, A&S: "Just a point of clarification, it's -- as the report outlines, it's a madness that virtually all of our peers engage in already. So we did a lot of investigating of what our peer and competitor institutions are doing for faculty recruitment. The proposal we came up with is actually on the modest side, relative to what our peers are doing.

"Stanford, I believe, has four childcare centers; one is reserved exclusively for faculty. Brown University reserves all its spots in infant care for faculty, I

believe. And the majority of our peer institutions already reserve some fraction of the slots in their childcare arrangement -- maybe not as many as Stanford and Brown -- for the express purposes of using them to recruit faculty.

"Of course, the justification for this, I think is quite obvious, we are reaching a period in which there's going to be enormous hiring -- at least we are told -- the demography of the faculty is changing. There are more young people, more dual-career people, and more women. Childcare is not exclusively a women's issue, but it seems to be tilted that way.

"The point of clarification I would like to make, it isn't madness in the sense all the other institutions are doing this as well. So what we came up with is a proposal that will represent a small fraction of slots, less than 10%, 8% of the slots. Right at the moment, the center is undersubscribed, so there is almost universal care for people who want it, because there aren't many people that want it right at the moment because of quality issues at the center. So I should say it's a very small fraction of slots and it is also relatively small, compared to what our peers are already doing. Thank you."

Professor Steve Morgan, Department of Sociology, A&S: "Steve Morgan, just clarifying as well. Co-chair of the committee, but -- co-chair and also serves on the University Assemblies Committee for Childcare Services. I would like to say, we brought this recommendation to the University Assemblies Committee, which includes about a dozen non-faculty representatives and asked whether they thought reserving this very small number of slots would in any way pose a problem for the University Assembly Committee, which represents the full university community. And as stated in the report, they strongly backed the proposal and wanted us to say in the proposal they had backed the idea of such a system before the childcare center was itself created.

"So we don't, as a committee, view this to be the least bit controversial from the perspective of what the University Assembly has said. So I refer you to what's in the report. Thank you."

Speaker Beer: "Thank you. We will now hear from someone in opposition to the resolutions. The woman on the aisle."

Professor Tracy McNulty, Romance Studies, A&S. "I feel awkward speaking against the resolution. I am in favor of about 95% of what's in here. I would support most of them. The committee has done an amazing job of researching

and exposing some serious problems at the center. I have been in contact with them quite a bit in recent months. I should say I'm also a member of the Quarterly Business Review Committee, which was constituted following the work of this committee last spring and includes representatives from Cornell, from Human Resources, representatives from the Bright Horizons administration and four parent representatives, of which I am one. It is really because of the work that you have done that a lot of changes are beginning to be initiated there at the center.

"I feel a little like Dan Magaziner that spoke up first. My son has been at the center for a year and a half; is actually very happy there. Although I remain critical of certain important aspects of the administration, I worry what would happen to all the kids who are at the center now and all the teachers working there, if we were to terminate this contract with Bright Horizons now.

"I mean, first of all, there would be a lame duck period between January and when they would actually complete the running of the center, which I imagine the most hireable employees would begin looking for work elsewhere. I would have to assume they would be, in a certain sense, black listed by a new administration that would take over the center; so this would result in an additional loss of continuity of care for the kids there.

"So I'm not a huge fan of Bright Horizons. I think it is sort of a toxic corporation in certain ways, but I have seen the administration really willing to make substantive change and interested in soliciting parents' involvement.

"Finally, the last point I would like to say, I think we could be doing more to address the role of Cornell Human Resources in this oversight committee, because I have not at all been impressed by the two representatives of Human Resources who are involved in this committee. I don't think they act like employers who are paying for a service. I don't think they are pushing Bright Horizons to do as much as they could, so I think we could also be asking more on the Cornell side on the way of oversight. I will stop there."

Speaker Beer: "Thank you. A speaker in favor of the resolutions. The woman in the first aisle, in the pink."

Professor Rachel Dunifon, Policy Analysis and Management, CHE. "Just to address those points, I think first of all, Bright Horizons, if there was a new request for providers, Bright Horizons could apply; so the goal would be to set

the standards -- unlike what happened last time, set the standard at a level to create a childcare center we all would be proud of. And if Bright Horizons wanted to apply to run that center, they could do so; nothing to preclude them from trying to do that.

"And I think -- that was the main -- the main point sort of motivating all this is currently the center is a huge missed opportunity. It is a beautiful building out there on campus that unfortunately not so many people want to be a part of right now. Just trying to work to make that different."

Speaker Beer: "Thank you. Point of information; we'll have five minutes more for debate and we'll come to the vote. The gentleman on the -- my left side."

Professor Kevin Attell, English Department, A&S: My daughter goes to the center. She has been there since the beginning, basically, so I've sort of seen the progress from the opening to the current situation. I admire the work the committee has done. I was a signatory to the original proposal to form the committee, so I have long been aware of serious problems at the center and have long been interested in addressing them; but I also urge the senate to vote against the resolution, primarily because of the idea of terminating the contract at this point, without any sort of indication in the proposal, at least, that there has been consideration of what that would mean to the kids who are currently at the center.

"As Tracy said, there's a sort of long lame duck period in which everyone there knows that their job is maybe not going to be there anymore. And nobody knows -- and the Bright Horizons administration, we don't know what that would entail on their part, so that's a sort of troubling possibility for those of us who still have our children there.

"To speak in favor of Bright Horizons -- and I, too, am not a huge fan; not a booster of Bright Horizons -- they have made improvements, and I think that does need to be acknowledged. Significant improvements. More improvements can be made. We could have gone elsewhere. And I see three or any of the other local places we had spots, and we chose not to. This is just to say that not everybody who has remained at Bright Horizons has done so because they could not go anywhere else.

"I don't think -- beyond what I just said, I think termination of the contract, without really thinking through what that would mean to the kids and the

teachers who are currently there, and there's no indication in the report -- I agree with much of what's in the report. I disagree with parts of the report. I also have knowledge of, but have a different experience of -- the issue of violations I think is debatable, how serious the number of violations is.

"Anyway, I think I said my piece, and I think voting now to simply terminate the contract is precipitate and troubling to those of us that have kids there now."

Speaker Beer: "Perhaps a member of the committee could address that point."

Professor Casasola: "One thing I want to point out is some of the short-term improvements are because Cornell has invested a significant amount in allotting more teachers. These, given the current budget, are not sustainable, so some of these improvements may not be long-lasting. Teacher turnover continues to be an issue.

"The idea was -- there was a lot of consideration. The idea of any change to a child's life is very anxiety-producing to any parent, and so it was troubling to us that the contract raised the possibility that the teachers would not be able to continue; however -- can I say this? Or no. Okay. I'll stop there, but yeah.

Professor Morgan: "The nature of the mandate or what information we can share with the senate is a bit more constrained than we would like it to be, so the longer version of the report contains a great deal more discussion of this transition period, how the teachers might well be able to -- we have specific recommendations there, but we can't lay that out in the full public report, because we have been asked not to lay out particular features of the contract.

"So I understand we are all extremely concerned. We have talked a lot about how current families at the center would have been affected by the termination by next August by resolution, but I ask you to trust we think we have a way for getting to a resolution that you would be happy with. We can't really say --"

Unidentified Speaker: "Long-term positive outcome for the families and children and teachers, because I think, ultimately, all the parents expressed high satisfaction with their teachers. And our goal is to ensure the teachers are sufficiently supported so they don't continue to leave."

Unidentified Speaker: "We believe there's a mechanism for keeping teachers at the center."

Speaker Beer: "Thank you. The period for debate on the committee's resolution has come to an end, and so are you ready for the question?"

"Okay. All those in favor of the resolution, as illustrated by Mr. Greene, please rise.

"Those in favor may sit. Those opposed, please stand.

"Only those senators may vote. I assume that those in favor who rose before are all senators. Is that correct?"

"Okay, those who are in opposition, please be seated. Any senators abstaining, please rise.

Vote: 51 Yes ; 8 No; 5 Abstain

"The resolutions clearly pass, so we will move on to the next issue on the agenda, which is Professor Carl Franck, for a discussion on academic integrity and admissions."

6. DISCUSSION CONCERNING ACADEMIC INTEGRITY AND ADMISSIONS

Professor Carl Franck, Physics Department, A&S. "Thank you. I would like to talk to you about the efforts of my colleagues, Terry Cool, Ephraim Garcia, Linda Nicholson. We sponsors wish to bring to your attention a revised resolution you see before you. This resolution seeks to increase academic integrity awareness among Cornell undergraduates.

"We are currently planning to vote on it at next month's senate meeting. Our concern is while the vast majority of undergraduates are honest, cheating at Cornell saps our academic strength, dissipates faculty and graduate student teaching assistant time and energy that could be more productively and enjoyably spent in research and teaching; and most importantly, lowers our regard for students.

"We reflect at a happier time at Cornell when exams were not so tightly proctored as now and we didn't have to work so hard to suppress cheating that is Internet-enabled.

"I am saying this, having been involved in many academic integrity cases in my department. I can only imagine the experience of students and faculty that serve on the academic integrity hearing boards that routinely deal with many saddening cases. This is not to mention all the effort other groups, such as our advising deans, put into these matters.

"So our weakened academic integrity culture is the problem. Our small step toward a solution of changing students' attitudes is to diminish the willingness of students to cheat in the first place by increasing awareness of the Cornell Academic Integrity Code.

"In summary, the code says a Cornell student must not misrepresent the work of others as their own. The code goes on to detail the mechanisms by which faculty and students deal with code violations. We are concerned that for many students, real attention to code comes far too late, upon being charged with a violation.

"Our goal is to change a sense of academic integrity to strongly support the majority of students whose honesty we depend on. Also it would be even worse off than we are today. In the pursuit of a means of increasing academic integrity awareness, we had the good fortune of corroborating with the university-wide Committee of Admissions Deans that advises the associate provost for admissions and enrollment, Doris Davis.

"On the same day as our last senate meeting, this committee met with associate provost Davis and considered the resolution we placed on the senate agenda for a meeting that afternoon. We proposed a question be added to all Cornell undergraduate applications as to whether the applicant would agree to abide by the code if they were admitted and entered Cornell.

