

# MINUTES OF A MEETING OF THE FACULTY SENATE

**March 8, 2006**

Speaker Pro Tem Howard Howland called the meeting to order. "I would like to remind the body that no photos or tape recorders are allowed during the meeting. Please turn off your cell phones and please remember to identify yourselves when you speak. There are no Good and Welfare speakers at this time. I would like to begin by calling on Dean Charles Walcott for remarks."

Charles Walcott, Dean of Faculty: "Thank you Howie and particularly thank you for being willing to be Speaker Pro Pro Tem at least for today, for that we are grateful. I have only two items that I want to bring to your attention. The first of these is the timing of final examinations for this semester. We had this wonderful algorithm, which was going to spread out the final exams so that there would not be conflicts. It turned out that in the course of events examinations got scheduled for Friday evenings. This is of course something we endeavor to forestall ahead of time, but we were unsuccessful. The question is what to do about it. For this particular semester we are locked in position. We don't have very much wiggle room. For the fall, however, for the examinations that will come in December, there are two options that are available. One is to move the Friday evening examination to Wednesday evening, the Wednesday of Study Period. That would cope with most of the problems, if we did that.

"Another alternative is to keep them scheduled on Friday and simply go back to the old time schedule, which means that the exams are in the morning, the late morning, and the afternoon, and we are done prior to Friday evening. The Educational Policy Committee is going to be agonizing over this alternative and we will come to you with a recommendation. I just wanted to warn you that we have in fact noticed that there is this Friday evening problem.

"A second issue I want to bring up is that of the suspension policy. You may remember that last spring the Faculty Senate passed a policy for coping with faculty misconduct. This has now been discussed with the Deans and with the Provost. We have posted the most recent version on the Faculty Senate web site. I invite you to take a look at it. If you have comments, please send an e-mail to Professor Peter Stein, the Chair of the Academic Freedom and Professional Status of the Faculty Committee, who will be offering comments to the administration on this policy? I think we are getting very close to the end. I was very pleased that many of the suggestions the Faculty Senate made were incorporated. I am hopeful that we can get to a final resolution before too long. Thank you."

Speaker Howland: "Thank you Dean Walcott. While we are waiting to achieve a quorum, I'll jump ahead on the program and call on Provost Biddy Martin for remarks and to answer questions. We have almost an hour so Provost may speak for half an hour uninterrupted if she wishes and then take questions."

Provost Biddy Martin: "Thank you. This is unusual but you all asked for it. I'll do my best to comply. This is the only meeting that actually runs on time in the whole University. Just give me one of those "Howie" looks."

"I'm not going to take these in the order in which they were listed for me, if that's okay with you, because I have overheads for the Faculty Work Life Survey. I want to keep those until the end. I'll start with faculty/staff parking and Bailey Hall Plaza. Charlie, was this about faculty/staff parking in general or just about the Bailey Plaza?"

Dean Charles Walcott: "Most particularly about Bailey Plaza but faculty/staff parking in general as well."

Provost Martin: "Well I have less to say about faculty and staff parking in general, actually. I think perhaps the faculty will be engaging one another, if I understand it, on the larger issue of faculty and staff parking. What I think I should do, or what I can imagine you would like to have me do, is if you haven't been directly involved in the Bailey Plaza discussion is just explain where things stand there. Can I assume that everybody knows at least a little bit about the Bailey Plaza Project? No. That's what I figured."

"Well, while Bailey Hall was being renovated, and close to the point at which we saw finally an end of this actually wonderful state project to renovate Bailey Hall, we came up with the idea that we ought to address the access questions to the renovated Bailey Hall by creating a plaza in front of Bailey Hall that would do justice to this renovation - which is really going to be quite astonishing when you see it, I think. We wanted actually to try and enhance what we are doing in the music and the arts, and the aesthetics of the campus. So we asked a very well-known landscape architect, who is a graduate of Cornell's Landscape Architecture Department, to design a plaza. We have a beautiful design, which many of you have seen. At the point at which the design was being developed and considered, we were told by Transportation and Parking and our Facilities folks that they would be able to work out the circulation and parking issues that would arise as a result of the plaza, which would mean the plaza design getting rid of most of the parking in that area. I think what I would say now is that the Transportation and Parking staff came up with some legitimate ways to address the parking needs that would arise if we took a lot of parking spots out from the Bailey Hall/Bailey Plaza area, but not all of them. In addition we had concerns about service access to the Physical Sciences precinct that arose along with some questions about parking. Now these questions, which we ourselves also had, arose in the minds of

faculty. Many of you in this room, and others who learned about the Bailey Plaza project, had questions, quite good ones, about what it would do to parking and how service access, in particular, over the next few years as the Physical Sciences project gets under way, how that access would be addressed. We have had Parking and Transportation continuing to work on this. I announced, at last week's university-wide chairs' meeting, that I favored a delay in beginning this project because it wasn't apparent that all the projects that are about to get underway and will be sustained through the summer make it very rational to add the Bailey Plaza project to the rest of them.

"We have since gotten a letter from Kathy Gleason's committee, that was established in the wake of the Red Bud Woods controversy this past summer, urging us to forge ahead on the Bailey Plaza project. We have a meeting of the Capital Facilities and Projects Group on Monday to consider what we really ought to do in light of our own concerns, various faculty concerns, on both sides of the issue, of whether parking for faculty and staff really needs to be preserved in that area with as much proximity as we currently have - or whether it would be more appropriate actually to do what we had in mind which is to build a beautiful plaza and open the area that would accommodate the very, very significant amount of pedestrian traffic we have in the Bailey area, and also continue to allow for circulation access to Bailey Hall for events and also access to the Physical Sciences precinct as well as to the edges of where Martha Van and the College of Human Ecology have their loading docks as well. That is a sort of up to the minute report as to where things stand with Bailey Plaza.

"I happen to know that there are people here who want to speak about this. I think as much to one another as to me. I guess, as Charlie suggested, that I will wait until I finish reporting on everything to give you a shot, if those of you who are anxious to talk about this can just be patient for a little bit and then say what you would like to say about Bailey Plaza and about parking in general. I really don't have any comments on parking for faculty and staff in general. I really do think actually this is an issue that you the faculty need to decide in the context of ongoing discussions and at least decide with us. I'll be very interested in your discussion later.

"The Suspension Policy, as Charlie just told you, is up on the web and our most recent version of our proposal, which does in deed take many of the proposals and suggestions and policy ideas of the Senate into account, and also tries to bring in some of the deans' concerns and ideas. It is something of a compromise and we're still in discussion about it, so I'm not going to cover that as Charlie suggested I not do.

"Racial tensions and the recent campus incident. Can I assume that everybody here knows at least the basics about the recent incident? You can say no. Anybody want to say no? You know the stabbing incident occurred and you know that Charles Holiday, who is the victim of this crime, is a Union College student. He's back at Union College.

He's taking classes. He had a very serious wound. His lung was punctured and he lost a lot of blood. He's weak. I talked to the President of Union College just a few days ago, who informed me that Charles would probably drop a class for this quarter. But, he is doing well, as well as can be expected under the circumstances. If you go to the Union College website you can read about this young man who is, according to the President of Union, and everything that I have read about him, a really lovely young person. And in fact since many of the staff in Susan Murphy's shop and in other offices on campus got to know him a little bit and who tried to support him and his family, you know that he seems to be a very lovely human being.

"The student in ILR who is alleged to have committed the crime, Nathan Poffenbarger, is temporarily suspended from Cornell University and faces charges down town. He has been declared *persona non grata* by the police. He is not allowed on campus except for very specific kinds of consultations or events, and then he has to come on campus supervised by someone, whoever is appropriate for the particular meeting that he would need to attend on campus. Those are the facts. The D.A. has been on campus several times at several of the forums that were called by various administrators or students. The DA has given very lengthy and detailed explanations to the community on where things stand in the city. I think the student groups, the representatives of whom I have been meeting with regularly, are quite satisfied by the information that they have been given by the DA. On campus, as many of you know, the first meeting, a general community meeting that I attended, was on Sunday after the crime occurred and that was called by the Director of the Africana Center. Many of us attended, a lot of faculty, students, and community members. That meeting was followed by a forum on the west campus for discussion there of the incident and what it implied and how we have responded to it. There was a forum that was organized by Hunter Rawlings open to anyone in the community who wished to attend. It was very well attended. It was a quite remarkable discussion, the details of which are extremely interesting. There were students and community members there who had a wide range of political views on race and racism on campus and what this incident represented or did not represent. It was a very lively discussion, it lasted about two hours. On Friday of last week Hunter and I met with three students who represent a twenty-student group large coalition, which increasingly, apparently, also includes faculty and community members according to the students. We had a very good meeting, very cordial, very productive. I invited the students to the Provost's staff meeting this past Monday. They attended. I invited them to the deans' meeting yesterday, which they also attended, although a slightly different composition of students. But they attended and listened to the deans' talk about the implications of a required course and what alternatives might be possible or might be at least possible, to have the faculty consider. We have explained to the students that curricular decisions and decisions about curricular requirements are made by the faculty in each college, not by the administration. The question I think the students have, is whether the Deans and the faculty from the different colleges are willing to work with them on, if not as they originally proposed, a single course that

would be required of all students on diversity, a series of courses or alternatives to courses. They are still asking for – ‘insisting on,’ I think, is the language they used yesterday at the Deans’ meeting - some kind of requirement that would actually ensure that every student who comes to Cornell graduates from Cornell with the ability to analyze critically and rigorously issues of race, gender, sexuality and structural inequality of other kinds. That’s their aim. They had already changed their demand from last week, when they wanted one single course for all students and they wanted it right away. They had changed their approach, understanding as Hunter and I had tried to help them understand, that these things take a long time if they were ever to be instituted, and in response to our having said that they actually got two sophomores. The people with whom we met last Friday included a graduate student and two seniors. After we explained how long these things take they actually brought two sophomores to the Deans’ meeting and explained that they are really committed to succession planning in a way that we could learn from, actually, here at the University. In any case they are quite serious students and delightful students. You probably, in one forum or the other, will be meeting with some subset of them, I would think, in your colleges, departments, or at University-wide forums. They know that neither Hunter nor I support the idea of one requirement for all students - or perhaps any requirement at all - and we leave it to the colleges. We do support the idea that the faculty of the various colleges should take up the issues and think a little bit about what it is that you think students who graduate from Cornell University ought to be able to discuss and think about intelligently and critically when they graduate. That seems fair enough to me for students to ask us to do whatever the outcome of those discussions might be. That’s where things stand as far as our interaction with the students. There is a coalition now, as I said, and it’s composed of at least 20 student groups and faculty and community members that aims to keep this discussion going. If you have any questions about it we can talk about it after the rest of this presentation.

“President Skorton’s Transition. I don’t know what the questions are here. I’ll try to anticipate them. I have heard some people say they thought they would see him more by now. You must remember that he is the President of the University of Iowa and that’s what he is being paid to do. It’s a big job; particularly right now out in Iowa. He hasn’t been here since the announcement. He was supposed to come last week for two days of meetings and lunches and dinners with various groups on campus, but he has been suffering from a quite bad case of bronchitis and was unable to come. He will be here next week for one day. He’ll be here in April for three and a half days and he’ll be here in May for three and a half to four days on campus. We’re planning a range of events for him so that he gets to meet a wide variety of people. What you probably would have no way to realize is he actually hasn’t even met yet with all members of the senior staff. He hasn’t met with all the people who report directly to him, nor has he met all the Deans. We’re just getting underway. It’s going to be a slow process as these transitions are. If you have any specific questions about what we’re planning or how it will go, or what the implications of this pace of transition might be or anything else

going on at the University, feel free to ask. I don't see any significant implications. David Skorton is completely on board with the campaign launch in the fall, so launching the public phase of our capital campaign depends on feasibility not on David's transition. He's happy with that timing.

