

Unofficial Notes (no quorum)
Faculty Senate Meeting
May 9, 2007

Speaker Barbara Knuth called the meeting to order. "I would like to welcome you to the meeting of the Faculty Senate. We are ready to get under way and come to order. We do not yet have a quorum, but we are counting as people come in, so we hope we will achieve a quorum. I would like to remind you of a few announcements. Please remember that no photos or tape recorders are allowed during the meeting. Please turn off all cell phones, and when you speak, please stand and please identify yourself and your department or unit so people can hear you and know what department you are representing. "

"Our first item of business is to ask Dean Walcott for his comments."

1. Remarks by the Dean of Faculty

Dean Charles Walcott: "Thank you very much, Barbara. I don't have a great deal to talk about. There is one item, which I think is important potentially to all of us. This fall we received a letter from the Weill Cornell Medical College from the Associate Dean requesting that they be permitted to give honorary degrees in the Medical School. This I duly referred to the Committee on Academic Programs and Policies. CAPP considered the matter; noted that we have given two honorary degrees in Cornell's history, one to A.D. White and one other one. It is not a common occurrence. And from time to time the faculty has indicated its resolve not to give honorary degrees. So, the CAPP Committee wrote, I thought, an excellent letter to the Dean in which it said ,A, this would be an extraordinary deviation from its usual Cornell tradition of not giving honorary degrees, and that the Dean's rationale for doing it was not spelled out in the letter, and perhaps if they were interested they could describe things a little more fully. And, B, how about something else like a key to the University or a Cornell medal or something that you could give a donor that would seem suitable in exchange for several hundred million dollars.

"I then went to the Trustee meeting in February and met a fellow named Sandy Weill, you may have heard of him - the Weill Cornell Medical College - who apparently is the power behind the honorary degrees. He was very upset with the letter because he said the CAPP Committee in effect slammed the door on this, and this was going to inhibit his ability to raise 1.3 billion dollars for the

Weill Cornell Medical School. I said, "Well, faculty feel rather strongly about this." He said, "I feel rather strongly about this." And, I said "Well, why don't you come to Ithaca and talk. I'll assemble a group of faculty and we can have a conversation about it." I asked the University Faculty Committee and the CAPP Committee, which seemed like a suitable collection of senior, wise faculty members to get together with Mr. Weill, and he arrived about a week or so ago. We had a frank and forthright exchange of views. His basic notion is that he would like to raise a lot of money for the Medical School, and that an honorary degree would be a very helpful tool in his armament to do this. We discussed this in considerable length, and we ended up saying that one of the problems was that there was no proposal on the table that specified who was going to decide who might get honorary degrees. Was this something that would come from the faculty? Is this something that would come from the Administration? How would it be decided? What was the real reason for doing this? There was not purpose to the proposal? His purpose is very easy to understand. It is to raise money. There was absolutely no ambiguity in my opinion about the purpose whatsoever. And so we have established a small committee. There are two members from our faculty, Rosemary Avery and Fred Gouldin, who will work with a small group of Weill Cornell faculty members to produce a proposal. This proposal, when it is prepared, will come to the CAPP Committee to be considered, and then I suspect will come along to this body to be discussed.

"I really just wanted to fill you in on what's going on in case you should hear rumors that Cornell is about to issue honorary degrees. This is a matter which the President has assured me repeatedly is a matter for the faculty to decide. He will not express an opinion either pro or con. This is a matter that is our hands, and this is where it's at. Presumably in the fall the CAPP Committee will get some kind of a proposal. That's my report."

Speaker Knuth: "Are there any questions for Dean Walcott?"

Professor Ted Clark, Microbiology and Immunology: "Just for my own curiosity, Charlie, did he ever respond to the alternatives to honorary degrees?"

Dean Walcott: "Yes. He said one could think of something like a Cornell medal but it would take ten years for it to achieve the appropriate distinctiveness and exclusiveness to be worth anything, and we don't have ten years to raise the \$1.3 billion. That was his basic answer."