"The dean's advisory committee promptly responded with their conclusion by mid-day. While they appreciated our efforts, they felt the appropriate place for such a question was not in the Cornell application, but rather in the next step of the matriculation process for a student who was accepted to Cornell; this response to what we call the case for Cornell.

"This is a stage where a student is asked if they accepted Cornell's offer of admissions. The admissions dean's committee was to pose the question of abiding by the code as a part of the acceptance to Cornell's offer process. Those

of us who were at our last meeting may recall that we sponsors hardly withdrew our original proposal in favor of the admission dean's advisory committee plan.

"In the ensuing senate discussion, the concern was raised that while the proposal had merit, it was flawed in the sense that it posed a phony question; namely, we were asking a question for which there could only be one answer, whether or not a student would abide by the code. The same concern was raised in discussion in my department.

"Going back to our last senate meeting, we followed Stephen Pope's suggestion for a solution of this concern. In a case for Cornell's stage of the matriculation process, in order to accept Cornell's offer, a student must affirm they will abide by the academic integrity code. One is not asking a question, but rather Cornell is requiring an affirmation of their acceptance of the code as a condition for entering Cornell.

"We feel this is the properly respectful position to take toward our potential students and appreciate the improvement over our original resolution. Here therefore, we have our current draft of the resolution that you see before you.

"It is a resolution to include an agreement to abide by the academic integrity code as requirement for matriculation to Cornell's undergraduate degree programs, whereas, as a center of learning and inquiry, Cornell's proud of its academic integrity, but continues to suffer significantly from the violations of the code; therefore, in an effort to increase awareness of the code and better establish it as a part of the Cornell identity, the senate resolves, following consultation with advisory committee of the associate provost of admissions and enrollment, that acceptance of the code should be a requirement for matriculation into Cornell's various undergraduate degree programs.

"Specifically a student's affirmation of acceptance of Cornell's offer of admission should include language stating the student will abide by the code. Recently, in the runup to today's meeting, we sought to get a current reading of the Associate Provost Davis's position on our initiative. She explained while she regarded this as an important matter, since she was leaving Cornell shortly, she appointed Vice Provost Barbara Knuth and Director of Admissions Jason Locke to look after the issue.

"Vice Provost Knuth graciously responded today in time for our meeting as follows. Note she only had a week to consider our revised resolution. We first

asked her for information about how other universities treat this matter. She went on to say, "You may also be aware many efforts are underway regarding student knowledge of and adherence to Cornell's academic integrity values. If you are interested in learning more about these efforts and have not consulted with Barbara Grumlar, I suggest you do so. She is a knowledgeable and valuable resource.

"If the faculty senate suggests requiring acceptance of the code is a matriculation requirement, many details will need to be worked out. These include such questions as how and when to communicate about the code with accepted students, how and when during the acceptance process they are required they certify they will adhere to the code, whether electronic or paper communications should be used; who would be responsible for ensuring each matriculated student has so certified. If a student signs a paper or online form, does it become part of the student's permanent record and how and where does the form reside? What is the role of the college admissions office versus central admissions? Other questions would likely arise in the implementation process.

"She says, 'As you develop this idea further with your senate colleagues, it may be useful to discuss the feasibility of various proposals, the likely effect of student knowledge and understanding of and compliance with the code, relationship to other code initiatives and efforts underway for matriculated students, et cetera, with those who have expertise in this area, including central administration and college admissions, directors, associate deans and college advising staff. Thanks again for your efforts. Barb.'

"In response to Vice Provost Knuth, I feel the resolution is properly vague on the matter of implementation. Rather, what we are calling for is a matter of principle. We should expect no less of our students than to abide by our academic integrity code.

"We look forward to your latest thoughts about the resolution, including any feedback you may receive from your departments. We strongly urge you to support it when it comes up for vote next month, since we feel while it might be a small step toward improvement of academic integrity culture, we believe it would be a vital one. Thank you."

Speaker Beer: Just to clarify, the resolution is -- a formal resolution may be presented for consideration at a future senate meeting; but if there are any

questions at this point, perhaps they could be posed to Professor Franck at this time. Any questions?"

Professor Peter Stein, Physics, A&S: "As my colleague, Professor Franck, surely knows, I'm no stranger to this particular issue and believe that the lack of academic integrity severely degrades this institution and that our enforcement of it is severely lacking.

"Having said that, I walked into this room about ten minutes late. And the reason I was ten minutes late is I was making a bid on Priceline for a hotel in New York City. And I got a little mixed up and it took a little longer than I thought it would, but the last step in that process was to say please initial here if you have read Priceline's policies and you agree to them.

"And well, I must be truthful; I had not read Priceline's policy, but I had no hesitation in initialing and clicking it and coming out the door. I think this is a common experience that people of my generation don't have as much experience with as people, incoming students, but they do that all the time.

"I just seriously ask you whether you have any reason to believe that students will take this compulsory -- it's the same thing, right? If I didn't initial that, I couldn't make my bid on Priceline, so I initialed it. Now, I perhaps demonstrate my lack of Priceline integrity, but there you have it; but I just wonder whether or not you have any reason to believe that students doing this would take that any more seriously than I took initialing my -- putting my initials on that Priceline bid."

Speaker Beer: "Would you care to respond briefly?"

Professor Franck: "We had a major slew of academic integrity violations in one of our service courses, and it is just a sad experience to alert students to the nature of the code when their careers -- academic careers are in jeopardy. It is a bow shot, it's a symbol. That's what we are trying to do here."

Speaker Beer: "I think we have to move on to the next issue. Thank you very much, Professor Franck. The next issue is a resolution by Professor Lawless."

7. RESOLUTION CONCERNING TIMELY RESPONSE TO FACULTY RESOLUTIONS

Professor Harry Lawless, Food Science, CALS: "Thank you. Do we have a slide of it? A brief bit of history; it was William Lesser from AEM who originally penned the first vision of this, which was a little simpler and passed by the CALS Faculty Senate last spring. We introduced another version of it to the faculty senate, which was discussed and tabled. The tabling had to do with the feeling that the scope of it was overreaching, that it was too broad and there might be sensitive or personal or tenured decisions that might not be the kind of thing that the university should be expected to respond to publicly.

"And so we've added a rider at the bottom -- and I'll try to get my shadow out of the way -- by virtue of a footnote that tries to address that issue, saying the faculty realizes some committee decisions may involve personal or sensitive information, such as tenure decisions, and thus are exceptions to this expectation for a public response and disclosure.

"The other amendment we find over the previous version, Dean Fry communicated to me the administration would prefer 45 days to respond rather than 30; and seeing no objection to that and envisioning there might be complicated circumstances that would require careful deliberation in their response, I agreed to make that amendment."

Speaker Beer: "Okay, we have the opportunity for a short debate. Anyone wish to speak in opposition to the resolution offered on the screen? Anyone wish to speak in favor of the resolution? The lady near the front, in the third aisle."

Professor Elizabeth Sanders, Government, A&S: "Wanted to speak in opposition. If the administration found 30 days too constraining -- this seemed like to me a reasonable amount of time and it's been used in other circumstances -- but if they found that too constraining, they could bring up the circumstances and request a delay that has gone on in the university's negotiations with the City of Ithaca, for example. They have done things like that. I just don't see any reason to stretch it out. 30 days seems reasonable to me, so I would oppose the amendment."

Speaker Beer: "Thank you. Is there a speaker in favor of the resolution? Seeing none, are you ready for the question?

"Okay, all those in favor of the resolution as presented on the screen, which indicates 45-day reporting period from the administration, please indicate by raising your right hand or arm.

"All those senators opposed, please raise your right hand, right arm.

"All senators abstaining from the vote, please raise your right arm. Okay, the resolution clearly carries.

Vote: 52 yes; 3 no; 5 abstain.

Thank you. The next item on our agenda is a report from the University Faculty Committee."

8. REPORT FROM UNIVERSITY FACULTY COMMITTEE

Professor Eric Cheyfitz, English Department: "Part of this will be very brief and part will be a little longer. We have spent the last few months, from spring to the present moment, in the first place discussing, acting in our advisory capacity to the childcare center debate. That debate's been resolved. I think everybody's been fully informed about what that's about, but the other item is still open.

"We have been discussing -- in 2009, the graduate student -- or student, graduate and undergraduate student support for childcare was reduced in September 2009, without notice to the students really. They found themselves with what had been an average grant of \$2,700, some going up to \$5,000 cap, which is the faculty staff cap, reduced to what is now a flat rate of \$1,700 for childcare.

"That's a taxable -- always a taxable amount for the graduate students, where it is not for faculty and staff; so we approached the provost about restoring to those students who had come to Cornell with the expectation of a certain amount, had been promised that amount, restoring that amount to them, to that specific group.

"I will read you, then -- it won't take long -- an e-mail we sent to the provost, and it sums up the state of affairs. 'Dear Kent, as we discussed at the UFC meeting with you Tuesday, March 23rd, 2010, the UFC urges you to restore to its 2008-'09 levels the student childcare stipend for the students with children who were then enrolled at Cornell.'

"As the student letter of concern of October 16, 2009, sent to President Skorton by students with children and other Cornell community members notes, 'Many students with children took the childcare grant into account when applying to or accepting an offer from Cornell, and many chose Cornell over other equally

reputable universities. These students are disappointed not to have had prior indication that the grant might be altered’.

“The finish to our e-mail or the relevant part is, ‘In light of the precipitous reduction in the grant, as well as what appears to have been a level of support promised to students who entered before the current financial crisis erupted, the UFC feels the university has an obligation to maintain the level of childcare promised to students matriculated at Cornell expecting a specific level of support.’

“The provost has so far not found a way to supply those funds and doesn't seem to feel there is a way to supply those funds, short of taking money from fellowships to other graduate students, which seemed to us not a good idea. That's an issue I think you folks could think about.

“It was mentioned here, but if I could make a brief aside, the childcare center also recruits graduate students to Cornell. Well, with a reduction in childcare support, I think one has to think about whether that recruitment is comparable to our peers' recruitment. That might be something the senate wants to look into.”