"And as I hope you know by now - I think I succeeded in ensuring that an e-mail went out - the inauguration for David Skorton will occur on September 7<sup>th</sup>. No? So I didn't succeed. It will come. Now you know from me. September 7<sup>th</sup> will be the inauguration, as late in the afternoon as is reasonable to have it. We don't intend to cancel classes. We haven't cancelled classes for the other inaugurations. I think Jeff's was one or two in the afternoon. We are hoping to make this one more like three or so, so that as many people as possible are out of class and can attend. You now have that piece of information. Please put it on your calendars. That's the update on the transition, I think as far the date is concerned.

"Work Life Survey. I think I have gotten to that. Let me just show you some slides. This is all preliminary. You will remember the goals of the Work Life Survey (Appendix 1), which many, many of you actually filled out. We had a very, very long and complicated survey. The survey, as many of you know because you filled it out, had six sections (Appendix 2). Let me remind you of what I told you last year, and that is that - unlike the surveys that were done at many of our peer institutions - we decided not to confine ourselves to the sciences. The surveys that have now become very well known - the MIT survey, the Duke survey, and several of the other university surveys on the experiences of women or gender in general - actually were focused on the sciences. We decided to do it university-wide without regard to discipline and include everything. We also had many more items than the other surveys, and it's taking quite a long time to analyze the data as you can imagine.

"I think you will remember that the survey ran from September 15<sup>th</sup> to October 24<sup>th</sup>. (Appendix 3). We had a 65% response rate, which as you know is quite extraordinarily high. Seventy-four percent of women and 62% of men responded and you see the equation by rank. Seven hundred thirty seven faculty also contributed responses to the open-ended questions. The graph (Appendix 4) shows responses by gender. You understand that women composed 27 percent of the respondents, which is a little bit higher than our representation on faculty. Women represent 24% of the Cornell University faculty, so 24% of the faculty, 27% of the respondents. I'll show you the response by rank (Appendix 5) although I've already given you that information, just so you see it a little more clearly. Obviously assistant professors responded a little more heavily than faculty in other ranks.

"The only data that we have that we can actually show, not show even, but say something about, has to do with satisfaction. You probably remember that you were asked on a scale how satisfied you were as a faculty member at Cornell. The one thing

we realized was very important was to think about non-respondents as well as respondents. Here is the information (Appendix 6) that we have been able to gather and analyze when it comes to what the distinctions might have been, or could have been, between respondents and non-respondents. The demographics are the same virtually for respondents and non-respondents, and the predicted satisfaction rate therefore is basically equivalent.

“Overall satisfaction. What you see here (Appendix 7) is that Cornell faculty, both men and women, are generally satisfied with their positions at Cornell, with being a faculty member at Cornell. These are two Ivy peers. What they did, was fail to give us the actual relationship between somewhat satisfied and very satisfied. So we don’t have that information for them. But, if you were to look at ours and take out that distinction between the very satisfied and the somewhat satisfied, you will see that at least in comparison to these two Ivy peers, we are in the middle.

“Satisfaction by gender. I’ll just let you look at that (Appendix 8).

Peter Stein, Professor, Physics: “Excuse me what were the headings of the previous slide (Appendix 7). I couldn’t read them.

Provost Martin: “What were the headings?”

Professor Stein: “What did they represent?”

Provost Martin: “I’ll show it to you again.”

Unidentified: “We can’t read it in the back.”

Provost Martin: “Okay. This is Ivy A and Ivy B. These are the peers for which we have information. This shows the faculty who responded said that they were either somewhat satisfied or very satisfied. As I said, these peers did not give us the breakdown between somewhat satisfied and very satisfied. So we don’t know how we compare when it comes to that breakdown.”

Professor Peter Stein: “What’s the dark and the light on the first part of the slide?”

Provost Martin: “Here the very satisfied is dark and somewhat satisfied is the lighter. Up here is neither, neither satisfied nor dissatisfied, which is odd.

Unidentified: “Why doesn’t it go to 100%?”

Unidentified: “They are dissatisfied.”

Provost Martin: "Can you see this? (Appendix 8.) It is essentially the same. I'll read the bottom, 'satisfaction being a faculty member at Cornell'. This is the breakdown between men and women. You can see that men and women generally are quite satisfied. But, there is a significant difference between men and women if you break it down by gender.

"This is Life Outside Cornell. This is the level of satisfaction about one's life outside of Cornell. Over here is the men and women's satisfaction on the ways that their work lives and their lives outside of Cornell fit together. Is that clear enough?

"Let me also mention something that is very significant and that is that we did not take rank or age into account yet. So there is going to be a less significant difference once we take rank into account because we have so many more women, proportionately speaking, at the junior ranks than we do at the full professor rank. It's still going to be significant, we predict. The institutional researchers who are analyzing the data predict that women are going to come out differently, in a significant way, on these satisfaction measures. Again bearing in mind that the majority of men and women said they are either somewhat satisfied or very satisfied but there is going to be a significant difference even when we take rank and age into account. Is that clear? We believe, anyway.

"Aspects of Work. (Appendix 9.) Can you see the stars? Can you see what's starred? You can't read the labels? Let me read them to you.

"These are the satisfaction measures. The satisfaction measures of being a faculty member at Cornell. It's starred because there is a statistically significant difference in the way women and men responded. I'll just read all the labels.

Satisfaction with various aspects of our appointments.

Current rank.

Current salary.

Benefits.

Office space.

Clerical support.

Library.

Computer resources.

Access to graduate students.

Advising responsibilities.

Committee responsibilities.

Let me summarize. Where there is no statistically significant gender difference, there's no difference in satisfaction with rank, salary, benefits or office space. Shall I read that again? No statistically significant gender difference in responses about satisfaction with rank, salary, benefits or office space. We know there are no statistically significant



differences by gender in salary because we have been tracking it for years based on the regression analysis developed by a faculty committee. And I meet with every Dean, every year, to go over the results of the regression analysis we do based on the previous year's salary improvement.

"Men are more satisfied than women with clerical support and computer resources. I have no idea why. I could guess with the clerical support, but computer resources I don't understand. We'll find out more. There are a lot of other measures. There are about forty measures total. This is just a very small set of the measures that we actually used in the survey and therefore this information is preliminary at best, but I thought you would want to see some of what we have.

"Number of Courses Taught. (Appendix 10.) This one is extremely interesting and not so much simply because of gender differences, but just in general. Look at the number of courses taught, the mean number of courses taught in 04/05. Can you see what it says? Without the survey we really didn't have this information on the mean number of courses taught by faculty who are here. I'm surprised at how low the mean number of courses taught by faculty is. Some of us in the humanities teach four courses a year and so we're wondering how the mean ends up where it is. But that's okay because we aren't going to have humanities complaining today about this, at least not now. In any case you see that women report they teach more courses outside of their research interests than men report.

Professor Peter Stein: "What is the x-axis?

Provost Martin: "The mean number of courses taught in 04/05."

Professor Peter Stein: "But what are the numbers? I can't see them."

Provost Martin: ".5, 1, 1.5, 2."

Unidentified: "Biddy, is that corrected for people who have extension/research appointments? I answered it, and I put zero because I'm extension."

Provost Martin: "It is not corrected for that."

Unidentified: "There's a big number."

Provost Martin: "You know what, there are a lot of results that I am showing you that aren't corrected for a lot of things for which they'll be corrected. I gave examples before of the difference by gender and satisfaction that doesn't take rank into account. Once you take rank into account, it's going to make a difference in the difference. There are a

lot of things of that sort. That's why I said, and perhaps I should emphasize even more, this is very preliminary. It's kind of hot off the press and perhaps not even ultimately that interesting. I think it's sort of interesting. But, we have to realize that anything we say about it is part conjecture at this point. Number of courses taught I showed you.

"Course Enrollment. (Appendix 11) Men report larger class sizes than women. Can you see that well enough? It's mean course enrollment. Classes taught in 05/06.

"What we can already tell from the data we've analyzed, and a lot of it is not here, and this is not surprising, but one very significant factor in reported satisfaction for men and women is department climate. (Appendix 12.) This is, by the way, mean score on the one to five continuums. Can you read the labels here? Not easily? On this side we have 'collegial,' 'cooperative,' 'conciliatory,' 'seeks the collective good,' 'cohesive' as a set of descriptors. On the other side we have 'contentious,' 'competitive,' 'aggressive,' 'seeks individual advantage,' 'fragmented.' Then you have, the dots are the responses of women, their perceptions of the department climate and the diamonds are the men's perceptions of the department climate. As I said, what we know, is that for both their perception of department climate is closely aligned with their overall satisfaction with their role as a faculty member. Some people have already asked me about this binary picture here. We have collegial, cooperative, conciliatory on the one hand and contentious, competitive, aggressive on the other. It is problematic and the reason that we went with these terms is really because we wanted to be able to compare our survey to the other surveys out there and so we didn't mess much with what was out there for that reason. I, myself, would say this is a very interesting and provocative one because it's going to be hard to excel if you are not competitive and aggressive at least in certain kinds of ways, and are these really binary opposites? Can you align one set with the good and the other with the less good? Well, those are the kinds of things that we have to discuss. We can't do it now I'm almost done and I'm going to be within by thirty minutes. These are the next steps with the Work Life Survey and its analysis (Appendix 13).

"The staff of Institutional Research are working day and night on this really. We'll have more results and a set of suggested ways of going about acting on any significant information that we think we have gotten within the next few months.

"That's the end of what I have to say on my own, but I would be happy to answer any questions you have."

Susan Suarez, Professor, Biomedical Sciences: "I am Chair of the General Committee from the Faculty of the College of Veterinary Medicine. The members of the General Committee are elected. I would like to read a statement concerning the policies on job-related faculty misconduct. 'Clinical privileges in the Cornell University Hospital for Animals should not be exempt from coverage by this policy. If, in the future, a separate

Cornell University Hospital for Animals clinical privileges policy is developed that is reviewed by the College of Veterinary faculty, it should conform to University policy. We agree with the Provost that the current policy for the hospital needs revision. Existing groups of CVM Faculty are interested in advancing the policy and would be delighted to work with the Provost and administrators to develop a clinical privileges policy for the CUHA.”

Provost Martin: “Good. Thank you.”

Dorothy Ainsworth, Professor, Department of Clinical Sciences: “I would like to also speak to the policy, which would really exclude the clinical privileges under the job related policy. “

Professor Peter Stein: “Point of Order. The Academic Freedom Committee is considering this and I could not hear the statement that Susan Suarez made and I cannot hear the one that Professor Ainsworth is reading.”

Provost Martin: “While I’m going to get her to shout and Susan’s going to give you a written of that. For those of you who are not up to date and haven’t yet read the latest version of the Misconduct Policy, the Suspension Policy, what’s being addressed here is a decision that we should for the moment exempt the suspension of clinical privileges from our discussion of suspension policy more generally because of the quite specific nature of clinical privileges, and we should go to the Vet School and work with the faculty on a policy that makes sense because I, in any case, believe that the current policy does not. The idea is not to exclude clinical privileges from a wrong university policy but to first find out what makes good sense and then work it into our policies.”

Professor Ainsworth: “Absolutely and perhaps you’ll think differently after I give my statement.”

Provost Martin: “I might.”