Professor Richard Schuler: Economics and Civil and Environmental Engineering: "Just an observation that I think even Mr. Weill might understand. Of course the reason why a Cornell Honorary Degree is so highly valued is

because there are so few of them. I think it might be essential to remind him that he will debase the value of it very rapidly by giving out a good number of them."

Dean Walcott: "Oh, but possibly all he needs is three at \$.5 billion dollars apiece and he would be home free."

Speaker Knuth: "We'll take one more question."

Professor David Delchamps, Electrical and Computer Engineering: "I'm assuming that these honorary degrees go to the donors, i.e., the donors buying a degree. The donors are saying I'll give you this money if you give an honorary degree to that illustrious person who I like. And the reason I'm saying this is that every other institution with which I have been associated that gives out honorary degrees, gives them out to many people who aren't donors. They give them out to Nelson Mandela and people like that. I have never seen honorary degrees for sale to donors. I would hate to have us be the first one."

Speaker Knuth: "Thank you for the report and the responsive questions. Brad, where do we stand on quorum?"

Associate Professor Brad Anton, Associate Dean and Secretary of Faculty: "We are seven people short."

Speaker Knuth: "Okay. What I am going to do then is to change some of the order on the agenda so that we can do those items that don't require a quorum and hopefully achieve a quorum later in the meeting. I don't see David Harris here. I would like to call on Peter Stein. Peter, are you ready?"

Speaker Knuth: "Professor Peter Stein has asked for time to give an update on the University Club. We have allocated five minutes for this update."

2. Update on University Club

Professor Peter Stein, Physics: "I hope I don't have more.

The notion of a University Club has been discussed now for about five or six years. It's been endorsed by this body at least once, I believe twice. A group called the University Club Task Force has discussed this with not one, not two, but three Presidents at Cornell. The net result of that has been a series of violent oscillations. All of them have said it's a wonderful idea. All of them said yes, Cornell needs this, it is a lack at Cornell. But the question 'what exactly we do about that lack' has ranged from nothing to perhaps something in the far-distant future. Recently, President Skorton agreed to give this question to the group

that's developing a master plan for Cornell, a study group, a consultant in Toronto, who is as I say developing a master plan for the Campus, and he asked them to put it on their agenda of things to do. Now that is considerably farther than we have gone ever before - that it's not only a fine idea, but it's a fine idea that needs a place, and somebody has asked this group of consultants to find a place for it. I am considerably encouraged by this. I have been a little bit encouraged before and mostly discouraged by the results of these conversations, but I now feel that it is conceivable to me, I wouldn't put odds on it, but conceivable to me that in my lifetime there will be a University Club at Cornell.

"I have had some discussions with the people in Toronto, and they said that what they need at this point is a group to interact with about a University Club. There are all kinds of questions that come up. What should be it? What could it be co-located with? Where should it be? There are a lot of conceptual and practical questions, which are not easily answered. They have asked me to assemble a group of people that they might meet with sometime during the summer time to discuss these issues. I spoke to some people on the University Club Task Force and said how might we go about doing this - selecting a group of people that should be representative of the group who would want to use such a facility if we found one. There were a couple of ways we thought of doing it. I don't know if any of you remember signing a petition saying we ought to have a University Club at Cornell. If you signed that petition you were asked "Would you be willing to help out in the design of this club?" and a number of people, probably a hundred of them said they would be. And that list, I still have a list of those e-mails. That seems to be one source. And another source is this body, which speaks for the faculty. I could write my e-mail address on the board, but you would look at it and never remember it anyway. What I intend to do is with Charlie's permission is to send an e-mail to all of you giving this same discussion, more briefly, and asking you if you would be willing to serve on a committee, which presumably would not be very taxing but would be a group with which these consultants could meet at some undefined time over the summer time. I understand that if you are here, you could possibly. If you are not here, you couldn't do it. I am looking for volunteers to do this. The e-mail will come from me in due course. Is that okay, Charlie? An e-mail will come from me to you making this same request. I hope that you all will answer positively because I do really feel some real positive motion in this direction for the first time in some time."