Speaker Beer: “Thank you very much. We will next have remarks from Dean of the Faculty Bill Fry.”

9. REPORT FROM DEAN OF FACULTY WILLIAM FRY

Dean Fry: “Thank you, Steve. I have a very short report today, and it has to do with the calendar. I think you noticed that Monday was a holiday and there were no classes. I enjoyed that time. I got two lectures ready on Monday, which was really nice, so some things can happen.

“That change was agreed upon two years ago and instituted this year. I promised that we would initiate an overview of the entire Cornell academic calendar. We put it off last year because there was so much going on; but this year, I started that process.

“You will see on this slide that the -- we are in the process of forming the calendar committee. Jeff Doyle agreed to chair the committee. Kent Hubbell, Michael Matier are members of it. There will be a representative from the SA, a representative from the GPSA, a staff representative and a few additional faculty. I will serve ex officio, and Laura Brown will also serve as ex officio.

"We would like to hear your comments about the calendar. We are developing and refining the charge to the committee. A current draft is that the committee will recommend a course of action concerning Cornell's calendar that will be academically appropriate, that will not exacerbate student stress, that will align more closely with the calendars of local schools and that will honor federal holidays, as is academically possible.

"I have no prediction at this point as to whether we'll do anything; but as near I can tell, we will consider a lot of stuff, and hopefully we'll be able to make some improvements on the calendar. It's a hope. And with that, I will conclude my comments."

Speaker Beer: "Thank you very much, Dean Fry. Are you willing to take questions on other matters, since we still have a few minutes?"

Dean Fry: "I bet everybody would just love to leave."

(LAUGHTER)

Speaker Beer: "Any questions for the dean of the faculty? Seeing none, motion to adjourn would be in order. We are adjourned. Thank you."

Meeting adjourned: 5:30 p.m.

Respectfully submitted,
Fred Gouldin, Associate Dean and Secretary of the University Faculty

Report from Nominations & Elections Committee

September 8, 2010

Academic Freedom & Professional Status of the Faculty Committee

Jerry Hass, JGSM, CHAIR

Carl Hopkins, CALS

Academic Programs and Policies Committee

Tom Cleland, A&S, CHAIR

Jon Parmenter, A&S

Elliot Shapiro, A&S (Sr. Lecturer)

Qi Wang, CHE

Faculty Advisory Committee on Athletics & Physical Education

Brad Bell, ILR Paul

Bowser, VET Andrea

Simitch, AAP

Financial Policies Committee

Joe Burns, ENGR

Tom Diciccio, ILR (pronounced D'CCO - i.e., D'see see oh)

Amy McCune, CALS

Library Board

Mark Conostas, CALS

Chris Earls, ENGR

Rebecca Harris-Warrick, A&S

John Hermanson, VET

Nerissa Russell, A&S

North Campus & Collegetown

Sandra Greene, A&S

Anthony Hay, CALS

Michel Louge, ENGR

Jack Muckstadt, ENGR



REPORT FROM CAPP

Proposal: Change field name from “Textiles” to “Fiber Science & Apparel Design”

- A solid majority of CAPP was in favor of the field name change proposed by Textiles, and there was no opposition.
- CAPP approves the field name change.

Appendix 3

Report of the Faculty Senate Ad Hoc Committee

Appointed to Recommend a Course of Action for the Cornell Child Care Center

Submitted to the Dean of the Faculty
on August 31, 2010

EXECUTIVE SUMMARY

The opening of the Cornell Child Care Center marked an important milestone in Cornell University's efforts to become a leading family friendly employer. Despite good intentions on all sides, the center has been plagued with many challenges, as this report documents, including a problematic budget model, a weak management team that has been insufficiently responsive to parent concerns, unsatisfactory levels of compliance with New York State regulations, and high annual turnover in its teaching staff. These challenges have resulted in many parents deciding to leave the center, a current enrollment at well below capacity, and a declining reputation in the community.

Since April of 2010, significant investment by Cornell and responses by the provider, Bright Horizons Family Solutions, have helped to mitigate some of these problems. Unfortunately, these changes have been insufficient and, in many cases, are unsustainable. More substantial changes are necessary for the center to reach its potential. Nevertheless, this committee believes that the center can and will become the model of excellence it was intended to be.

As detailed in the full report that follows, the committee has developed a series of recommendations based on answers to the questions in its charge. The five primary recommendations are to: (1) improve the quality of care in a budget-neutral manner by reducing the management costs and introducing a sliding scale for tuition, (2) give notice to Bright Horizons Family Solutions that Cornell intends to terminate its contract for service in August of 2011, (3) develop and release a new Request for Providers by January 1, 2011, (4) adopt a new oversight model by establishing a seven member Advisory Board, and (5) enhance the University's capacity to use the center for recruitment and retention of faculty and staff by increasing the quality of the center and by giving the Provost control over the allocation of a small fraction of the slots at the center.

PREAMBLE

Following the adoption of a resolution by the Faculty Senate on March 10, 2010 (reprinted as an addendum to this report), the Dean of the Faculty appointed a committee on March 29, 2010 comprised of seven members:

Marianella Casasola, Associate Professor, Department of Human Development (co-Chair)
Rachel E. Dunifon, Associate Professor, Department of Policy Analysis and Management
Peter K. Enns, Assistant Professor, Department of Government

Stephen F. Hamilton, Professor, Department of Human Development
Stephen L. Morgan, Professor, Department of Sociology (co-Chair)
Jennifer S. Thaler, Associate Professor, Department of Entomology

Kim A. Weeden, Associate Professor, Department of Sociology

The committee then gathered information and/or sought feedback from:

- the research literature on child development and indicators of quality in child care centers
- the Human Resource offices and/or Vice Provosts for faculty development of Cornell's peer institutions
- current and former parents with children at the Cornell Child Care Center
- current and former teachers and administrators at the center
- employees in the Division of Human Resources, including Mary G. Opperman, Vice President for Human Resources
- two attorneys in the Office of the University Counsel
- the Chair of the University Assembly's Childcare Services Subcommittee
- the Executive Director of CU-Advance
- the Dean of the Faculty and the University Faculty Committee
- additional faculty members with relevant expertise.

Structure of the Report

The resolution (see Addendum) states:

BE IT RESOLVED that the Dean of the Faculty appoint an ad hoc committee comprised of faculty members with expertise or interest in child care issues to recommend a course of action that will allow the Cornell Child Care Center to perform at the level of excellence envisioned at its initial conceptualization.

BE IT FURTHER RESOLVED that the Dean of the Faculty request that the President direct the Division of Human Resources to provide access to documents and information that will allow the committee to form complete and informed answers to crucial questions that include:

1. *Are the priorities of the center aligned with the core mission of the university?*
2. *Can the center budget model deliver the quality of care that is demanded by the Cornell faculty?*
3. *Can the facility built by Cornell be modified in cost-effective ways to rectify some of the serious deficiencies in design?*
4. *Should the management contract with Bright Horizons be renegotiated or terminated?*
5. *Does the oversight model of the center give sufficient influence to parents and to faculty at Cornell with relevant expertise?*
6. *How should the Cornell Child Care Center fit into the broad university strategy for supporting faculty work life balance?*

BE IT FURTHER RESOLVED that the committee prepare a written report before the fall semester of 2010 and that, in the course of preparing their report, consult directly with

Mary G. Opperman, Vice President for Human Resources, who has expressed her commitment to charting a new course for the Cornell Child Care Center.

In the remainder of the report, we answer the six questions above from the resolution, each in its own section, offering detailed recommendations that follow each response. The committee has also raised a seventh and relevant question for the center's direction, which is answered first.

§1. What should be the standard for quality of care at the Cornell Child Care Center?

Cornell University is a world class educational institution, admired by its peers, and devoted to its community, faculty, staff, and students. To meet a widely recognized need and enhance its ability to attract word-class faculty, staff and students, the university opened the Cornell Child Care Center in August of 2008. Located on the northern edge of campus, the center was designed to provide full-time care for 48 infants, 50 toddlers, and 56 preschoolers in 15 separate classrooms.

In a celebration two months after the center opened, the *Cornell Chronicle* ran a short article with hopeful quotations from President Skorton that expressed Cornell's widely shared enthusiasm and great expectations for the center:

"The opening of this center is a great milestone in Cornell's efforts to be the best employer we possibly can be. ... It offers a safe, exciting and innovative environment in which children can learn, explore, develop social skills and grow." (President David J. Skorton, Cornell Chronicle, 10/16/2008)

Given these high hopes, the quality of care at the Cornell Child Care Center should be no less than excellent. The center should be a source of pride that is marshaled without hesitation in the recruitment of talented faculty, staff, and students to the university. The center should serve as a model for other communities who wish to treat their constituents as well as Cornell aspires to treat its own.

Accordingly, the Cornell Child Care Center should meet the following *minimum* standards. The center should

1. maintain high levels of compliance with New York State regulations,
2. provide high levels of continuity of care by maintaining low turnover of its teaching staff,
3. achieve accreditation from the National Association for the Education of Young Children (NAEYC), and
4. receive strong positive reviews from parents when they are given the opportunity to provide anonymous ratings of care.

The center should have an administrative team that can effectively

5. develop and sustain a positive working environment that can attract and retain the best available teachers to the center,

6. manage staffing and hours of operation in accordance with the varied work schedules of university faculty, staff, and students, without sacrificing the quality of care, and
7. adapt child care delivery to the unique culture of the university and the local community.

The center should acquire a reputation in the community as

8. equal to the best child care centers in Tompkins county and
9. equal to the best child care centers at Cornell's peer institutions.

The center should operate in a physical space that is

10. optimized to promote cognitive, social, emotional and physical development and
11. convenient to campus.

It is this committee's unanimous judgment that the Cornell Child Care Center should meet all of these minimum standards by a clear and wide margin. But, for the reasons detailed throughout this report, and after nearly two years of operation, the Cornell Child Care Center does not meet enough of these standards. One area of strength is the center's extended hours of operation, which are longer than those of other centers in the area and which many parents have indicated they appreciate. This benefit, however, has come at the cost of consistent care, as described below.