Professor Ainsworth: “I’ll speak as loud as I can though, Professor Stein. It’s unclear to me why Cornell University should embrace a policy that fails to provide due process for all of its faculty. We agree that the existing clinical privileges policy that was implemented at the College of Veterinary Medicine without a department or a college-wide faculty vote is indeed seriously flawed. This policy, which was designed to grant and remove the privilege of teaching and practicing veterinary medicine in the Cornell University Hospital of Animals, fails to conform to the general principals of the university faculty disciplinary and appeal process.

1. The policy fails to specify the relevant decisional criteria that are the bases of appointment or reappointment (i.e. granting of clinical privileges) for the faculty member.
2. The policy fails to specify the grounds for an appeal of an adverse decision. For example, if reappointment is not granted, no appeal process is outlined.
3. In situations in which the clinical privileges of an individual are being rescinded, the hospital policy fails to establish independent and impartial review of the decision.

Given the serious limitations of the existing CUHA policy, it is inappropriate to have the CVM clinical faculty remain under its authority even for a short time.

“Now it is true that the actions of clinical faculty directly impact upon an animal’s health and upon the livelihood and the well-being of the owner and whether that animal is a beloved canine companion or a high-production dairy cow. It doesn’t matter. None of us with clinical appointments take these duties and responsibilities to patients and clients lightly. But the responsibilities of clinical faculty are not that much different than the responsibilities of other faculty at the University. For example, our colleagues at the Law School who practice law and our colleagues at the CALS, through their extension appointments, all provide advice and recommendations that impact upon their client’s livelihood and well being. Yet, these colleagues are all covered under the policy under discussion.

“Should an emergency condition regarding the health of an animal be necessary it could simply fall under the emergency sanction policy that is being discussed. I strongly recommend that the clinical faculty of the College of Veterinary Medicine be included in the new CU Policy on job-related faculty misconduct and not excluded as is being proposed.”

Provost Martin: “Sure, thank you. Dorothy, can you please send me that?”

Richard Miller, Professor, Philosophy: “By the way this is about the Work Load Survey, I defer to anyone who wants to pursue the questions that have just been raised.”

Risa Lieberwitz, Associate Professor, ILR: “I just wanted to say something also about the Suspension Policy. I guess it’s called the Policy on Job Related Faculty Misconduct. There are a couple of things. One is that it seems to me to make good sense, the comments that were made about having everybody who could be affected by suspension under the policy. If at some time it makes sense to have certain schools treated differently because of the nature of their work, then that can be done. It seems

to be that there's a minimum level of due process that is called for. So, I think it makes good sense.

"The other thing I wanted to do is just to mention that it sounds like from what Charlie said earlier that the revised version that the Provost created is on the web for people to comment on. Is that right?

Provost Martin: "Yes."

Professor Lieberwitz: "What I wanted to recommend for people that they do comment on it, and to note that the version that the Provost has created does restrict in significant ways the number of hearings and full hearings that would take place. I was on the Academic Freedom and Professional Status Committee during much of the time that this was being worked on, and one of our intentions was to create hearings where people would have the opportunity to bring forth evidence, question witnesses, to have a real full-blown kind of evidentiary hearing given the importance of a suspension. If people are going to comment on this, I think one of the things to pay attention to is the difference between what the Faculty Senate had proposed initially and the revised version now, because I would recommend really going with the more detailed and full hearing. I guess one question also is to make sure that both versions are easily available for people to look at."

Provost Martin: "Well what I was going to say was that my version, if it can be called that, actually specifies what the differences are between the recommendations are of your committee and what the deans' have proposed and then take some position on it. That doesn't mean that you don't need to compare all the documents yourselves if you wish to do that. You are welcome to do it. But we tried to provide that for you. I believe, unless somebody tells me differently, that that's been accepted as more or less accurate about what the distinctions are.

"Do what you will, but we tried to provide a very clear indication of what the differences were in the versions, and explain why I went the way I did. What we have to take into account, of course, are the rights of the faculty to due process and the obligations and responsibility of the Deans and other academic administrators to ensure that our students are safe. As for the animals in the vet school, we should discuss this a little further."

Dean of Faculty, Charles Walcott: "I just would like to say that I urge those of you who have comments and thoughtful critiques to please send them to Peter Stein, Chair of the AFPS, who will try and coordinate all of this and make a commentary, which we will try and address in some good useful kind of way. I think to bring them up in detail at this meeting is probably not useful at the moment. But, please direct them all to Peter so that they get taken care of and considered."

Provost Martin: "I'd be happy to talk about it in as much detail as you want. The only thing is you asked me to address six or seven different issues, and I know there are people here who would like to ask questions or say something about the others. It might be good just to get a sense of what people are interested in talking about and we can allocate more time at a subsequent meeting or something."

Professor Stein: "I would just like to take a second to respond to the two comments from the faculty at the Veterinary School. This policy has been a long time a brewing. The AFPS committee has been working on it now for four years, I believe. I believe it was four years ago that Dean Cooke first asked the committee to look into this and draft a policy."

"In the course of that, I won't go through this back and forth discussion with the academic deans and committee, but the issue of should the Vet College faculty be excluded from the policy or not is not new. That was brought up to us during the negotiations between the committee and the academic deans. Our feeling was that there might well be circumstances when one college or one department had a situation that was so different than others that it required special procedures, but that we believe that every attempt should be made to make the faculty member at Ithaca go through the same set of procedures defined by the same amount of due process unless it could be really strongly demonstrated that that process was not applicable to the particular faculty involved. The arguments that were presented to us for excluding the College of Veterinary Medicine we did not feel demonstrated that urgency for a separate procedure to the extent where the people believed that they should be excluded. Anyway, we discussed this once before."

Professor Miller, Philosophy: "This is on the Work Load Survey. I have a request and maybe it's unnecessary because it's going to be done and also a comment on why I think this is so terribly important. The request is that as soon as possible a tabulation of the results be released. I don't mean a statistical analysis, so that's fine. Every statistical analysis I have read has been misleading on important questions to me, though not necessarily intentional, in some cases intentionally, not this case. I would hope the tabulations would involve not just gender, though that is important, not just rank but the finest grain institutional breakdown that's possible without violating confidentiality - down to college, and down to disciplines, I would hope within colleges. It's already arisen - as the Provost mentioned it, people mentioned it from the audience - how important it is to apply institutional good sense. From my perspective in the humanities, and knowing what life is like in the social sciences in the Arts College, these work-load issues are the big burden on retention of faculty. We are very vulnerable. I think the 'somewhat satisfied' ought to be very alarming. We are a geographically isolated university, which has a lot of departments that are good, but not tops. Those are great departments to steal young people from. I think the work-load issue means

that Cornell does not play a part in the public life in the United States that it should for the great university it is. I know the work-load issues make it hard, in my part of the university, to be a good parent, which has to raise gender issues. In your last very informative annual report, you mentioned progress in salary, which in my corner of the university is not a problem because of the local low cost of living. Increase in the student body, no increase in the number of faculty, and a commitment to increase the richness of the teaching we provide and increase our greatness as a research university: that's impossible to do all at once. I think it's the mission of the Senate to offer the faculty view of the trade offs involved, and I think the wonderful work that has been done in data gathering can only inform us. As a result, a tabulation, and I would hope at least that some form of description of those many, many open-ended comments. Perhaps it can't be verbatim for privacy reason. It can be described."

Provost Martin: "We're working on those. We're working are all kinds of analyses of those open-ended responses and also we'll make some of that available to you. You put your finger on part of the problem in getting very fine grained and that is that there are so very few women in certain parts of the university that breaking it down by department and college does in fact breach confidentiality. We are going to do the best we can. We are going to work with you all. We'll work with the Deans and we'll do the best we can. I certainly agree with you more information is better. But we really can't breach confidentiality of individual faculty members.

"We do not intend to increase the number of students while keeping the number of faculty constant. We haven't increased the number of students for years, and we don't want to increase the number of students precisely because of the faculty/student ratio issues that you raised. That doesn't mean we don't have work-load issues. One of the things that emerges from this study is the concern people have about committee responsibilities and administrative work. You all are Senators, so you have already signed on to do a certain amount of administrative work and you care about it. This was a quite significant response on the part of faculty that the amount of committee work and administrative work seemed quite heavy.

"On course load we do have to do much more analysis, although you're right when you look at the mean overall, and think about some of the course loads in some colleges, and how disparate they seem from the mean that you saw, I am sure it raises concerns. But we have to bear in mind many, many things so this requires a lot of discussion. I joked about the humanities, but it's also the case that in the sciences, people's teaching takes other forms. We need to discuss these things when we have time to discuss them in more depth. But as to your overall point - please give us more, rather than less, data and don't make it all statistical - yes, I agree and we'll do our absolute best."

C.C. Chu, Professor, Human Ecology: "I wonder whether you could post the raw data and let the faculty draw their own conclusion in addition to the administrators'

statistical analysis. That would probably be more objective for faculty to see the raw data and draw their own conclusions.”

Provost Martin: “It’s a huge amount of data in the absolute raw. You really don’t want to see it. You would never get through it. I think some amount of summary and analysis is required. You don’t want to look at all the surveys. We can give you more rather than less information. We can give you tabulations and statistics on a lot of measures. You come see us and look at it and see, CC, if you really think that’s what you want. I don’t think you do. I really don’t. I think you can trust me on that one.”

Brad Anton, Associate Professor, Chemical and Biomolecular Engineering: “I’m getting a little older all the time and my memory gets worse and worse, but it seems to me some of this, some data similar to these, were collected many years ago when Hunter Rawlings first arrived as President, weren’t they? Wasn’t there some sort of survey done that produced a bunch of red books that looked at faculty work loads and teaching loads in various colleges?”

Provost Martin: “Work loads? I thought you meant gender analysis.”

Professor Anton: “I don’t know if they had gender-specific data in them or not. I thought perhaps they did. I just wondered if there were any old data to compare these new data to.”

Provost Martin: “I don’t know. Carolyn? I’m not aware of them?”

Professor Anton: “Does anyone remember this?”

Susan Murphy, Vice President Student and Academic Services: “I think there was a faculty survey that was collecting data in Frank Rhodes’ last year, as part of the Strategic Planning, and there was a campus-wide survey back then, and the data were collected in red books.”

Provost Martin: “That was before my time. I don’t know. Should I go look at the red books? We have them. We’ll look at them.”

Christopher Klyne, Courtesy Professor, Naval Science: “Is the inauguration planning to have a procession and end up in Barton Hall?”

Provost Martin: “It is.”

Professor Klyne: “I only want to remind the Provost that Barton Hall is not air conditioned and in early September, let’s say the environment can be pungent.”



Provost Martin: "We unfortunately don't have a lot of choice of venue."

Professor Klyne: "I'll have all my guys bring one of those things that you hang from your rear view mirror, those pine trees."

Provost Martin: "Well that's not a bad idea. There was this suggestion, which I love, that it be held on the Arts Quad, outdoors. But we would have to, even if that were a good idea, we'd have to have to a back up plan."

Professor Klyne: "I'm not saying Barton isn't great."

Provost Martin: "Well it isn't great in my opinion. You make good use of it. But I don't think it's great. I just think we don't have an alternative for that many people. Now bear in mind that we do put four thousand, over four thousand, people there for the Book Project every year at the end of August, and it has really not been unpleasant."

Sharon Center, Professor, Clinical Sciences: "I want to ask a question and hopefully it's not going to be too difficult to answer."

Provost Martin: "You're scaring me by taking off your scarf."