Speaker Knuth: "Thanks very much. We are going to move on at this point to our Good and Welfare speaker. We have one speaker, Abby Cohn. Abby you are allowed up to ten minutes."

3. Good and Welfare

Associate Professor Abby Cohn, Linguistics: “What I plan to talk to you about today is an issue that is of great concern to those of us who have kids, which includes a large number faculty as well as staff, graduate students and so forth. Cornell has taken a very major step in offering the increased availability of childcare close to campus. It’s committed to building a childcare center as I understand it, right near Lot A. And it’s invited three candidates to present proposals, and they then decided to contract with an organization called Bright Horizons to run this center. I am happy to provide that web site information. Right there on their web site it says Bright Horizons Family Solutions is the nation’s leading provider of worksite childcare early education and work life consulting services. It is a for-profit organization.

“While I take these steps to be very positive, there are a number of issues of great importance that need to be addressed by the Cornell community in a deliberative and open fashion. How will Cornell ensure that the kind of daycare that they pick is going to meet the needs of our community in terms of quality and other factors? How will we ensure that local expertise, particularly in early childhood education, is incorporated in decision-making? How will we ensure that the stakeholders in this new center how will be sure that their voices are heard? So who will set the goals, and who will evaluate the success of this center?

“A number of these concerns are articulated in a letter that was sent to President Skorton written by Abraham Stroock, Assistant Professor in the School of Chemical and Biomolecular Engineering with 145 co-signers including me and a number of you in this room (Appendix 1). So far there has been no substantive reply to that letter. In that letter it applauds the University for taking these steps and lays out a number of areas of concern. How will we ensure that the gold-standard practices in early childhood care and education are met, including the caregiver-to-student ratio and indoor and outdoor space? How will we ensure adequate salary and benefits for the center’s teachers and staff that ensure a long-term commitment of highly qualified people? How will we assure accessible rates for all members of the community with a sliding scale, as well as issues of transportation? So the question I would like to think about is how have the decisions been made so far? So far the decision-making process has been handled by the Office of Workforce Diversity, Equity and Life Quality under the direction of Lynette Chappell-Williams, but the question that I have not been able to get an answer to with any of the informal conversations I’ve had so far is how are decisions being made? Who is making the decisions? What is the role of financial constraints, and who are setting these constraints? There are a number of groups that I understand have not been involved in this conversation. I understand that the University Benefits Committee has not participated in these conversations. As I understand it, I don’t believe that the Provost Advisory

Committee on Faculty Work Life has been involved in these conversations. So I think that the question is, who has been involved in these conversations and who should be involved in these conversations? And most crucially, I would like to endorse the suggestion in Stroock's letter that says, "we ask that you to create a Program Committee with representatives of the stake holders in the community (families, experts in early childhood education and care, university administrators) to work with the Office of Human Resources and Bright Horizons to develop programmatic aspects of the new center."

I would like to take this a step farther. I would like to suggest that this committee needs to be formed immediately and it needs to be a permanent body where there's sufficient oversight of the center and issues of daycare and childcare on campus more generally. This logically should have membership from faculty, staff, and graduate students, and so we might well envision it as a University Assembly Committee similar in structure, for example, to the Board on University Health Services, which has primary responsibility for debating and formulating changes in policies concerning Gannett Health Centers and other health service-related policies. This could then have appropriate ex-officio representation. What I would like to suggest is that that probably is the right structure, but I believe that we as a faculty need to take the lead in this matter and be sure that this happens. I think it needs to happen now. It should not happen once the center is operational several months from now. It's crucial because the decisions are happening now. And so I would actually like to call upon the Dean of the Faculty and the UFC to pursue this matter on our behalf and suggest that we would like to work right away to put an appropriate advisory structure in place. Thank you.

"I'm happy to send the letter to anyone or we can post it."

Speaker Knuth: "Let me just add, because we do have a few minutes, are there questions or clarification or comments that anybody would pose?"