In order to achieve consistently excellent care, fundamental and sustainable changes are needed. We outline these changes in response to the six questions that formed the charge of this committee (see the Faculty Senate resolution adopted on March 10, 2010 and reprinted in full as an addendum).

§2. Can the center budget model deliver the quality of care that is demanded by the Cornell faculty?

In its initial vision of the center, Cornell did not anticipate that its budget model would constrain the quality of care. The current model overemphasizes management and is too lean in its staffing in three critical respects:

1. The current budget for the center provides an infant to teacher ratio of 8 infants to 2 teachers, in line with the minimum standard set by New York State. However, this ratio falls below the best standard in the community (6 infants to 2 teachers) and does not meet the 6:2 ratio for infant care recommended by the U.S. Department of Health and Human Services, the American Academy of Pediatrics, and the American Public Health Association. Research shows that infants fare best in classrooms with small ratios, where they can obtain the individualized, responsive care.
2. Additionally, the center lacks adequate numbers of teachers' assistants, which creates a significant strain on teachers, and has resulted in discontinuity of care for the children. The current system leads to inconsistency in terms of who provides care in any given room when a teacher is absent or on break. The key concern is that children are too often

placed in the care of individuals who are likely to be much less familiar with them than their own regular teachers. A staffing solution, consistent with the best quality of care in the area, would be to assign two regular teachers and one teachers' assistant to each classroom. Having three teachers assigned to each classroom ensures consistency in caregivers when a teacher is absent or on break.

3. The center is open for longer hours than any center in the area, a feature which many parents appreciated and for which they expressed strong support. However, the center does not have a budget that matches these longer hours of service.

The problems associated with staffing shortages were clear soon after the center opened. These staffing shortages resulted in overworked teachers with inadequate break time and teaching support. Many teachers have chosen to quit because the workload was too heavy (see Table 2 on teacher turnover that is presented below).

Bright Horizons and Cornell's Division of Human Resources are largely in agreement that these staffing shortages must be addressed and have worked to mitigate them since April of 2010. In part, however, the staffing shortage has been resolved by under-enrollment. In contrast to other local centers, the Cornell Child Care Center has been operating at less than 80% capacity, especially in the infant rooms. Presumably, many parents became sufficiently dissatisfied to seek child care elsewhere in the community, and the resulting decline in enrollment led to the closure of one infant room, even though infant care is in the shortest supply in the community.

Recognizing the need to provide more teacher support and training, Bright Horizons has brought in more experienced teachers from other Bright Horizons centers to serve as mentors and to help guide the NAEYC accreditation process. However, these mentors are present only on a short-term basis. Most recently, Cornell, through the Division of Human Resources, has hired three additional teachers on a temporary basis from July through September 2010 to help the center pursue NAEYC accreditation. The addition of these teachers has resulted in improvements, which parents and staff greatly appreciate.

In sum, there are now more teachers and fewer children at the center than originally planned. Yet, there is no budgetary commitment to maintaining these staffing levels into the future. Because the center is now operating in a substantial financial deficit, this committee believes that a new budget needs to be adopted.

Recommendation:

To increase its teaching staff and thus improve the quality of care, the center needs a larger budget. A sliding scale for tuition should be adopted so that higher-income families pay a modest increase in tuition rates. In addition, the university should reallocate its subsidy away from the large management fees and overhead charges that it currently pays to Bright Horizons Family Solutions.

By our calculations, a modest tuition increase for half of the families at the center with the highest family incomes, coupled with lower management costs (see next section),

would allow the center to permanently maintain the summer 2010 staffing levels in the toddler and preschool rooms while also enabling additional improvement in the ratios in the infant rooms (see above). This would also entail a lower number of infant slots at the center, reducing them from 48 to 36. Since, as best we can tell, the center has never had more than 36 infants under its care, this reduction is not a sacrifice relative to present arrangements for care.

Would parents with the ability to pay higher tuition do so? In our discussions with faculty, the answer is clearly yes (although many of these same parents would only do so if quality improved significantly). The increased rates would be comparable to, but still lower than, some other area child care centers. We believe that the views of parents are shaped by the norms set by the university itself. Cornell, in pursuit of excellence of its programs, charges very high tuition to its students. It ensures accessibility by offering generous financial aid to families who cannot afford to pay the high tuition that excellence of programming requires.

We recommend that the Cornell Child Care Center pursue excellence of care in the same manner. Cornell offers a Childcare Grant Subsidy Program to its faculty and staff, which allocates approximately \$1.3 million per year. The maximum award is \$5000 per year per family. In results presented in the fall of 2009 to the University Assembly's Childcare Services Subcommittee, the University documented how this subsidy is disbursed. For 2010, families with incomes less than \$50,000 per year were scheduled to receive grants that equaled \$2,861 on average. Amounts then declined steadily to an average of \$633 for families with incomes between \$95,000 and \$115,000, to \$511 to families with incomes between \$115,000 and \$150,000, and to zero for families with incomes greater than \$150,000.

We have recommended a sliding tuition scale for the center as a narrowly targeted solution that is consistent with an "ability to pay" norm in the community and that would increase the budget for the center. We would not be opposed to an alternative recommendation, which we assume is more costly to the university: across-the-board tuition increases at the center coupled with larger Child Care Grants for all lower-income faculty and staff that can be used at any child care center. Regardless of the accessibility strategy chosen, our position is that accessibility goals should not be pursued by holding tuition levels lower than is necessary to provide excellent quality of care.

§3. Should the management contract with Bright Horizons be renegotiated or terminated?

Cornell is currently approaching the end of the second year of its contract with Bright Horizons Family Solutions, a for-profit company acquired by Bain Capital for \$1.3 billion in January 2008. Over these two years, the center has failed to deliver the quality of care expected by the Cornell community. It has failed to meet the minimum standards outlined in the first section of this report. It has also, by our reading, failed to meet the performance standards in the contract it signed with Cornell.

Bright Horizons bears primary responsibility for the weak performance of the center for the following reasons:

Licensing Violations. As detailed in the Faculty Senate resolution (see Addendum), the center had the largest number of violations of any child care center in the area, at 38 between opening day in August 2008 through the end of January 2010. Since the resolution was drafted, the center has accumulated 18 additional violations for a total of 56 through June 2010. Of these violations, the New York State Office of Child and Family Service deemed 20 of these as “serious”. Table 1 places these numbers in context relative to other child care centers in the area.

Table 1. Comparison of OCFS Violations, August 2008-June 2010

Center	Capacity (in children)	Non-Serious Violations	Serious Violations	Total
Ithaca Community Child Care Center (IC3)	146	10	1	11
Ithaca Montessori School (IMS)	99	10	1	11
Drop In Children's Center (Drop In Center)	90	19	1	20
Cornell Child Care Center (CCCC)	154	36	20	56

Note: The Cornell Child Care Center (CCCC) has a similar mix of infants, toddlers, and preschool children as does IC3. Over this time period, the CCCC has not run at full capacity and therefore on a per-child basis has an even worse regulatory record compared to IC3 than this table implies. Comparisons to IMS and the Drop In Center are more complex because both are smaller centers, the former does not provide infant care, and the latter follows a mixed mission of full-time and back-up care.

The explanation offered by Bright Horizons for this poor relative performance on regulatory compliance is that the higher rate of violations at the Cornell Child Care Center reflects Bright Horizons’ vigorous self-reporting policy. This explanation is not convincing. These violations are listed on a publicly available website maintained by the New York State Office of Child and Family Services, and any member of the community may request additional information on them.

After reviewing the descriptions of these violations, this committee does not regard these violations as indicators of widespread imminent harm to children. However, these violations do reflect the weak performance of Bright Horizons in meeting Cornell’s minimum standards for quality of care. If striving to provide the best quality of care in town, the Cornell Child Care Center should hold one of the strongest records on regulatory compliance in the area, not the weakest.

Teacher Turnover and Discontinuous Care. One of the essential characteristics of an excellent child care center is continuity of care. Research indicates that the same teaching staff should care for children for at least one year at a time. Staff continuity establishes healthy and secure attachments, particularly for infants but also for all young children. Discontinuity in teaching staff is associated with increased behavior problems among children in child care.¹

¹ Love, J. M., Harrison, L., Saga-Schwartz, A., I. Jzendoorn, M. H. v., Ross, C., Ungerer, J. A., Raikes, H., Brady-Smith, C., Boiler, K., Brooks-Gunn, J., Constantine, J., Ellen Eliason Kisker, Paulsell, D., & Chazan-Cohen, R. (2003). Child care quality matters: How conclusions may vary with context. *Child Development*, 74, 1021-1033.

Bright Horizons provided this committee with data that allowed us to calculate rates and trends in teacher turnover. Table 2 presents teacher turnover in three categories of full-time equivalent teaching positions: “Lead teacher,” “Teacher,” and “Assistant teacher.” For these categories alone, teacher turnover has been an astounding 105 percent in less than 2 years. Turnover does not include administrative staff or substitute teachers, but our data collected from parents (as we describe below) show similar cumulative rates of turnover in these positions.

Table 2. Teacher Turnover at the Cornell Child Care Center, August 2008-June 2010

	2008	2009	2010	Cumulative
Number of Departures	3	19	12	34 since opening
Months of Operation	4	12	6	
Departures Per Month	.75 per month	1.58 per month	2 per month	
Average Annual Size of Workforce	24	35	31	
Departures Per Month as Percentage of Annual Size of Workforce	3.1% per month	4.5% per month	6.5% per month	105% since opening

Note: Calculations per month assume homogeneity of months throughout each year.

A cumulative turnover rate of 105% for 22 months is equal to a 56% annual rate of teacher turnover. As a point of comparison, the Ithaca Community Child Care Center, which cares for a similar number of children of the same age as the Cornell Child Care Center, had a 3.5% teacher turnover rate in 2009 and a 7% teacher turnover rate in 2010. In the past year, the teacher turnover rate at the Ithaca Drop In Center was 15% (2 out of 13 teachers) and at the Ithaca Montessori School was 29% (6 out of 21 teachers). It is reasonable to assume that a new center will have a higher rate of teacher turnover than an established center, but the differences between other area centers and the Cornell Child Care Center are too large to be attributable to newness and continue to increase.