Professor Center: "I'm very concerned about the Vet School not being included in the Cornell University policy. I think we should be. I think it's very important that the faculty be absolutely represented under all circumstances. I'm fascinated Professor Stein by your committee's recommendation that the Vet School not be excluded. Where in the process was it decided that the Vet School would be excluded? If it was discussed with our Dean, is it not the Dean's responsibility to bring it to the faculty and discuss it with the faculty? Because, that never happened. Could you clarify how that process is supposed to occur on this university?"

Provost Martin: "Those are two different questions. One easy and the other difficult I guess. Well, not difficult but maybe more time consuming. Where in the process was the decision made that the Vet School should be exempt for now until they get a policy on clinical privileges and the suspension thereof?"

Professor Center: "In the recognition that the clinical privileges document was in fact something valid to enforce here, because many faculty members really have a problem with that and there was no venue for discussion."

Provost Martin: "Well there's still discussion as we see. That's all to the good. What I have proposed is still under discussion. But I don't know the right answer to this. I hear what those of you who are here today say. Where it happened in the process is a recommendation from the Dean, and therefore the Deans as a group who worked on

this set of policies, and our research to see whether the suspension of clinical privileges is treated differently in the medical context, and the decision that it really ought to be exempt for now while we look at a policy in the Vet School that makes sense that's protective of the animals but therefore also of the welfare of the veterinary college.

"The question about whether the Dean should engage the faculty in a discussion of this is a good one, and I don't want to say yes or no because I don't really know what the Dean undertook in the way of consultation and advice on this. I think it wouldn't be appropriate for me to say 'by all means' or 'he did and you were absent,' or 'he did and he shouldn't have,' I wouldn't want to do that here. I think in general the deans are quite consultative with faculty and do I think they should be, yes."

Professor Center: "Then until we have a recommendation made from campus, what is the Vet School going to do in the interim?"

Provost Martin: "Well right now I believe you are governed by your own policies and procedures. The ones that are in effect."

John Siliciano, Professor, Law School and Vice Provost: "I have some dealings with these, both the Vet School question and the policy. I just want to clarify one thing that I think is getting lost in discussion. The proposal of the Provost which was based on, as she said, an effort to deal with the Deans' concerns and the Senate committee's concerns, in no way excludes the faculty of the Vet School from the scope of the policy. That simply isn't true. The vet faculty, if the policy is finally adopted, are as covered as all the other faculty. What it does exclude is a certain kind of suspension, which is the suspension of clinical privileges within the two animal hospitals of the Vet School. It doesn't deal with any of the other teaching functions or any of the other faculty functions of the Vet College. It deals with a particular kind of clinical privilege context. The reasoning is that there is an existing policy, as the Provost said, it's a core policy by wide recognition, I think of everybody. But, it is in place. It recognizes that there's special considerations that apply in this context that may not apply in other context. It's a concern that applying that we need to think through these carefully in the context of the school.

"I heard in your other suggestion that we simply use in the vet context the emergency provisions. I'm not sure they are protective enough of the faculty. So what we want is simply an opportunity to think these through carefully with the faculty of the college in the context of clinical privileges in those two animal hospitals. It's really much narrower than I think the conversation is suggesting, which sounds at times like the Vet College faculty was simply pushed off."

Provost Martin: "I think Susan and Dorothy, you understood that? I really think it's probably better."

Professor Center: "There's a melding of your scholarly activity with your clinical responsibilities. There are people that work at the Vet College that their academic appointment is to teach, do research, to perform in a clinical context and so those people are exempted from protection by Cornell University if we are going to have a really special document drawn up. So I implore you to broaden your perspective of actually what the academic responsibility is to someone that has clinical responsibilities."

Provost Martin: "You wouldn't be excluded. You'd be split."

Professor Center: "... but there needs to be faculty involvement in the derivation of this document. We're hoping that our General Committee will be very much involved with that."

Provost Martin: "Well, yes. That is actually a condition that is set in the document that I sent out, that the suspension of clinical privileges and policies the pertaining thereto will be now a matter of discussion by the Vet faculty. That's absolutely in place. That's not an issue at all."

Richard Durst, Professor, Food Science and Technology: "I just had a question on the diversity course that you had discussed. You indicated that these courses have to be generated at the college level through their curricular committees. It would make sense it seems that there would be a university-wide course on this. Is there any intention of trying to consolidate the various college activities in that regard?"

Provost Martin: "Did everybody hear the question? No. The question that Dick asked is, 'I had said I didn't favor a university-wide diversity course and that it was the prerogative of the faculty in the individual colleges to make decisions about curricular requirements. But he suggested it would make sense actually to join forces and offer something that was university-wide that all students could take and was there an effort, or would there be an effort to meld or join forces across the colleges in this effort? My quick response is no because I really do think that it's a faculty prerogative to decide what students should be required to take. I don't think that's something we want to abridge. What I said to the students at the large forum we held with them was they don't want us to tell the faculty what should be taught because they might like what Biddy Martin would ask the faculty to teach or require, but they might not like what the next Provost would want to have them teach. Actually they wouldn't even like what I would want but that's another matter entirely. I thought it was a good argument at the time. The point is - the faculty really have to make those decisions. What Hunter and I told the students, as I said, is that we would encourage faculty not just to think about this particular issue, but to think broadly obviously, about what we think our students ought to be able to do and what they ought to know when they graduate from Cornell. And do I think that race and racism constitute among the most serious problems in

our society and across the world, yes. Do I think that every student that graduates from Cornell ought to have the kind of exposure, not just the sort of touch/feely we all want to get along, sort of exposure, but for some of us who actually have made scholarly careers studying some of these issues, I think we care that the students come out of here having the analytical and critical skills and the knowledge base to be able to think and talk with others in a way that's serious and rigorous and not just diversity training in the more superficial sense in which people sometimes seem to mean or to think is adequate. I think it's perfectly legitimate for us to ask the faculty to think about what you think students ought to graduate being able to think critically and rigorously about. What follows from that is nonetheless up to the faculties of the colleges. That's my view and I'm sticking to it."

Francis Kallfelz, Professor, Clinical Sciences: "I would just like to concur with comments made by Professor Center, and not concur with the comments made by Vice Provost Siliciano that the decision to exclude clinical service in the policy is a very narrow exclusion, because, as Professor Center said, clinical faculty are teaching through clinical service and doing research through clinical service so suspension of their clinical privileges denies them the opportunity to teach or to do research. Therefore, in my view, it falls under the general category that other faculty fall in this policy."

Provost Martin: "What I want to say to all of you who have spoken is that I hear you. I think what we need to discuss is simply the other side and then what the best and wisest way forward is. The other side is what needs to be done in particular to assure the safety of animals. As in other medical studies we have specific approaches to clinical privileges to protect human beings and what those measures need to be. Or, perhaps what you are arguing is that there doesn't need to be any other than those that govern suspension in general for other things. Let's just talk more about it. I hear you, as they say, and I appreciate you bringing it and discussing it with me. You can be assured that the discussion of this will certainly come back to you as a faculty."

Speaker Howland: "You're out of time."

Provost Martin: "We didn't get to parking, which really disappoints me."

Unidentified: "I have a question as to whether there are maps available of the plan to Bailey Plaza? Is there a web site where the current plans are available?"

Speaker Howland: "Don't leave yet folks. We have two little motions we have to get through. I'm sorry to interrupt you, sir. We have to get to other items while we still have our quorum."

Provost Martin: "There are currently no pictures of the Bailey Plaza design on the web. We could put them on."

Speaker Howard: "Thank you very much. I would like to turn back now to the items that we could not handle because we did not have a quorum."

"I'd ask for a unanimous approval of the minutes of December 14<sup>th</sup>. Are there any objections? No objections. The minutes are approved by a unanimous consent."

"I'd like to call on Cynthia Farina, Associate Dean and Secretary of the Faculty and Chair of the Nominations and Elections Committee for a committee report."

Dean Walcott for Cynthia Farina. "Cynthia sadly had to leave early to attend an important athletic engagement for her children. So I have been nominated as substitute. I would simply like to report the various appointments, which you have in your handout. These are things of the various faculty committees."

### **Report from Nominations and Elections Committee**

March 8, 2006

#### **Affirmative Action and Minority Education Committees**

Herbert Gottfried, CALS

Quinetta Roberson, ILR

Melissa Thomas-Hunt, JGSM

#### **Codes and Judicial Committee**

Deborah Streeter, CALS

#### **Committee to Review Faculty Governance**

Brad Anton, ENGR

#### **Institutional Biosafety Committee**

Walter De Jong, CALS

Paul Jennette, VET

John Parker, VET

Keith Perry, CALS

#### **Nominations and Elections Committee**

Josephine Allen, CHE

#### **University Committee on Conflicts**

Jan de Roos, Hotel

However, this is slightly more interesting. This is the slate of candidates for the various important elected positions; the Faculty Trustee, the Associate Dean and Secretary of the Faculty. I would like to comment that I am having difficulty soliciting nominations for the Associate Dean and Secretary of the Faculty. If anybody is interested in volunteering I would be happy to talk with them. The at-large member of the Faculty Senate, there are two vacancies and the at-large member of Nominations and Elections and the University Faculty Committee. This is the slate that is being proposed and you will have the opportunity in these cases and the ones I just showed you to vote on them in due course. I think a motion is in order to approve the slate and to approve the appointment to committees.

### **SLATE OF CANDIDATES**

(All terms commence July 1, 2006)

#### **FACULTY TRUSTEE (1 vacancy, 4-year term)**

Ronald Ehrenberg, Professor, Industrial & Labor Relations

Ronald Hoy, Professor, Neurobiology & Behavior

Bruce Lewenstein, Associate Professor, Communication

Christine Shoemaker, Professor, Civil & Environmental Engineering

#### **ASSOCIATE DEAN AND SECRETARY OF THE FACULTY (3-year term)**

A. Brad Anton, Associate Professor, Chemical & Biomolecular Engineering

#### **AT-LARGE MEMBER, FACULTY SENATE (tenured)**

(2 vacancies, 3-year terms)

Abigail Cohn, Associate Professor, Linguistics

Rodney Dietert, Professor, Microbiology & Immunology

Risa Lieberwitz, Associate Professor, Industrial & Labor Relations

Jane Mt Pleasant, Associate Professor, Horticulture

#### **AT-LARGE MEMBER, FACULTY SENATE (untenured)**

(1 vacancy, 3-year term)

Andre Kessler, Assistant Professor, Ecology & Evolutionary Biology

Suman Seth, Assistant Professor, Science & Technology Studies

#### **NOMINATIONS AND ELECTIONS COMMITTEE (2 vacancies, 3-year terms)**

Elizabeth Adkins-Regan, Professor, Psychology

Robert Buhrman, Professor, Applied & Engineering Physics

Kerry Cook, Professor, Earth & Atmospheric Sciences

John Smillie, Professor, Mathematics

#### **UNIVERSITY FACULTY COMMITTEE (3 vacancies, 3-year terms)**

Frederick Gouldin, Professor, Mechanical & Aerospace Engineering

Peter Hinkle, Professor, Molecular Biology & Genetics

Ellis Loew, Professor, Biomedical Sciences

Kathryn March, Professor, Anthropology

**Carol Rosen, Professor, Linguistics**

Speaker Howard: "Exactly. I ask for unanimous consent for approval of this slate. Hearing no dissent, it's approved."

Speaker Howard: "The chair will now call on Professor Risa Lieberwitz, the Chair of the Committee to Review Faculty Governance, for a report."

Professor Lieberwitz: "I just have a couple of minutes of things. As you just heard I am the Chair of the Committee to Review Faculty Governance or as we like to call it the Faculty Governance Committee. I don't know why, but we do call it that.