Professor Peter Davies, Plant Biology, Member-at-large: "You indicated that the operator either will be or is suggested to be a for-profit organization, but we have in town an excellent childcare center. I was the chairman of the board of directors in the Ithaca Child Care Center many years ago. I must admit I have lost contact with it since my children are grown up, but were they approached about operating this childcare center? If we have local expertise why should we not use the local expertise?"

Professor Cohn: "Again my information on this is rather indirect, but it is my understanding that an RFI went out, (a request for information) and three were submitted - one from IC3 and two from non-local for-profit vendors. I

understand that all three presented their presentations, and I have heard indirectly that IC3 made a very impressive presentation. However, Bright Horizons was selected. I am left very concerned by that decision, frankly. It suggests to me a lack of appropriate consultation, and it suggests to me that perhaps not all the factors that we as a faculty and members of this community would have wanted to see weighed in that decision were appropriately weighed. However, that decision has been made. I think we could inquire into that matter, but the most pressing matter is to ensure that the commitments that currently have been made will be realized in the most successful and useful fashion for our community. I had exactly that same question."

Assistant Professor Andre Kessler, Ecology & Evolutionary Biology: "Is it already sort of in a final state then? The decision is made and you cannot return?"

Professor Cohn: "My understanding is that the contract has been signed. And not only has the contract been signed and building permits are underway, they very recently contracted with Bright Horizons (you go to this website, and it's a scary place) to take over running the University Day Camp this summer, and until very recently there was no information about the nature of that program. And, once they had full information... It took me serious surfing and an e-mail to even find out what the weekly rates were going to be for this summer program. I am not particularly sanguine about this decision, but I understand that it has been made at this point. I don't know what the nature of the contract is. I don't know if at some point in the future we are not completely happy with the services we are receiving, how it may or may be negotiated, but I am convinced that our collective participation and others close to this need to be involved in the conversation immediately."

Professor Wolfram Koeller, Plant Pathology: "Either I missed it or you haven't said who made that decision."

Professor Cohn: "That is the interesting question. We do not know exactly who made the decision. It's rather mysterious. It relates tangentially to a decision to close the Early Childhood Center, which is something that many people in the community are very upset about, which was indeed a decision made by the Dean of Human Ecology. And that had to do with perceived programmatic needs of the community. But in fact, I don't know how this decision was made, or who made it. I am lead to believe that financial considerations are driving many decisions right now, but I don't know who set those financial constraints. And I don't know if there financial constraints that we as a community members would find to be acceptable."

Speaker Knuth: "Thank you very much."

Professor Anton: "Is there anybody who hasn't signed in?"

Speaker Knuth: "Are there any Senators here who have not signed?"

Professor Anton: "We are three people short."

Speaker Knuth: "The only other agenda item that doesn't require a vote was to hear an update from David Harris and I don't see that he's arrived yet, either. Why don't you report the election results, but we can't do the approval of your slate."

4. Faculty Election Results

Professor Anton: "I am pleased to report that these are our new faculty-at-large senators, both tenured and non-tenured, and we welcome them. The Nominations and Elections Committee has two new members and we have four new members of the University Faculty Committee."

Report of University Faculty Election of April 2007

Faculty Senate-at-Large, Tenured

Dorothy Ainsworth, Vet.

Rosemary Avery, CHE

Joseph Fetcho, A&S

Faculty Senate-at-Large, Non-Tenured

Tarleton Gillespie, CALS

Nominations & Elections Committee

William Fry, CALS

Ronald Hoy, A&S

University Faculty Committee

Rodney Dietert, Vet.

Howard Howland, A&S

Vicki Meyers-Wallen, Vet.

Dennis Miller, CALS

Speaker Knuth: "Given that three members have not magically walked through the door, I am sorry that I do have to declare this meeting adjourned and unofficial."