To obtain more-detailed information on turnover within classrooms, rather than just at the level of the center, committee members contacted parents whose children are or were at the center. These parent-generated data largely match the data supplied by Bright Horizons. However, these data suggest slightly higher teacher turnover rates because parents counted transfers between rooms, and departures from rooms because of promotions to administrative postings, as turnover within rooms. This turnover is not reflected in the numbers provided by Bright Horizons, which only include departures from the center. Based on the information that we gathered from parents, over the first 22 months of operation across all fifteen rooms at the center,

1. the typical room has had six separate full-time teachers (i.e., a median of 6 teachers with a mean of 5.5 teachers, a minimum of 3, and a maximum of 9).

2. none of the 15 classrooms will end its first two years of operations with the same two teachers they had at the center's opening.
3. three classrooms will have had 8 or more teachers, representing an annual turnover rate of greater than 200% per year.

These statements are true even though (1) some infant rooms have come in and out of service as demand has fluctuated and (2) we believe that we have undercounted the number of teachers at the center because of incomplete parent recall and lack of full data from Human Resources and Bright Horizons.

These turnover problems are not new.

1. The results of the October 2009 parent survey, as cited in the resolution (see Addendum), showed that 41% of parents reported that their children had "5 or more" teachers since joining the center, even though 25% of respondents had had children at the center for less than 6 months as of October 2009. When asked whether "Teaching staff turnover" met their expectations, 70% of parents indicated that the turnover rate was higher than they expected and in the most recent parent survey in the spring of 2010, many parents still expressed concern over the teacher turnover rate.
2. When the Bright Horizons CEO spoke to parents at the center in January of 2010, many parents remember him stating that the turnover rate at the Cornell center had been more than twice as high as Bright Horizons typically experiences when opening a center.

In spite of Cornell and Bright Horizons' awareness of these problems, this issue has not been effectively addressed. Teacher turnover has not declined in 2010. Rather, as the bottom row of Table 2 shows, the turnover rate increased steadily from 2008 through 2009 and has continued to increase in 2010.

Beyond these basic turnover rates, many parents have stressed additional factors that have made the consequences of turnover even more serious: departures have been very abrupt and new hiring has been slow. Thus, the turnover experienced by children in classrooms is even higher than reported rates indicate because of the many substitute teachers who have been called in to serve between the appointments of regular teachers. And, because these changes arrive abruptly, often with little explanation, parents are unable to effectively help in the transitions by cushioning the impacts on their children.

On daily continuity of care, many former and current parents at the center have complained to this committee that, especially during the first 15 months of the center's operation, children were far too frequently shuffled between rooms to balance child-teacher ratios. In most cases, parents were not even informed that such shuffling was occurring. Our understanding is that the frequency of such movement has declined in 2010 because of the temporary increase in staffing. Again, we are not convinced that this change is sustainable without significantly altering the budget model.

Weak Administrative Team. From the beginning, the administrative team hired by Bright Horizons has performed well below Cornell's reasonable expectations. The Regional Manager assigned by Bright Horizons had never overseen the opening of a center before she was assigned to oversee the launch of the Cornell Child Care Center. This was a factor in the chaotic opening days of the center. Human Resources has indicated that the initial enrollment lottery was poorly handled. Only one month after the center was opened, the first Director was fired for undisclosed reasons. By the end of the first year of operation, the next two highest-ranking administrators (the Assistant Director and the Program Coordinator) had also left the center.

The second Director, brought in with a temporary contract, had experience working at the Bright Horizons corporation but, apparently, had insufficient training on New York State's licensing regulations. She also failed to slow the rising teacher turnover rate and, according to some parents, did not adequately respond to parent concerns.

The third, and current, Director, who has been in her job for more than one year, was hired without any experience as a Director of a child care center. Former teachers as well as former and current parents have shared many critical comments about her performance. It is clear that teacher turnover has increased since she entered her position. This history of ineffective directors raises great concern about Bright Horizons' ability to hire and train an effective leader for the Cornell Child Care Center.

Many teachers have complained about the mismatch between the corporate culture and child-focused care at the Cornell Child Care Center. For example, they have indicated that (1) the center is top heavy administratively, with too many layers between classroom teachers and the Director; (2) the teachers are required to spend substantial time completing paperwork, and consequently have too little time to develop and implement the Bright Horizons educational program; and (3) the corporate model has a rigid, cookie-cutter feel, which gives teachers too few opportunities to develop unique identities for their rooms and provides them with little autonomy in how they approach their teaching. Overall, many teachers seem to feel that the administrative team is committed primarily to implementing the Bright Horizons corporate blueprint for how to run a center, giving insufficient support and too few opportunities to develop and exercise their professional competence.

Accreditation Problems. This committee believes that Cornell's minimum standard of quality child care should be accreditation by the National Association for the Education of Young Children (NAEYC). Achieving NAEYC accreditation is difficult and time-consuming, but doing so indicates a commitment to the quality of care that is associated with optimal child development. Cornell's Division of Human Resources indicated in June 2010 that Bright Horizons was on track to achieve NAEYC accreditation and intends to submit its full application in September 2010, as required in its original contract with Cornell.

However, Human Resources also reported troubling details about the accreditation process. In June 2010, this committee was asked if Cornell might recommend that Bright Horizons delay its application for NAEYC accreditation. The concern was that teachers were being asked to work on the weekends, putting in as much as 50 hours per week of paid work, in order to prepare materials for the accreditation application. When this committee asked how this could be, Human Resources indicated that the teachers had been so overworked over the past year and a half, and had experienced so much turnover, that they had not been able to document the care they were providing to the children. Teachers were being asked to work overtime to make up for the missed work that is necessary to achieve NAEYC accreditation (e.g., comprehensive binders of the care provided to each child).

After some communication with this committee, Cornell decided to hire three additional teachers for July 2010 through September 2010 to help give teachers more break time from their classrooms to prepare the NAEYC materials. Such help from Cornell is a direct financial transfer from Cornell to Bright Horizons. Although the additional teachers reduce contact time between children and their regular teachers, we are hopeful that they will provide the support necessary to prevent additional teacher resignations in the short term while aiding progress toward achieving NAEYC accreditation. At the same time, these additional teachers do not represent a long-term solution to the problem of teacher overwork or turnover, or *maintaining* accreditation: first, the supplementary teachers are temporary; and second, they further harm the financial position of the center by increasing the university's costs.

Failure to Meet the Standards of the Ithaca City School District's Universal Pre - Kindergarten Program (UPK). Child care centers can derive numerous benefits by taking part in the UPK program. When a child care center participates in UPK, they receive \$1500 for every child who is part of the program (this amount may increase to \$2500 per child next year). The center may choose to pass some of these funds back to the parents, but the rest can be used to purchase items to enhance a given classroom or the entire center (e.g., computers, software for assessments and curriculum, or in-service training materials). Additionally, each teacher taking part in UPK attends monthly meetings with other early childhood teachers to gain ongoing training and information on child development, resulting in up to 15 or more hours per year in additional teacher training. UPK teachers are eligible to take part in a host of other trainings that the school district offers. Finally, the teachers are given access to a special online tool that allows them to assess the needs and strengths of the children in their classroom and develop activities designed to address these. Thus, participating in the UPK program provides important opportunities for the teachers directly involved in the program while at the same time benefitting a center financially.

Despite interest in participating in the UPK program, the Cornell Child Care Center has been unable to manage the UPK enrollment process. The center could not consistently provide the necessary attendance records for pre-K students to the school district, or offer the minimum staff development and training required for the program, as set by the school district.

Discouraged Teachers. The weak performance of the center is not attributable to members of the teaching staff, who work by choice in a field with pay levels that are far lower than they should be and who strive to do the best that they can in tough working conditions. In the recent spring 2010 parent survey, parents expressed strong and enthusiastic appreciation for their children's teachers. Although many of the teachers have violated regulations, these violations reflect the weak and non-supportive administrative team more than individual teachers' abilities. It is particularly troubling to this committee that so many of the talented and caring individuals who have taught at the center are no longer there. Those who have remained deserve heartfelt thanks from the community. Those who have left, especially those who worked to change the center but who left because of the stress induced by their efforts, deserve thanks just as much. It would be a strong benefit to the center to find a way to bring these talented teachers back into the child care community at Cornell.

The teachers at the center deserve a supportive environment with the best training possible to ensure that they can provide the best possible care. They should be given the opportunity to conceive of their positions at the center as part of a larger professional development trajectory.

Unresponsiveness to Parents. During the first 16 months of its contract, Bright Horizons was unresponsive to the concerns of parents, failing to adequately address their requests for change or to discuss candidly the center's challenges. Since January of 2010, Bright Horizons has improved its communication with parents, but only after substantial pressure from Cornell's Division of Human Resources and the adoption of the resolution by the University Assembly that suggested many immediate changes.

As quoted at length in the resolution (see Addendum), parents who responded to the parent survey of fall of 2009 (a full 14 months after the center opened) were exceedingly dissatisfied. When asked whether Bright Horizons was responsive to parent feedback and concerns, 62% of parents indicated that Bright Horizons had performed below their expectations. Over half (55%) of parents indicated that they did not receive enough information about changes at the center, and 41% indicated that they did not trust the Bright Horizons administration. Similarly, over half (51%) of parents felt that the Director was performing below expectations, and 54% felt that the Bright Horizons administration was performing below expectations.

Parents complained that they were not informed of teacher departures until days before they occurred; nor were they given sufficient information on the reasons for the departures. A key indicator of quality child care is having children placed in a single room, with a consistent group of peers and a consistent group of teachers. However, parents at the center complained that their children were moved to other rooms without their knowledge or consent in order to balance ratios. When parents, either individually or through the Parent Advisory Committee, asked for explanations of regulatory violations and the rumored incidents occurring at the center, parents received explanations that they found insufficient.