"One of the things we wanted to do is to urge you to take a look at the Cornell University Faculty website where we have a new link on the main page. If you go to the section that's labeled "Active Forums and Discussions," you'll see that there is a link to the Committee to Review Faculty Governance. If you go on there you'll see that there are various pieces of information including the charge to the committee, which you can remind yourself of in terms of what was voted on when the committee was established in October of 2005, asking the committee to review the history for the last ten years of the Faculty Governance and make various recommendations.

"We also have on there very importantly a link, which will be an e-mail to all of the faculty committee members and so we invite you, and invite you on the web site as well, to please give us your input. We very much want to hear what you have to say as Faculty Senators. Also, please urge your department that you represent to give input on the charge to the committee as well any other information that you think is relevant with regard to faculty governance. That was one item.

"The other thing I just wanted to mention was that we are hard at work, the Faculty Governance Committee, and as you know the Faculty Senate resolution instructed the Faculty Governance Committee to report back to the Faculty Senate in May 2006. I just wanted to inform you that consistent with the Faculty Senate discussion in October of last year when the Faculty Governance Committee was created, that the committee anticipates making an interim report in May, either orally or in writing with regard to our progress at that point. Given the scope of the kind of work that we are doing on this Faculty Governance Committee and the scope of the charge, the committee is prepared after giving you that interim progress report to continue our work into the next academic year. That's all I have."

Speaker Howland: "Thank you very much Professor Lieberwitz.

"The Chair now calls on University Faculty Committee for a UFC/Faculty Senate discussion and the Chair of that happens to be Dean Walcott."

Dean of Faculty, Charles Walcott: "Members of the UFC are scattered throughout you here in the audience. Would the UFC members please put up their hands? I would normally pull a bunch of chairs up front and put them in front for you to shoot at, but since our time is brief I think the question is does anybody have any comments or suggestions that they would like to share with the UFC at this time?"

Abby Cohn, Professor, Linguistics: "Charlie, I was wondering if there are plans in place to continue some of the things that were discussed in the fall, for example, regular meetings between the UFC and some members of the Board of Trustees?"

Dean Walcott: "That is a very good question. I can report that we were a few minutes late to this meeting because we had a meeting with the UFC and with the leadership of the Board of Trustees. About half a dozen Trustees met with the UFC and we had a very good discussion about a number of items, intellectual property rights, for example, problems in renewing the faculty, and so on. It was a very good discussion, a very pleasant one. That is in fact ongoing. The Trustees have indicated a willingness to do this at least once or twice a year."

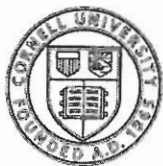
Professor Cohn: "Might I reiterate a suggestion that I had made to you, which is that, and I think that's terrific, but I think it would also be good if we put in place a discussion like the one we're having right now between the Senate and the UFC before such meetings. And, if there were a formal mechanism for reporting after such meetings?"

Speaker Howland: "Are there any further questions or comments to the UFC? "Well, I think we are done. We have completed our agenda. There are no items for Good and Welfare. I declare the meeting adjourned. "

Meeting adjourned at 5:47 PM.

Respectfully submitted,  
Cynthia R. Farina  
Associate Dean and Secretary of the University Faculty





Cornell University  
Office of the Provost

060308-10450S

Appendix 1

Carolyn (Biddy) Martin  
Provost  
300 Day Hall  
Ithaca, New York 14853  
t. 607.255.2364  
f. 607.255.9924  
cam18@cornell.edu

February 20, 2006

Charles Walcott  
Dean of the University Faculty  
315 Day Hall  
Campus

Dear Charlie:

I am writing to inform you of my decisions regarding the suspension policy proposed by the Faculty Senate. As you know, the proposed policy has a complicated history. For a significant period of time, representatives from the Faculty Senate worked collaboratively with a representative group of deans to draft a suspension policy. These efforts were very fruitful, and succeeded in fleshing out the basic structure of a new, university-level suspension procedure. The proposed policy contained extensive process protections, minimum and maximum suspension periods and carefully delimited provisions for emergency suspensions.

This collective effort ended somewhat short of completion when, in May 2005, the Faculty Senate adopted a version of the draft suspension policy that the deans viewed as problematic in some respects. Following the passage of the Senate resolution, the deans continued to work on the policy and produced a modified draft that met their remaining concerns. I have thought carefully about these few areas of divergence between the approaches of the Senate and the deans. Several of them probably are not issues upon which there is any real disagreement; others are perhaps more significant. I have outlined these areas below, and have noted my resolution. I hope that whatever differences remain do not obscure the value and importance of what the Senate and the deans have achieved through their collective effort.

*1. Exclusion of Weill faculty from scope of policy.* The Senate version by its terms applies to all Cornell faculty members. It does not appear, however, that any faculty representatives from the Weill Cornell Medical College were involved in the drafting of the policy. Moreover, the proposed policy assigns the Provost a key role in the process, without accounting for the fact that there is a separate Provost for Medical Affairs at Weill. The policy would have to be significantly reworked to address this issue, which would further delay its implementation on the Ithaca campus. For these reasons, I have concluded that the faculty of the Weill Cornell Medical College should not be included at this time.

*2. Exclusion of Suspension of Clinical Privileges in the Veterinary College.* The deans also sought to remove the suspension of clinical privileges in the College of Veterinary Medicine from the scope of the new policy on the ground that the special circumstances surrounding the treatment of patients required a different suspension procedure. While I agree that there are special issues present in this context, I am also concerned that the rights and reputation of faculty members in such settings be adequately protected. Recent events within the College of Veterinary Medicine have raised questions about whether the existing privileges policy fully addresses these concerns. I have therefore decided to exclude the suspension of clinical privileges from the scope of the general suspension policy, but I am at the same

Dean Charles Walcott  
February 20, 2006  
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initiating a joint effort with the College of Veterinary Medicine to insure that the College's policies regarding the suspension of clinical privileges fairly and adequately account for the important faculty interests at stake in this context.

*3. Exclusion of faculty with short term, courtesy and adjunct appointments.* The Senate version of the suspension policy adopted a definition of faculty set forth in the University Bylaws. The deans were concerned that this definition was too broad and that the full process provisions of the proposed policy were excessive in relation to some academic appointments, including short-term, courtesy and adjunct appointments. The terms of such appointments are likely to be over before the suspension review process set forth in the proposed policy has run its course, and since the policy precludes the imposition of sanctions until the process is complete, the practical effect may be that short term employees are largely immune from suspension. Accordingly, the deans sought to exclude from the policy faculty with appointments of one year or less, as well as courtesy and adjunct appointments.

These concerns are valid, but there are opposing arguments that also have merit. A wrongful suspension can inflict significant damage to the reputation of a faculty member, even if that faculty member's appointment is of very limited duration. Moreover, if such faculty members are excluded from the policy, the exact inverse of the problem noted in the preceding paragraph can occur. Specifically, if the new policy does not apply, such faculty members would still be entitled to grieve the suspension, but only after the fact (i.e. the sanctions *would* apply during the grievance process), and hence a determination that the sanction was unjustified would typically come after the appointment had expired and there was nothing left to remedy.

There is no perfect solution to these competing concerns. I have concluded that an acceptable compromise is to exclude from the policy only those faculty members with courtesy appointments.

*4. Scope and complexity of the review process.* The deans expressed a strong concern that the resolution passed by the Faculty Senate embodied a level of formal process protections that was excessive and possibly counter productive. They proposed a significantly more streamlined process. I have concluded that the process set forth in the Senate's proposal is appropriate in most respects, but I have made the following modifications.

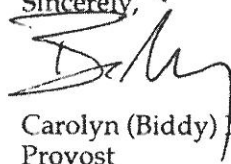
- the suspension review panel is not required to hold a full blown factual hearing in every case, but is instead given discretion to determine what scope of factual inquiry is warranted. For example, there may be cases in which the underlying facts are clear and only the appropriateness of the proposed penalty is in issue, and in such cases the suspension review panel should have the discretion to conduct a more focused inquiry.
- in those cases where the recommendation for a suspension is a result of action taken under another established university disciplinary process (sexual harassment proceedings, academic integrity proceedings, etc.), the suspension review process is modified to require deference to the *factual findings* of such proceedings unless doing so would result in substantial unfairness.
- a full report from the suspension review panel is made available to the parties involved but verbatim transcripts of hearings are not made or provided.

Dean Charles Walcott  
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5. *Clarification of the role of the Provost.* Finally, I have modified language found in both the Senate's and the dean's versions of the policy that defined the role of the Provost in the suspension review process. That language, which appeared in section III.A.3 (c) of the proposed policy, was confusing. It assigned the Provost a gatekeeper role in determining whether a suspension review proceeding could go forward but it did not either (a) specify the criteria that the Provost would consider in performing this gatekeeper role, or (b) specify what would happen if the Provost decided that suspension review proceedings were not warranted (i.e. would the suspension be imposed without further review, or would the effort to impose a suspension be terminated). I have redrafted the section to give the Provost a limited but meaningful role that is consistent with the surrounding text.

With these final amendments, I believe the policy is ready to be put into effect. I am attaching a final version of the policy to this letter. In closing, I want to extend my sincere appreciation to both the Senate and the deans for their effective collaboration on this important project.

Sincerely,



Carolyn (Biddy) Martin  
Provost

Enclosure

# Cornell University

## Policy on job-related faculty misconduct

2/17/2006

**Policy Statement:**

**Reason for Policy:**

**Entities Affected by this Policy:** University professors and college or school faculty members of the Endowed Ithaca and Contract Colleges of the University (excluding the Joan and Sanford I. Weill Medical College).

**Who Should Read this Policy:**

### I. Definitions:

- A. College or school faculty member: as defined by Art. XIII of the Bylaws of Cornell University:

Each college or school faculty, except the Graduate Faculty, shall be composed of the President; the Dean or director of the college or school; and all professors, associate professors, and assistant professors in the department or departments under the charge of that faculty. Instructors, senior research associates, senior extension associates, lecturers, senior lecturers, clinical professors, associate clinical professors, and assistant clinical professors, and those bearing the adjunct title shall be non-voting members. Each college or school faculty may, in its discretion, grant membership to senior scholars, senior scientists, and other professional personnel for whom such membership is deemed appropriate by such faculty. Any college or school faculty may elect to its membership persons who are already members of other faculties of the University for so long a period as they continue to be members of such other faculties.

*Note:* The provisions of this policy do not apply to faculty members holding appointments with a duration of six months or less, or to those holding honorary appointments.

- B. Emergency suspension: A suspension with full salary pending the ultimate determination of the faculty member's case where the member is charged with misconduct and the member's continuance threatens imminent serious harm to the member or others or to property.
- C. Minor sanction: any sanction other than a "severe sanction."
- D. Severe sanction: dismissal or suspension.

- E. Suspension: A temporary abrogation of the faculty member's rights or responsibilities that effectively prevents the faculty member from carrying out the responsibilities of his or her position or a temporary partial or temporary full reduction of a faculty member's salary will be considered a suspension for the purposes of this policy, whether or not it is named as such. This policy does not apply to the Joan and Sanford I. Weill Medical College or to decisions to deny, suspend, or revoke clinical privileges at the College of Veterinary Medicine or its affiliated hospitals, nor does it apply to a non-disciplinary reduction of salary such as a non-temporary reduction of salary that may be implemented at the time of an annual salary review (which may be grieved pursuant to the academic grievance policy).

## II. Purpose and Scope of this Policy:

To ensure fair and adequate disciplinary processes for faculty charged with job-related misconduct or failure to perform the duties required of the position held. The following procedures govern the imposition of severe sanctions, minor sanctions, and emergency suspensions. This policy does not apply to the Joan and Sanford I. Weill Medical College or to the denial, suspension, or revocation of clinical privileges at the College of Veterinary Medicine or to annual salary adjustments based upon an assessment of the faculty member's performance.