Professor Peter Stein: "I think this is a disaster. This is a matter of great importance to the faculty. I know that Charlie sent out a notice saying that. People have not responded. It seems to me that in other bodies whose deliberations are in fact more important than this one, for example, the Legislature in Albany stops a clock if in fact it exceeds the time limit for doing it. The House of Representatives stops debating something against their own rules while they go and round up people to come and vote for something. I cannot imagine why it would be impossible. There's a window of opportunity here. There's something that could be passed at the Board of Trustees Meeting this month, which I think is very important. It seems to me that there could be a discussion of that item and a straw vote, followed by an e-mail ballot. I know that's not in the rules but if other bodies can bend rules; I can't understand why this one can't. Perhaps we can call a special meeting. It really will be unfortunate if this thing doesn't get finished before the term is over."

Speaker Knuth: "I'm going to defer to Dean Walcott for a comment in terms of the rules and procedures."

Dean Walcott: "On another matter in previous years we have tried an e-mail ballot and it was strongly objected to by a substantial number of Senators and therefore until the OPUF, the "Organizational Procedures of the University Faculty," has been modified, I am not inclined to go that way."

Professor Cohn: "Could we take a five-minute break and see if we can rustle up Senators? There are many in this building. I mean, can we rustle up three more people?"

Speaker Knuth: "We need those who are elected."

Professor Cohn: "I know that, but we have a list of them. We know what departments are right near by and we might be able to gather a few."

Professor Ronald Ehrenberg, ILR and Economics: "Can I piggy-back on Peter's suggestion in a way? Is there a provision in the legislation so the University Faculty Committee can act on behalf of the Faculty Senate between meetings?"

Dean Walcott: "Yes, there is."

Professor Ehrenberg: "And if it were the case and we did what Peter suggested then we would have a straw vote of the people present and it was overwhelmingly in favor of one direction, would it then be appropriate to ask the University Faculty Committee to consider making the decisions based on the discussion and straw vote? "

Dean Walcott: "I think that's a Solomon-like suggestion. Why don't we?"

Terry Plater, Graduate School: "I would really appreciate that, especially since this is the last meeting, and these items have to move forward. The Faculty has done such fast and good work, and this will be stuck until October if we can't do anything today. It's very crucial to have these faculty projects voted on. We certainly appreciate what Ron and Peter said."

Speaker Knuth: "And just for clarification - you are referring to several items on the agenda, not just any one in particular."

Terry Plater: "I was referring to my own, but any item that's crucial."

Speaker Knuth: "I will indicate that because we don't have a quorum this is not an official meeting of the Faculty Senate, just so that you are aware of that. We are able, though, as a group of assembled people here to continue with the discussion. I'm happy to facilitate that discussion so we can proceed with that. With that in mind, let me go back to the agenda. We are going to skip discussion and approval of the minutes, because we cannot approve them given that we are not official."

Professor Kathryn March: Anthropology: "I don't see where those two proposals are mutually exclusive. So, I wondered if Brad could read off names. If it's one of our colleagues that we could round up and we could make this an official meeting, and not have to do Ron's suggestion that we would be even better."

Professor Anton: "I imagine there is some reasonable likelihood we could round a few of these people. I will read off their names. (Senators names were read.) There are about six people on here that we know are regular attendees of these meetings who aren't here. That means they are away."

Speaker Knuth: "I'm going to cut in here because we are rapidly running out time to continue these discussions. I'm going to ask the people with the cell phones to take the phone book and the list out in the hallway and make phone calls, and we are going ahead with the discussion."

"So we are going to move along with the discussion from Professor Susan Piliero, who is a member of the Committee on Academic Programs and Policies, to give us the background on a resolution to approve the establishment of a new Ph.D Program in Human Behavior and Design."

4. Resolution from the Committee on Academic Programs and Policies to Approve the Establishment of a New Ph.D. Program in Human Behavior and Design

Associate Professor Susan Piliero, Education: "Thank you very much. And I appreciate you all had an opportunity to read the enclosure that came with the agenda. This is from the field of Design and Environmental Analysis to approve the establishment of a new Ph.D. Program in Human Behavior and Design. You have received the resolution.