Because of the problems at the center, many parents left in the winter/spring of 2010. Human Resources reports that the parents at the center now (those in the summer of 2010) are happier. Based on feedback we have received from current parents, we agree that some improvements have occurred. However, it is difficult to disentangle how much of this change is the result of the unhappiest parents leaving and how much is the result of significant improvements at the center. As evidence for the selective attrition explanation, we note that: (1) a high percentage of parents in Human Resource's 2009 survey indicated their intent to leave; (2) enrollment rates have been declining at the Cornell center yet enrollment has not declined at other local centers; and (3) a substantially higher percentage of the parents who were surveyed in 2010 receive child care grants than the parents surveyed in 2009, suggesting that dissatisfied faculty, staff, and students who can afford other more expensive care have disproportionately "voted with their feet."

The most recent parent survey (conducted in spring of 2010) still expresses substantial dissatisfaction with the management of the center, while providing strong support for the teachers. Forty percent of parents believed that the competence level of the current director did not meet expectations. Similarly, 50% believed that the management of the Bright Horizons staff did not meet expectations. Nearly one third of the parents reported that they did not trust the Bright Horizons administrative staff and that the management was not open to parent opinions. Perhaps most alarming, only about half of the current parents would recommend the Center to a close friend seeking child care, and 41% of parents would opt for a different child care center if they could find a center with the same availability of hours and days. Thus, while the spring 2010 survey shows higher levels of parent satisfaction in some areas, the results still indicate substantial concern with Bright Horizons' management and the overall quality of care at the center.

A Declining Reputation in the Community. Because of these problems, the Cornell Child Care Center has a poor reputation in the community. This harms the University's overall reputation to a non-trivial degree (as in the April 7th *Ithaca Journal* story on the licensing violations, above, and the April 13th *Cornell Sun* story on the same). More importantly, the poor recent record of the center is a barrier to faculty recruitment and retention. This is a particularly important factor because the university will soon resume faculty hiring at its normal or even accelerated pace in anticipation of the pending wave of retirements.

Since the center's opening, many families have left (and continue to leave) for other centers in the area, primarily the Ithaca Community Child Care Center and the Ithaca Montessori School. This committee knows of no families who have returned to the Cornell Child Care Center after moving their children to these local alternatives. Instead, this committee has received feedback from some of these parents, in each case praising their new child care providers while making direct comparisons to their past experiences at the Cornell Child Care Center.

The declining reputation of the center also exacerbates the consequences of high rates of teacher turnover. The center's current reputation dissuades potentially excellent new

teachers from considering the Cornell Child Care Center as a desirable place of employment.

For these reasons, Cornell has sufficient grounds to terminate the contract with Bright Horizons. The case for termination is stronger still because of the very high financial costs of retaining Bright Horizons, which include high management fees (beyond operating costs) paid directly to Bright Horizons as well as a contractual obligation for Cornell to pay any operating deficits. These costs make it harder to achieve the staffing increases recommended by this committee in the budget model section.

At the same time, Cornell must accept some of the responsibility for the failures of the center as well. Cornell opened the center with a budget model that could not deliver the quality of care expected by the community and without sufficient input from faculty and others on campus with expertise in child care and child development. And, as we detail in §5 below, Cornell did not respond quickly and effectively when problems arose.

Recommendation

Because the center needs a fresh start under new management and with a new budget model, Cornell should inform Bright Horizons that it is terminating its contract for service.

Because Bright Horizons is not solely at fault for the problems outlined above, Cornell should avail itself of the opportunity to declare “termination without default,” giving 180 days notice, and paying the stipulated termination fees in the contract that it signed. The termination fees are less than the annual operating deficit under which the center is now running, and which the university must pay. Thus, in this committee’s judgment, the termination fees are a fair price to pay for a series of business decisions that now appear to have been unwise. The termination fees could prove to be a bargain in comparison to operating a center that is running in financial deficit and that cannot attract enough tuition revenue to cover its escalating costs.

To allow time to find a new provider, Cornell should move quickly by issuing a new request for providers by January 1, 2011. Cornell should undertake a full competitive bidding process, following University Policy 3.25. Consistent with Cornell’s current standards, full bids from alternative providers should be solicited and then evaluated. Given the situation that the university now finds itself in, careful attention should be paid to termination clauses in the contracts proposed by alternative providers. Thus, bidders should be required to submit sample contracts, and these contracts should be evaluated by the Office of the University Counsel.

§4. Can the facility built by Cornell be modified in cost-effective ways to rectify some of the serious deficiencies in design?

No. Increased staffing at the center will mitigate some of the problems of the design of the building, such as the separation of the diaper changing areas (and bathrooms) from the main

classrooms. However, the lack of an indoor communal play space for gross motor activity is a significant problem for which there is no clear, cost-effective solution. The same is true of the playgrounds, which have attractive stylistic features but are so small that they must be used on an overly restrictive rotating schedule.

Recommendations

Human Resources should continue to pursue some creative ideas for enhancing the outdoor play spaces, including additional fenced play space to the west of the center.

As a long-term solution, Cornell should consider converting the center into one that serves only infants and toddlers, and then opening a preschool in another location. Alternatively, the center could enroll fewer children at its current site while having a second center in another, nearby location.

If the university chooses to maintain the current site as a center for infants through preschoolers, plans should be made to build a sufficiently large indoor space for gross motor play in a new wing to the west or north of the center, comparable in size to those maintained by other area daycare centers. Plans should also be made to extend the playground to the west of the center. We are aware that such an expansion might pose problems with neighbors and current users of the space, but the same is true of any university expansion plan.

§5. Does the oversight model of the center give sufficient influence to parents and to faculty at Cornell with relevant expertise?

At no point in the conceptualization, planning, or oversight of the Cornell Child Care Center have parents and faculty with relevant expertise and experience in child care and child development been given sufficient influence over the design or direction of the center. This committee believes that many of the problems that have plagued the center would have been avoided if (a) faculty with relevant expertise had been given a real decision-making role in setting ratios and selecting the provider for the center, and (b) parents at the center had been given a substantial formal role in the center's operation.

The committee's charge does not suggest that we attempt to discern who made the decision to hire Bright Horizons or how the selection process was managed. It is, however, relevant to the question of future oversight that the decision to hire Bright Horizons had by all accounts been made before Cornell faculty who had relevant expertise were asked to give input on the center. Indeed, the faculty members who sat on the University's ad hoc child care committee in 2006 said that their involvement felt purely symbolic.

After the center opened, Cornell failed to intervene quickly enough to prevent the present crisis from developing. Information about the large number of licensing violations at the center was available to Cornell quite early in the center's operations, but did not trigger a visible or effective response. Other events suggest that Cornell failed to address needs arising in the center. For example, in the spring of 2009, parents at the center submitted a petition to the university asking

Cornell to extend free parking benefits to teachers at the center, in response to their on-the-ground observations of teacher dissatisfaction and turnover. Although the center is located next to the A-lot, the teachers at the center could not park in the lot for free, like Cornell employees. As Bright Horizons' employees, they were asked to pay \$650 annually to Cornell (i.e., 3.25% of a pre-tax salary of \$20,000), which many chose to do because convenient direct bus routes did not exist for them. The petition was rejected by the Office of Transportation Services. It took 6 months for Cornell to work out a solution, which occurred only after the parents mobilized a second, more vigorous campaign to eliminate the fees.

During the fall of 2009, when the problems at the center were deepening, some parents reached out to the University Assembly's Childcare Services Subcommittee. In response, the chair of the UA subcommittee indicated that Human Resources had already requested that her subcommittee focus on other broad child care issues, leaving oversight of the Cornell Child Care Center to Human Resources, which would deal directly with parents at the center. This same request was then repeated orally by a representative of Human Resources during a UA Childcare Services Subcommittee meeting later in the fall of 2009.

During this same time period, Bright Horizons rebuffed efforts of the center's Parent Advisory Committee (PAC) to become more active. Throughout 2009, the PAC was advised by Bright Horizons to focus its attention on teacher appreciation activities and was discouraged from meeting without representatives of Cornell and the Bright Horizons administration in attendance. The PAC was also discouraged from developing into a parent-teacher organization, which some parents felt could help address the concerns of teachers. The PAC relationship with Human Resources was also already strained, in part because of the parking issue, and in part because the position of the Cornell liaison to the center was filled by three different Human Resources employees during the first 16 months of center's operations.

When it became clear to the UA Childcare Services Subcommittee in December 2009 and January 2010 that the problems at the center were very substantial, and members began to believe the subcommittee would be shirking its obligation to the university community by not considering what it could do to help, the UA subcommittee asked to see the contract signed with Bright Horizons. A representative from Human Resources reported to the committee that the Office of the University Counsel had decided that the contract could not be shared with the committee. Thus, during the crucial period when the center's problems were deepening and parent dissatisfaction became widespread, important stakeholders had no effective means to press for change.

When Human Resources came under intense pressure to make changes following their own survey of parent satisfaction, they arranged for a visit from the CEO of Bright Horizons. During a January 2010 meeting with approximately 40 parents at the center, the CEO, who was accompanied by three other senior administrators, declined to answer questions or gave vague responses to the questions submitted to him by the Parent Advisory Committee. Instead, he repeatedly indicated that he was aware that Bright Horizons "owned the problems" and that Bright Horizons needed to fix them.

Bright Horizons then developed an action plan. This committee has not seen the action plan, but one member was told by Human Resources that the original plan was insufficient to address the problems at the center. Only after additional pressure from Human Resources in 2010, pressure that was not independent of the adoption of resolutions by the Faculty Senate and the University Assembly, did genuine improvements begin to unfold. These improvements did not, however, raise the level of care up to the quality that Cornell parents expect, and they are financially unsustainable barring a permanent change in the budget model.

In sum, this committee found evidence that Cornell's oversight has contributed to the problems at the center. Our review of how peer institutions oversee their child care centers suggests that part of Cornell's difficulty in oversight are related to its decision to eliminate the Office of the Vice Provost for Faculty Development and Diversity. In many of our peer institutions, the Vice Provost for Faculty Development and Diversity (or equivalent) works in partnership with Human Resources to ensure that their child care center(s) meet the fundamental missions of their organizations.

To ensure the future success of the center, this committee recommends a new oversight model. The responsibility for selecting a provider and then continually monitoring and evaluating the center should be distributed more broadly across the university, while also taking better advantage of the very substantial local expertise in both child development and organizational management.