## III. Procedures:

### A. Severe Sanctions

1. *Duration of suspensions*: No suspension, other than emergency suspension, shall be imposed for a period of not less than two weeks or more than 12 months.
2. *Reporting requirements for severe sanctions*: All severe sanctions, including those resulting from informal settlements, shall be reported to the Dean of Faculty by the appropriate administrator. Such reports shall include a summary of both the complaint and its resolution, and shall be maintained in a permanent archive.
3. *Suspension procedures for university professors, professors, associate professors, and assistant professors*:
  - (a) The term "faculty member" in Subsection III A. 3. shall refer exclusively to university professors, professors, associate professors, or assistant professors.

- (b) If the administration believes that the conduct of a faculty member is sufficiently grave to justify imposition of a suspension, other than an emergency suspension, the procedures in III.A.3.(d) below shall apply.
- (c) Where the recommendation for a suspension is a result of action taken under any other university policy (including those policies governing “academic misconduct,” “sexual harassment,” “financial irregularities,” and “conflict of commitment/interest”), the faculty member may seek to appeal the recommendation issued under that policy by requesting review according to III.A.3.(d) below. In this case, the relevant administrator shall not implement the suspension recommended under the initial policy procedures but shall instead report to the Provost the results of any investigations undertaken, together with his or her recommendations. The Provost shall determine, after making such independent investigation as may seem appropriate to the Provost, whether the investigation or hearings conducted pursuant to the initial policy procedures were fair and appropriate. In the event that the Provost determines that such procedures were fair and appropriate, the faculty member may appeal the recommendation of a suspension according to the provisions set forth below, but in such cases the review panel shall restrict its inquiry under III.A.3 (e) to the appropriateness of the proposed suspension to the misconduct determined by the prior proceeding. In cases where the Provost has concerns about the fairness or appropriateness of the investigation or hearings conducted pursuant to the initial policy procedures, the faculty member may seek full review to the extent authorized in III.A.3(e).
- (d) The charges against the faculty member shall be heard by a review panel appointed as follows: The faculty member and the Dean shall each choose four members of the University Appeals Panel. The faculty member’s nominees shall choose two of the Dean’s nominees, and the Dean’s nominees shall choose two of the faculty member’s nominees. The four so chosen shall then choose a fifth tenured University member, who shall chair the review panel. Any person nominated who has participated in the matter being heard or feels unable to render an unbiased judgment or perceives a conflict of interest shall disqualify him or herself.
- (e) Investigation and Hearings. The review panel shall determine whether a detailed investigation is called for and whether hearings are necessary. At the discretion of the review panel, written statements may be requested from relevant parties and witnesses, and the review panel may elect to meet with relevant witnesses. If the review panel determines that the circumstances so warrant, it may conduct a formal hearing at which the faculty member shall be entitled to be accompanied by an advisor or counsel of his or her own choice, to present witnesses in his



or her own behalf and to confront and question the witnesses against him or her. The faculty member's advisor or counsel may not address the panel or question the witnesses unless requested to do so by the chair of the panel.

- (f) If the faculty member requests before or at the opening of the review panel proceedings, he or she shall after the conclusion of such proceedings be furnished, without cost to him or her, copies of documents received, and the panel's findings and recommendations.
  - (g) The review panel shall report its findings to the President in writing within eight weeks of being formed. The decision of the President will not be subject to further appeal or reconsideration.
  - (h) The office of the Dean of the Faculty will provide staff support for the review panel.
  - (i) The procedure for dismissal of university professors, professors, associate professors, or assistant professors is the procedure adopted for that purpose by the Board of Trustees, as supplemented by the reporting requirement described in III.A.2 of this Policy.
4. *Procedures for suspension or dismissal of college or school faculty members other than university professors, professors, associate professors, and assistant professors:*
- (a) When complaint from any source is made against such member which might lead to the imposition of a severe sanction, and unless the alleged misconduct falls under the jurisdiction of a specific Cornell policy containing alternate procedures, the Dean of his or her college shall inform the member of the complaint against him or her, investigate the case, and if the faculty member is willing, consult with him or her regarding it.
  - (b) If the matter is adjusted informally to the satisfaction of the Dean and the faculty member, no further proceedings shall be invoked by them. If the matter is not adjusted informally, the Dean shall cause the faculty member to be furnished with a written and detailed statement of the charges against him or her.
  - (c) No severe sanction, other than an emergency suspension, shall be imposed without first giving such member an opportunity to invoke grievance procedures and seek review by the Committee on Academic Freedom and Professional Status of the Faculty [AFPS], to the extent permitted by the specific policy guidelines governing such reviews, and within the following stated time periods: The member shall have 4

weeks after being informed in writing of the charges and recommended sanctions to invoke grievance procedures or review by the AFPS. Where a review by the AFPS is requested following a grievance action, the faculty member shall have 4 weeks after the completion of the grievance procedure to request review by the AFPS.

- (d) The opportunity to invoke grievance procedures and seek review by the AFPS before the imposition of a severe sanction, as described above, applies also to cases where the recommendation for a severe sanction is a result of action taken under any other university policy (including those policies governing “academic misconduct,” “sexual harassment,” “financial irregularities,” and “conflict of commitment/interest”). In all such cases, the relevant review bodies shall endeavor to avoid duplicating any investigation or hearing conducted pursuant to such other policy unless such duplication is necessary to correct a manifest error resulting in substantial unfairness to a party.

#### B. Minor Sanctions

If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, the following procedures will be followed:

1. If a minor sanction is imposed under a specific university policy (such as “academic misconduct,” “sexual harassment,” “financial irregularities,” and “conflict of commitment/interest”), the faculty member may obtain consideration and, possibly, redress by invoking a formal grievance action according to the grievance procedures adopted by his or her college and, where appropriate, request review by the AFPS.
2. If the conduct justifying a minor sanction is not regulated under any other specific university policy, the appropriate administrator will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed. A faculty member who believes that a minor sanction has been unjustly imposed may invoke a formal grievance action according to the grievance procedures adopted by his or her college and, where appropriate, request review by the AFPS.
3. A faculty member who believes that a sanction proposed under the procedures for “minor sanctions” is, in fact, a “severe sanction” may invoke a formal grievance action according to the grievance procedures adopted by his or her college and, where appropriate, request review by the AFPS.

#### C. Emergency Suspension



1. If a university professor, or college or school faculty member, is charged with misconduct and if the member's continuance threatens imminent serious harm to the member or others or to property, the faculty member may be suspended by the President (or his or her designee) or assigned to other duties in lieu of suspension pending final resolution of the charge.
2. The scope of the emergency suspension shall be tailored as narrowly as possible to the nature of the harm posed, so that the faculty member's rights and privileges are not summarily abrogated more broadly than is reasonably necessary to protect persons or property pending completion of the Severe Sanction procedures. Whatever other rights and privileges may be withdrawn by an emergency suspension, the faculty member's full salary shall continue during the period of the emergency suspension.
3. The President (or his or her designee) shall promptly report to the Dean of Faculty concerning the propriety, the length, and any other conditions of the emergency suspension.



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## **Provost's Advisory Committee on Faculty Work Life**

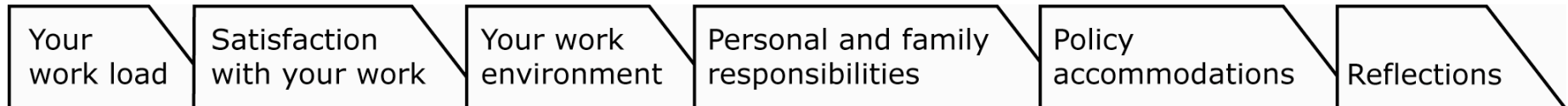
- To examine the tenured and tenure-track faculty work life and working climate, with a special emphasis on the experiences of women faculty
- To develop appropriate initiatives to address significant concerns



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# Survey Instrument

- **Six sections**



- **Perhaps 400 items**
  - **~10% longer than very long instrument used by Duke/MIT**



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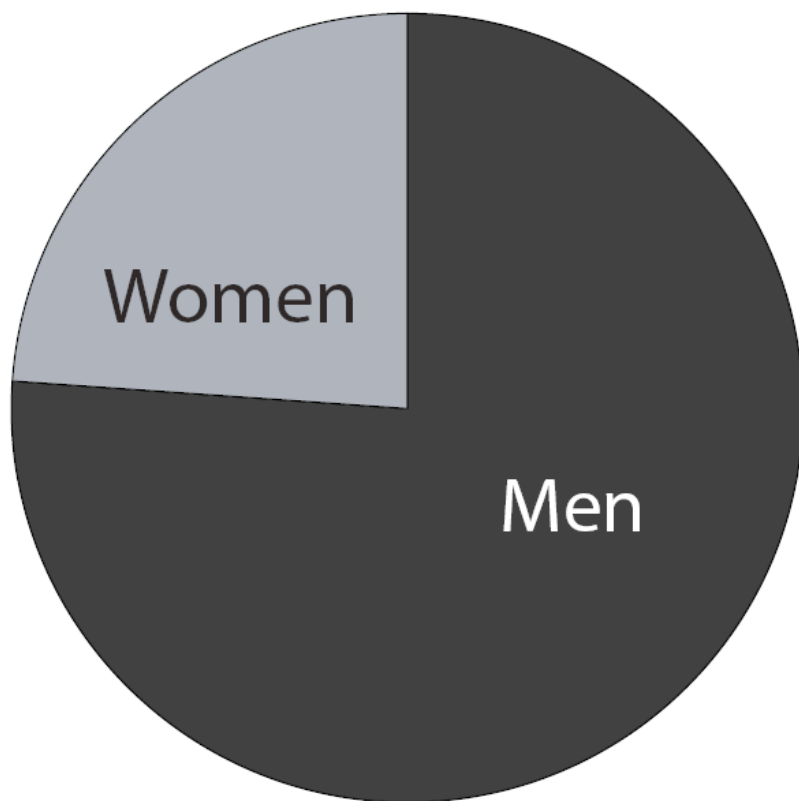
## Response

- **Survey ran Sept 15<sup>th</sup> – Oct 24<sup>th</sup>**
- **962 faculty responded (65%)**
  - **74% of women & 62% of men**
  - **75% of assistant professors, 68% of associate professors, & 61% of full professors**
- **737 faculty (50% of population) also contributed open-ended comments**