"WHEREAS, the General Committee of the Graduate School has reviewed and approved the proposal to create a new Ph.D. degree program in Human Behavior and Design in the graduate field of Design and Environmental Analysis;

WHEREAS, the Committee on Academic Programs and Policies has reviewed and recommends creation of this Ph.D. in Human Behavior and Design;

THEREFORE, BE IT RESOLVED that the Faculty Senate approves the establishment of a new Ph.D. degree program in Human Behavior and Design in the graduate field of Design and Environmental Analysis."

Speaker Knuth: "Thank you. Let me ask if there are any questions on this topic."

Professor Peter Davies: "May I have lead to display directions to the committee? The directions to create the Committee on Academic Programs and Policies indicate, and if you read in blue it says, 'concern itself with academic programs and policies which are independent of or extend beyond the single or joint jurisdiction of a school or college faculty...' So some of the things we have brought to you have involved more than one college, more than one group. That's one.

"The next one says to 'conduct an initial screening of formal proposals of new academic programs...' We have done that occasionally.

"And the last one says, 'provide an initial review of proposals from all sources

for new degrees and for the combination, modification or abandonment of old degrees.' That's irrelevant. But to review new degrees. I give you that a Ph.D. is not a new degree. In a vision, this Ph.D. is proposed from an established program. It is not a new program. I therefore think it is a grand waste of faculty time, both of CAPP and in this body, to be deliberating a Ph.D. from an established program. If we start doing this every time science makes a little change or engineering makes a little change, you are going to have a new Ph.D. in a new subdivision of science.

"I think it very useful when we discussed the possibility of the distance learning degree. That is a different degree. I think this is not a new degree. I think it should not be under the jurisdiction of CAPP or of this body. Once evaluated by the Graduate School it should be adequate. I suggest next semester that this body modify these directions to indicate exactly what these directions mean. Thank you for your time."

Speaker Knuth: "Thank you, Peter. Are there any other comments on this particular issue? To send a message to the University Faculty Committee, may I just get a hand showing of those who would if given the opportunity to vote, vote in favor of this resolution.

"Okay, so served."

NOTE: *The resolution was approved by the UFC on behalf of the Faculty Senate.*

"I would now like to call on Professor Vicki Meyers-Wallen.

5. Resolution from the Committee on Academic Freedom and Professional Status of the Faculty on Job-Related Faculty Misconduct (Suspension Policy)

Professor Vicki Meyers-Wallen: "Okay, while we are waiting for that to come up you have a hand out there. So we are going to present this resolution (Appendix 2). I'm going to go over very briefly. The policy that you have here before you today is the culmination of about six years of work. It started out in 2001 with Dean Cooke to create a task force on appeals and grievance procedures. We had a suspension policy in 2004 that came out of that committee. There were numerous deliberations with the Administration, and so last September we passed another policy, which is the amended from this first one.

"We thought it would go to the Trustees. It did not. We had a new one from the Administration in February, which we found to be unacceptable, and since then we and others have been talking with Administration, and we received another

version in April just before our last Senate meeting, and I mentioned at that meeting. So we have had time to look at that. The policy that you have in front of you is the compromise that we received in April. So, over all of these revisions, there were basically seven principles that were considered essential by not only the current AFPS committee, but by several AFPS committees over the past six years.

"The first point is that suspension is a serious disciplinary sanction, second only to that of dismissal in its effect on the faculty member's career. Second, that there should be a final common pathway to suspension regardless of the offence. And, that the procedures for a hearing and imposing of a suspension should be the same. Third, as with dismissal, the Hearing Board should report to the President as the final responsible authority who can impose a suspension. Fourth, the definition of suspension should be as stated in the Faculty Senate Policy, which I'll show you in a minute. Fifth, emergency suspension should be only leveled by the highest authority for serious reasons related to the offense. Sixth, as with dismissal there should be a hearing process that includes the right to confront and question one's accuser, and lastly the punishment should not be seen as conviction. For example, full salary should be maintained during the hearing process until the process is complete.