Recommendation

The President should establish an Advisory Board for the Cornell Child Care Center.

A seven-member Advisory Board should be established that includes four faculty members, two with expertise in child development and two with expertise or experience in management. The three additional members of the committee should be appointed from non-academic units at the university, such as the Division of Financial Affairs, Risk Management, the Counsels Office, and the Division of Human Resources.

The Board should meet at least twice per year and should conduct annual reviews of performance at the center, assisted by the Office of Institutional Research and Planning. To ensure that its perspective is informed by relevant stakeholders, the Advisory Board should cultivate direct channels of communication with parents of children at the center as well as teachers. The Advisory Board should also consult with the University Assembly's Childcare Services Subcommittee when considering issues that may impact the teaching philosophy, curriculum, and accessibility of the center. The University Assembly's committee represents the full university community, and its members should no longer be discouraged from engaging issues of concern at the center.

In cooperation with other relevant units and committees, the Advisory Board should select the vendor in response to the new RFP recommended by this committee. The Advisory Board should evaluate alternative providers on their willingness to (1) allow parents at the center to be involved in operational decisions to an appropriate extent and

(2) Allow the Advisory Board to conduct anonymous parent and staff surveys on a yearly basis.

The Advisory Board should not be charged with overseeing day-to-day operations of the center. If the President chooses to again direct the Division of Human Resources to manage the business relationship with the child care provider, then representatives of the Division of Human Resources should monitor day-to-day operations at the center. Under this cooperative arrangement, the Division of Human Resources and the Advisory Board would work together as partners with a common goal of ensuring that the Cornell Child Care Center reaches the level of excellence that Cornell deserves.

Finally, we recommend that the Advisory Board be chaired by a senior academic administrator. The University Faculty Committee has recommended instead that it be chaired by a senior administrator, not necessarily from the academic side of the university. We see advantages to both recommendations, and we have adopted the less-specific recommendation of the University Faculty Committee for the resolution that will be brought forward for deliberation by the Faculty Senate.

§6. Are the priorities of the center aligned with the core mission of the university?

The university's core mission has recently been defined in the 2010-2015 Strategic Plan through a series of Umbrella Goals.

1. Enroll, educate, and graduate the most deserving, promising, and diverse student body possible. Provide all students (undergraduate, graduate, professional) with an education that is innovative, distinctive, and of the highest quality, and that inspires in them a zest for learning.
2. Maintain and enhance world leadership in research, scholarship, and creativity.
3. Maintain and enhance efforts to recruit, nurture, and retain a diverse faculty who are outstanding scholars and teachers and an excellent, diverse staff who provide outstanding support to faculty and students.
4. Strengthen the public engagement of the university's education, research, and clinical programs with local, national, and international communities, consonant with its stature as an academically distinguished private university with a public mission.
5. Establish and maintain organizational structures and processes that promote and support academic excellence.

With reference to these umbrella goals, the center is not sufficiently aligned with the core mission of the university. Most importantly, as noted in the first section of this report, it is not a sufficiently high quality center to attract faculty, staff, and students to the university. As noted

earlier, the center should be a source of pride for the university, and it should be used actively to recruit talented faculty, staff, and students to the university.

Moreover, from the perspective of the university faculty, the center is not sufficiently aligned with an important strategic goal of the university: to redress gender imbalance in the faculty ranks as the faculty is renewed over the next twenty years, and more specifically to bring the percentage of women in each department or unit to 20% or the PhD pipeline, whichever is greater. Meeting this goal will require that Cornell be at least as good as, if not better than, our peers in supporting women faculty. Although child care is by no means solely a “woman’s issue,” it is nonetheless still the case that women are more likely to have primary responsibility for child care and more likely to give weight to the availability of high-quality child care in assessing whether to accept an employment offer or counteroffer at Cornell.

A survey of peer institutions conducted by CU-ADVANCE suggests that the majority of our peers reserve a modest number of child care slots to aid in the recruitment and retention of faculty and, less commonly, senior staff. These slots are typically assigned by the Provost or Vice Provost for Faculty Development and Diversity. In addition to the Provosts’ slots, a few peer institutions (e.g., MIT, Brown, Stanford) have tiered wait lists that give priority to faculty for particular child care slots (e.g., all infant slots, all slots in one of the on-campus centers). We note, however, that the latter institutions offer more on-campus slots and/or are located in cities where external child care slots are more plentiful.

Recommendation

Mindful that Cornell has a strong tradition of extending benefits broadly to all members of the university, and recognizing that all members of the community very likely want to send their children to a center with children from diverse families, the university should develop the capacity to use the center for recruitment and retention of faculty and staff in pursuit of its strategic goals.

Although alternative models exist at our peer institutions, this committee favors a modest program, similar to the one in operation at MIT. Under this model, the Provost would have control over the allocation of 12 slots per year at the center, a number this committee found to be roughly comparable to our peers in terms of both absolute numbers of slots and the percentage of the total number of slots. The University Assembly’s Childcare Services Subcommittee has reviewed this recommendation and has expressed its support, noting further that it supported such a plan when it was proposed before the center opened.

These slots would be set aside each year for assignment by the Provost no later than May for a guaranteed summer start date. If late-fall openings are projected, a department may pay to hold one of the Provost’s slots during the fall term for a faculty member who has a January 1 start date. In order to ensure that this system is cost-effective, we recommend that the Advisory Board (a) conduct further inquiries about how peer institutions manage Provost’s spots and (b) evaluate potential providers in part on their willingness to allow Provost’s slots to stay open over the typically under-subscribed summer months with

minimal or no additional charge. The Board should also consult with the University Assembly's Childcare Services Subcommittee while developing an implementation plan in order to discuss how to ensure that the center remains balanced across types of families at the center.

We note that 12 slots represent only 8% of the total number of slots at the center (and, moreover, that the child care center is currently below capacity). The remaining 92% of slots (or 134 slots) would be allocated in a random lottery across faculty, staff, and students. Our recommendation thus represents a balance between the goal of leveraging Cornell's investment in the child care center to help with recruitment and retention, as our peers do, and the goals of ensuring a diverse child care center accessible to all members of the Cornell community.

§7. How should the Cornell Child Care Center fit into the broad university strategy for supporting faculty work life balance?

This question was added to the committee's charge at the request of the Division of Human Resources in comments it provided on a draft of the March 10th Faculty Senate Resolution.

This question is best addressed by the standing University Assembly Childcare Services Subcommittee. Nonetheless, this committee agrees with prior committees that the Cornell community's child care needs cannot be met by only one child care center. Cornell should continue to support other child care providers in the area, and Cornell should develop a strategic plan for opening additional child care centers after the university's financial position improves. If Cornell wants to keep pace with its peers on work/life balance, it has no choice but to meet this challenge. We have confidence that the university will do so.

ADDENDUM

Resolution Adopted at the March 10, 2010 Meeting of the Faculty Senate

[Note: The paragraphs enclosed in brackets conveyed supporting information that was not included in the final resolution that was brought forward for a vote.]

WHEREAS the university's support of the needs of the faculty is a relevant matter of educational policy that is appropriate for the Faculty Senate to consider,

WHEREAS the child care needs of the faculty will grow substantially over the next two decades because the recruitment of younger faculty will accelerate in the wake of expected retirements and because more of these new faculty will be partners in dual career families,

WHEREAS the university faculty, in pursuit of excellence, diversity, and inclusion, has a steadfast commitment to increasing the number of women in its ranks through aggressive recruitment,

WHEREAS the Faculty Work Life Survey of 2005 indicated the need for the central administration to devote resources to expand high quality child care options for the faculty,

[Support: See the May 2006 document, "Child Care Needs Among Faculty," produced by Institutional Research and Planning at the request of the Provost's Advisory Committee on Faculty Work Life.]

WHEREAS the then-Provost Biddy Martin announced a plan for a Cornell Child Care Center in September 2006, indicating that its creation was a direct response to the needs identified by the Faculty Work Life Survey of 2005,

[Support: See Cornell Chronicle Article of 9/26/06, in which Lynette Chappell-Williams, as Director of the university's Office of Workforce Diversity, Equity and Life Quality, said "Part of the motivation of this new center is that we have heard of faculty who have experienced challenges in finding child care here and we have lost them; they moved elsewhere." She continued, "There are also those who applied for positions at Cornell and then declined offers because child-care services appeared inadequate. The new center is designed to help with both the recruiting and retention of faculty"]

See also the Cornell Chronicle article of 8/28/08, which states "In 2004, Provost Biddy Martin charged an Advisory Committee on Faculty Work Life „to examine the tenured and tenure-track faculty work life and working climate, with a special emphasis on the experiences of women faculty." The resulting Faculty Work Life Survey, completed in November 2006, indicated that 12 percent of faculty respondents were using or in need of child care, with five percent indicating that they anticipated needing child care in the next year or so, most likely for an infant"]

WHEREAS the then-Provost granted administrative control of the center to the Division of Human Resources, who, in consultation with the then-Provost, chose to enter into a contract with a for-profit company, Bright Horizons Family Solutions, founded by a Cornell alumna and donor Linda Mason, but currently owned in whole by the private equity firm, Bain Capital,

[Clarification: A press release on 1/14/08 indicated that Bain Capital had acquired Bright Horizons Family Solutions for \$1.3 billion, which was a 47% premium over its existing stock price. The press release described the new ownership as “Bain Capital, LLC (www.baincapital.com) is a global private investment firm that manages several pools of capital including private equity, venture capital, public equity and leveraged debt assets with more than \$65 billion in assets under management. Since its inception in 1984, Bain Capital has made private equity investments and add-on acquisitions in more than 300 companies in a variety of industries around the world, and has a team of almost 300 professionals dedicated to investing in and supporting its portfolio companies, including such leading companies as Dunkin’ Donuts, Michaels Stores and Dominos Pizza.”]