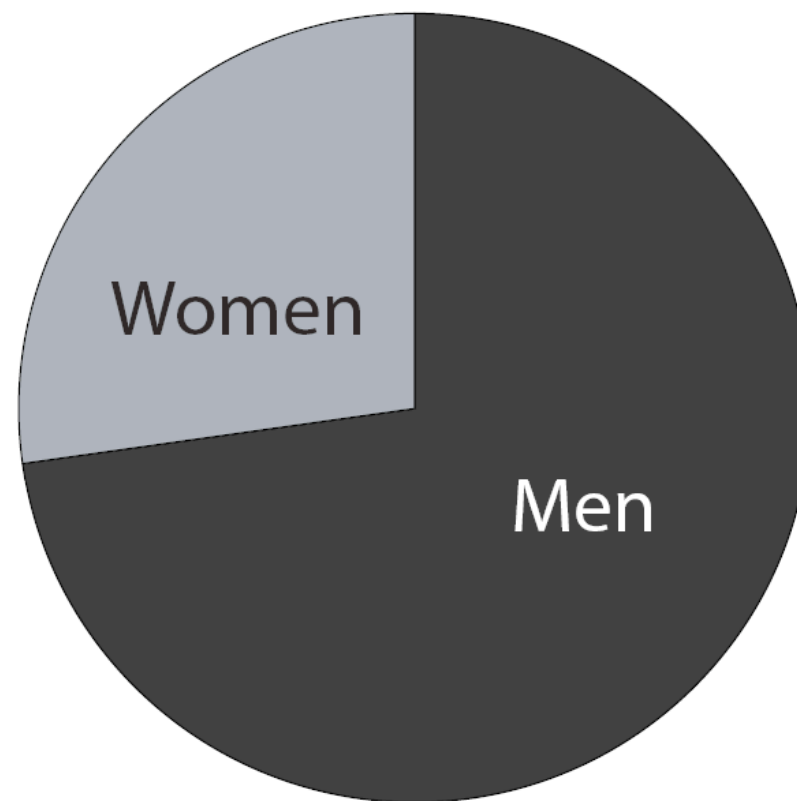


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## Response and Gender



Faculty Population



Respondents



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## Response and Rank



Faculty Population



Respondents



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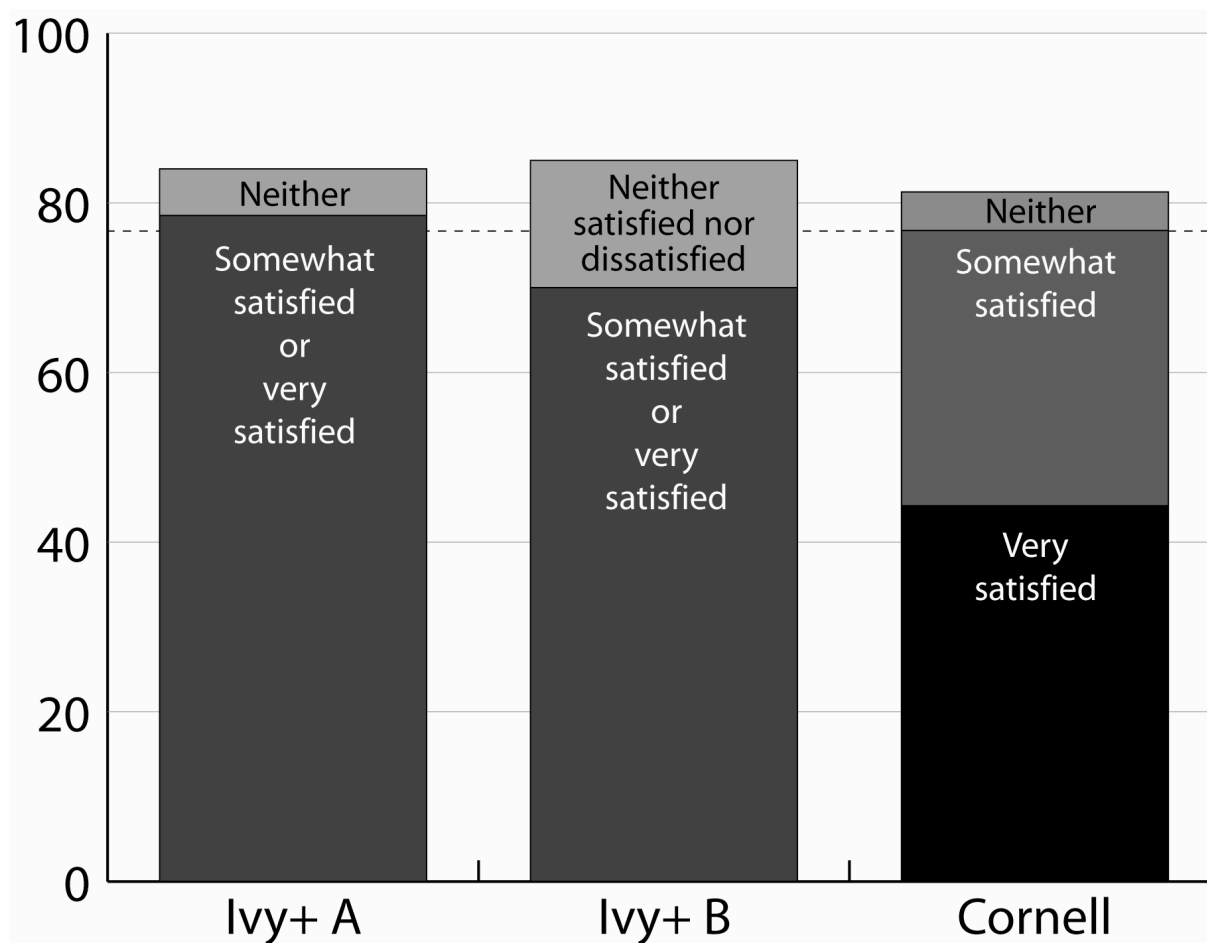
## **Response and Satisfaction**

- **No apparent relationship between timeliness of survey response and overall satisfaction with being a faculty member**
- **“Predicted” satisfaction (based on gender, rank, salary, etc.) for nonrespondents equivalent to the mean satisfaction reported by respondents**