WHEREAS a competing management proposal by the Ithaca Community Child Care Center was rejected, even though the Ithaca Community Child Care Center had an established record of providing care for many of the children of current and past Cornell faculty,

WHEREAS the performance of the Cornell Child Care Center since its opening in August of 2008 has been poor, such that many faculty who were offered spots at the center have since left for reasons including unacceptable rates of incident reports to Child Protective Services and unacceptable rates of teacher turnover,

[Support: Between its opening in August 2008 and the end of January 2010, the Cornell Child Care Center was cited for 38 separate regulatory violations by the New York State Office of Child and Family Services. Of these violations, 17 were deemed “serious.” Over the same interval, the Ithaca Community Child Care Center, which is the most comparable child care center in the county, was cited for only 4 violations, and none of these violations were deemed “serious.” Details are available at the website, http://it.ocfs.ny.gov/ccfs_facilitysearch/default.aspx, through a search for Tompkins County centers.

[Human Resources has reported that at least 22 teachers have left the center between its opening in August 2008 and February 2010. Bright Horizons has conceded that the level of teacher turnover at the Cornell Child Care Center is more than double the rate that is common in the child care industry.]

WHEREAS a recent parent survey of the Cornell Child Care Center, conducted by the Division of Human Resources, indicated that dissatisfaction with the center is high, even among those parents who have chosen to remain at the center,

[Support: In October 2009, Human Resources conducted an online survey of parent satisfaction, and 93 parents responded. The full results are available at <https://confluence.cornell.edu/display/WORKLIFE/Cornell+Child+Care+Center+Parent+Survey+Results> . The results include the following concerns:

1. Teacher turnover: Even though 25% of respondents had had children at the center for less than 6 months, 41% of parents reported that their children had “5 or more” teachers since joining the center (not counting additional transitional appointments). When asked whether “Teaching staff turnover” met their expectations, 70% of parents indicated that the turnover rate was higher than they expected. The rate of dissatisfaction was highest in the toddler wing, where 89% of parents felt that turnover was higher than expected.
2. Bright Horizons administration: When asked whether Bright Horizons was responsive to parent feedback and concerns, 62% of parents indicated that Bright Horizons had performed below their expectations. 55% of parents indicated that they did not receive enough information about changes at the center, and 41% of parents indicated that they did not trust the Bright Horizons administration. 51% of parents felt that the Director was performing below expectations, and 54% of parents felt that the overall Bright Horizons administration was performing below expectations.
3. Overall satisfaction: When asked whether or not they would recommend the center to a friend, only 45% of parents indicated that they would.
4. These results do not reflect the views of the substantial number of parents who have decided to leave the center since it opened.]

BE IT RESOLVED that the Dean of the Faculty appoint an ad hoc committee comprised of faculty members with expertise or interest in child care issues to recommend a course of action that will allow the Cornell Child Care Center to perform at the level of excellence envisioned at its initial conceptualization.

BE IT FURTHER RESOLVED that the Dean of the Faculty request that the President direct the Division of Human Resources to provide access to documents and information that will allow the committee to form complete and informed answers to crucial questions that include:

1. Are the priorities of the center aligned with the core mission of the university?
2. Can the center budget model deliver the quality of care that is demanded by the Cornell faculty?
3. Can the facility built by Cornell be modified in cost-effective ways to rectify some of the serious deficiencies in design?
4. Should the management contract with Bright Horizons be renegotiated or terminated?
5. Does the oversight model of the center give sufficient influence to parents and to faculty at Cornell with relevant expertise?

6. How should the Cornell Child Care Center fit into the broad university strategy for supporting faculty work life balance?

BE IT FURTHER RESOLVED that the committee prepare a written report before the fall semester of 2010 and that, in the course of preparing their report, consult directly with Mary G. Opperman, Vice President for Human Resources, who has expressed her commitment to charting a new course for the Cornell Child Care Center.

Resolution endorsed by

Twenty-seven faculty members who have (or have had) children at the Cornell Child Care Center:

Anurag Agrawal, Associate Professor, Department of Ecology and Evolutionary Biology
 Kevin D. Attell, Assistant Professor, Department of English
 Anindita Banerjee, Assistant Professor, Department of Comparative Literature
 Taryn L. Bauerle, Assistant Professor, Department of Horticulture
 Marya L. Besharov, Assistant Professor, Department of Organizational Behavior
 Sofia Cerda-Gonzalez, Assistant Professor, Department of Clinical Sciences
 Ruth N. Collins, Associate Professor, Department of Molecular Medicine
 Brian R. Crane, Associate Professor, Department of Chemistry and Chemical Biology
 Peter K. Enns, Assistant Professor, Department of Government
 Maria J. Garcia-Garcia, Assistant Professor, Department of Molecular Biology and Genetics
 François Guimbretière, Associate Professor, Faculty of Computing and Information Science
 John P. Hausknecht, Assistant Professor, Department of Human Resource Studies
 Mark E. Lewis, Associate Professor, Department of Operations Research and Information Engineering
 Corinna E. Löckenhoff, Assistant Professor, Department of Human Development
 Daniel R. Magaziner, Assistant Professor, Department of History
 Jordan D. Matsudaira, Assistant Professor, Department of Policy Analysis and Management
 Tracy K. McNulty, Associate Professor, Department of Romance Studies
 Stephen L. Morgan, Professor, Department of Sociology
 Kevin M. Morrison, Assistant Professor, Department of Government
 Maxim Perelstein, Assistant Professor, Department of Physics
 Troy A. Richardson, Assistant Professor, Department of Education
 Jocelyn K. C. Rose, Associate Professor, Department of Plant Biology
 Holger Sondermann, Assistant Professor, Department of Molecular Medicine
 Jennifer S. Thaler, Associate Professor, Department of Entomology
 Sofia A. Villenas, Associate Professor, Department of Education
 Joseph J. Wakshlag, Assistant Professor, Department of Clinical Sciences
 Gary R. Whittaker, Associate Professor, Department of Microbiology and Immunology

Six additional faculty members who have interest and/or expertise in child care issues:

Christopher J. Anderson, Professor, Department of Government
Marianella Casasola, Associate Professor, Department of Human Development
Stephen F. Hamilton, Professor, Department of Human Development
Barbara C. Lust, Professor, Department of Human Development
Sharon L. Sassler, Associate Professor, Department of Policy Analysis and Management
Kim A. Weeden, Associate Professor, Department of Sociology

Appendix 4

Resolution on Recommendations for the Cornell Child Care Center for consideration at the September 8th Meeting of the Faculty Senate

WHEREAS the Dean of the Faculty appointed an ad hoc committee to analyze the challenges facing the Cornell Child Care Center, as set forth in the resolution passed by the Faculty Senate on March 10, 2010,

WHEREAS a detailed report was prepared by the appointed ad hoc committee, shared in draft form with the University Faculty Committee on August 4, 2010, and then submitted in final form to the Dean of the Faculty on August 31, 2010,

WHEREAS a redacted version of the submitted report, omitting some confidential information, has been distributed to the Faculty Senate,

WHEREAS the report details management problems with the Cornell Child Care Center, therefore

BE IT RESOLVED that the Faculty Senate recommends that the President implement the primary recommendations of the ad hoc committee, which are to

- Give notice to Bright Horizons Family Solutions that Cornell intends to terminate its contract for service in August of 2011,
- Develop and release a new Request for Providers by January 1, 2011,
- Improve the quality of care in a budget-neutral manner by reducing the management costs and introducing a sliding scale for tuition,
- Appoint a seven-member Advisory Board, chaired by a senior administrator, and consisting of four faculty (two with expertise in child development and two with expertise in management) as well as three representatives of non-academic units of the university, and
- Enhance the University's capacity to use the center for recruitment and retention of faculty and staff by increasing the quality of the center and by giving the Provost control over the allocation of a small fraction of the slots at the center.

BE IT FURTHER RESOLVED that the Faculty Senate requests that the President indicate by November 1, 2010, through a letter to the University Faculty Committee, whether he will implement these recommendations.



DEAN OF FACULTY REPORT

BILL FRY

September 8, 2010



Calendar Committee

Jeff Doyle (Plant Biology) (chair)

Kent Hubbell (Dean of Students)

Michael Matier (IRP)

SA representative

GPSA representative

Staff representative

2-3 additional faculty

Brown (VP, ex officio)

Bill Fry (DoF, ex officio)

Draft Charge: “*Recommend a course of action concerning Cornell’s calendar that will be academically appropriate, that will not exacerbate student stress, that will align more closely with the calendars of local schools, and that will honor federal holidays as is academically possible.*”

Version 8.31.10 with rider

**MOTION TO REQUEST FORMAL RESPONSE TO FACULTY STANDING COMMITTEE
RECOMMENDATIONS
CALS Faculty Senate**

WHEREAS all of Cornell University is undergoing a profound reimagining process which requires the full informed commitment of all the University community, and

WHEREAS the Organizational Stewardship Task Force report emphasizes the importance of shared governance and collaborative decision making with a commitment to open communication and transparency, and

RECOGNIZING that the feedback loop from faculty to the several levels of administration remain unclear to the extent that there is no evident mandate for an administration response to faculty standing committee resolutions and recommendations nor is there a readily accessible source for follow-up information on recommendations made and actions taken or not, and further

RECOGNIZING that final decision making authority at Cornell University resides with the Board of Trustees, the President, the Provost and the deans and their designees as delineated in the University charter and other applicable documents, and moreover

RECOGNIZING that standing faculty committees' decisions and recommendations are to be interpreted as recommendations to University or college level administrators as indicated by the nature of the recommendation, then let it be

RESOLVED that when a representative faculty committee (such as the Faculty Senate of the University or a College) makes a recommendation they will identify the recipient who is expected to respond (such as the official who constituted a committee)*. The recipient individual or his/her designee should send a formal response within **30 days indicating whether the recommendation was accepted or rejected in whole or in part, with a justification for the decision reached. The recommendations, responses and explanations should be posted within **30 days to a newly-created web page accessible by the university community to contain all committee recommendations submitted, together with the decisions made and justifications for those decisions.

**The faculty realizes that some committee decisions may involve personal or sensitive information, such as tenure decisions, and thus are exceptions to this expectation for a public response and disclosure.*

**PASSED 9/8/10 WITH REVISION - 45-DAY REPORTING PERIOD FROM THE
ADMINISTRATION (INSTEAD OF 30 DAYS)**

****REVISED TO 45 DAY REPORTING PERIOD**