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# Overall Satisfaction

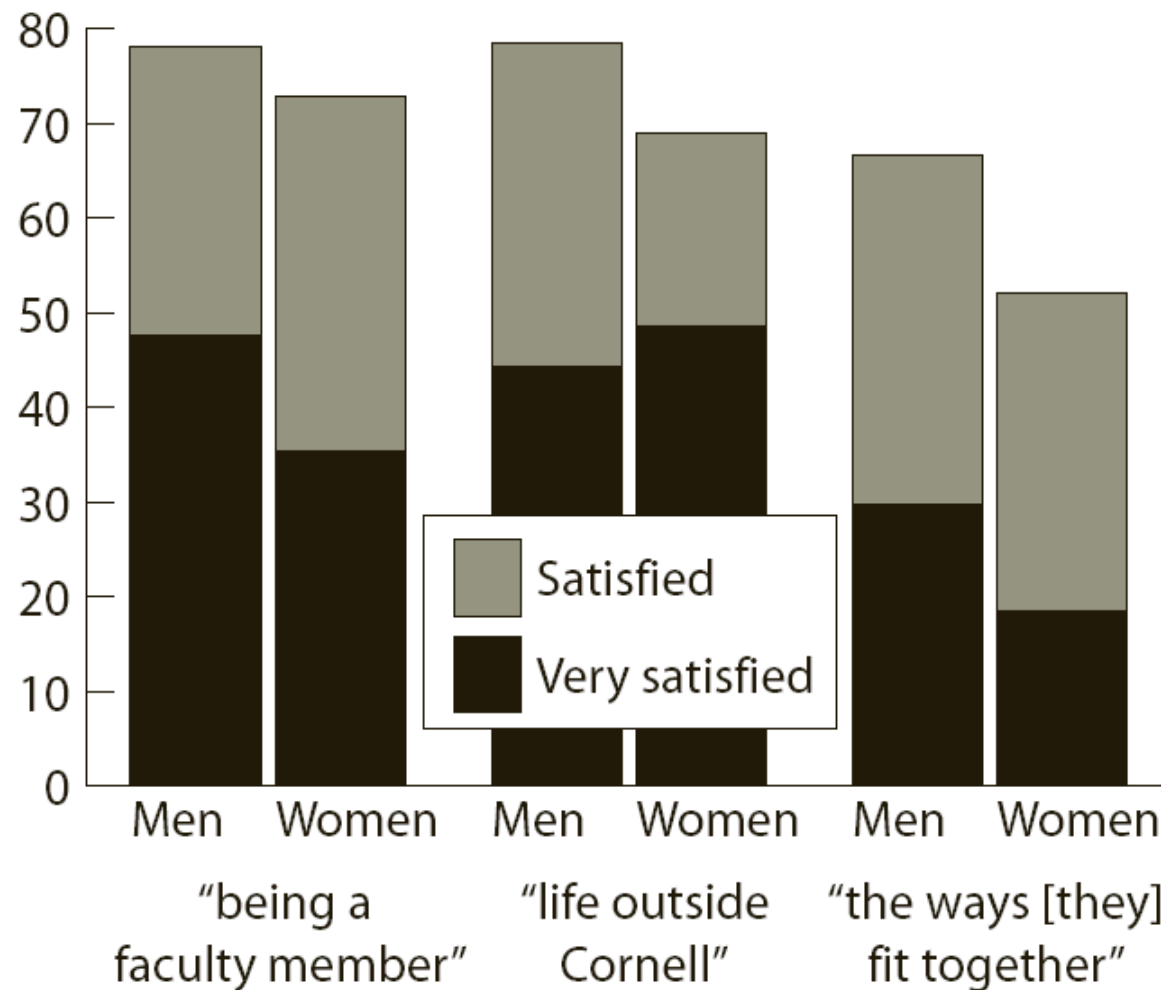






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# Satisfaction



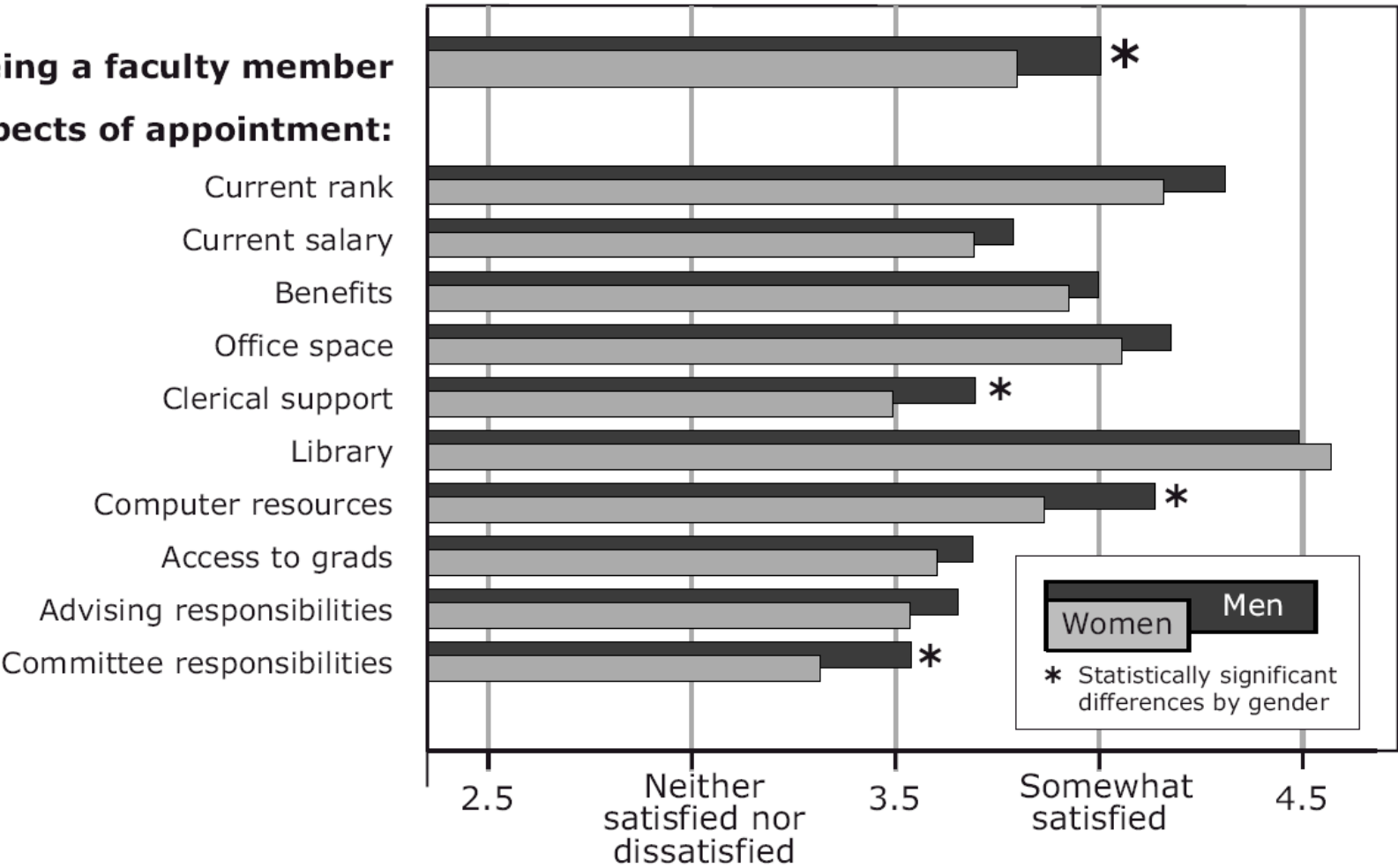


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# Aspect of Work

## Being a faculty member

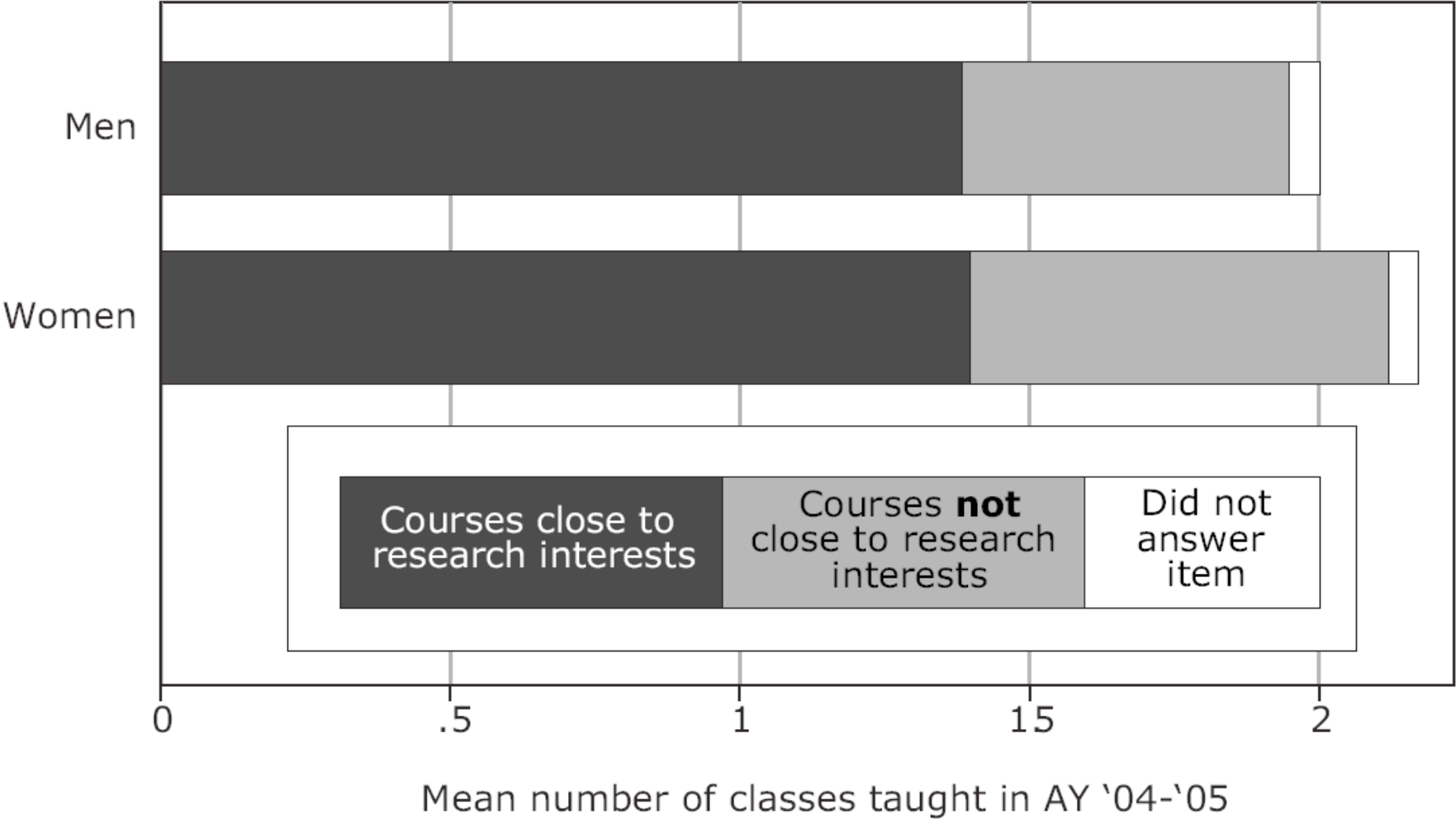
### Aspects of appointment:





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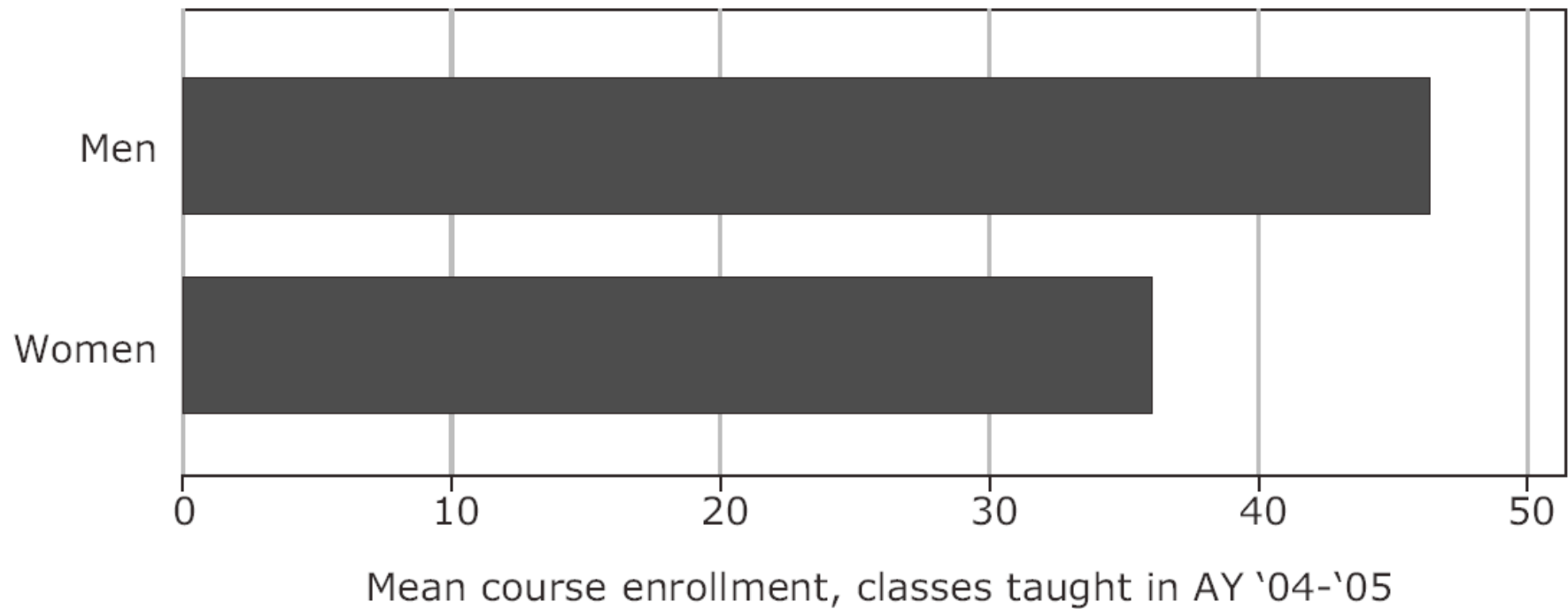
# Number of courses taught





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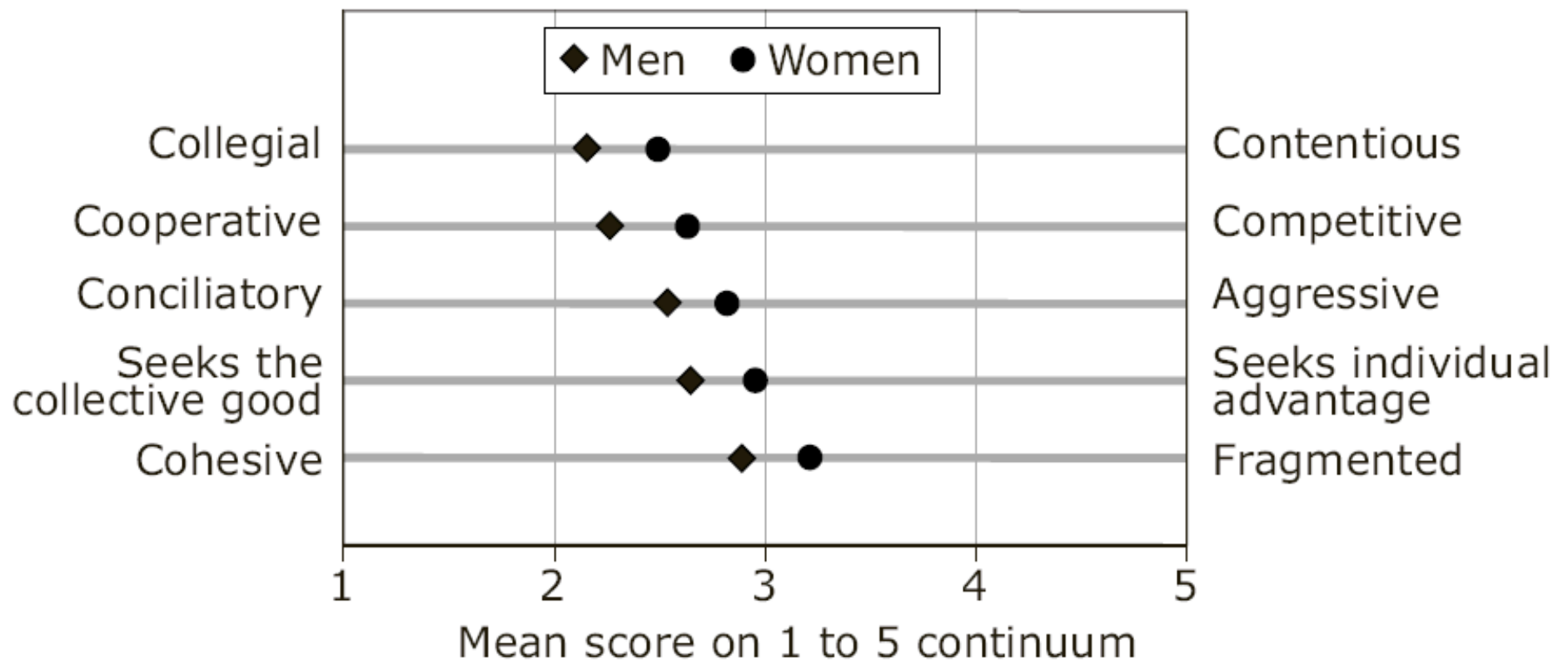
# Course enrollment





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# Departmental climate





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## Next Steps

- **Complete analysis of survey data including identification of department attributes that result in statistically different perceptions of climate**
- **Discuss results and next steps with Faculty Work Life Committee**
  - **Identify areas of interest and concern for broader campus discussion, analysis and action**