"So the compromise that was reached was that the dismissal policy be revised to include suspension. And, the compromise that we reached does include the seven essential principles and suspension is now treated as second only to dismissal. (For suspensions that are a semester or more in duration, and a full-time university faculty as defined by the University Bylaws.) Note that for suspension of less than a semester, for these, the grievance procedures apply. If AFPS is the final review panel, the AFPS review is sent to the President, as for all suspensions, and the President makes the final determination.

"This resolution provides a process that is parallel to that of dismissal and is as fair and protective of faculty rights as the suspension policy that we passed in September. You might ask how does this new suspension policy affect the dismissal policy? And I'll say there is one, and that is that the Provost, not the President is now in charge of administering the hearing process for dismissal and suspension. Before it was the President for dismissal. However, it's the President who still makes the final determination of whether or not the faculty member is going to be suspended or dismissed. That's the only change.

"I'm going to go through the resolution paragraph by paragraph fairly quickly and then we'll have time for question. The resolution that you have reads:

WHEREAS, a suspension is second only to dismissal in the effect that it has on a faculty member's career, and

WHEREAS, a dismissal procedure, authorized in the Bylaws of Cornell University (Article XVI Instructional and Research Staff, Appointment and Tenure, Section 10), is already present in the Faculty Handbook of Cornell University (Section 4.3, Separation), and

WHEREAS, the Faculty Senate unanimously passed the Job-Related Faculty Misconduct Policy (aka the Suspension Policy) in September 2006 containing the principles and procedures deemed essential for imposing suspension upon a faculty member, and

WHEREAS, the Administration has agreed to a revision of the dismissal procedure adopted by the Board of Trustees and the University Faculty in 1951, creating a combined procedure for faculty dismissal and suspension (attached below) that provides faculty facing a temporary suspension with a process as fair and protective of faculty rights as the September 2006 Senate approved Suspension Policy,

"THEREFORE, BE IT RESOLVED that the Faculty Senate approves the following procedure for dismissal and suspension, with the intention that it will replace the Job-Related Faculty Misconduct Policy (aka the Suspension Policy) unanimously passed by the Faculty Senate in September 2006.

"And then what follows is the actual wording that we propose to be placed in the Faculty Handbook (Appendix 2). The proposed changes are tracked and underlined words in this document. So the first paragraph just states Article XVI, Section 10, the by-laws which gives the guidance to dismiss the faculty member and that has not changed. And the second paragraph has not changed either. It says that the dismissal procedure was adopted in 1951.

"The first change is to add the words 'or to suspend.' The University reserves the right to dismiss and discontinue or to suspend the appointment of any member on its faculty on reasonable notice and after giving such member an opportunity to be heard for misconduct or failure to perform the duties required of the position he or she holds.

"In the case of a university professor, professor, associate professor, or assistant professor the following procedure shall be adopted to govern dismissal or suspension for the period of one semester or more. The blue indicates that this is one of the changes, the change is that the period is of one semester or more.

"Section A has the change of placing suspension in here for a period of one semester or more in addition to dismissal. And you will notice as you go down that when we are talking about the report that is usually generated, the report from the Dean, goes to the Provost. And so all that is following here is that the Provost is now in charge of the hearing procedure rather than the President for dismissal and suspension. I can read all that, or we can go on.

"And Section B if a faculty member desires a hearing, he or she shall so request in writing to the Provost. Again, the difference is the Provost. And again the blue indicates changes.

"Section C describes the hearing process a faculty member is entitled to be accompanied by an advisor or counsel of his or her own choice, to present witnesses on his or her own behalf, and to confront and question the witnesses against him or her. So that is one of the things we wanted in there, and so it is there. We talked about the accused is allowed to have a transcript of the proceedings. And you will notice that when the Review Board is finished they submit their report to the President who makes the final determination. And then the track-change added here is that if suspension is recommend, the President's decision shall be final, and if dismissal is recommended, this report is appended by the President to any recommendations that he makes to the Board.

"Section D. If dismissal is recommended, there is no change. The faculty member is offered the opportunity to resign within thirty days. If he does not, he will be dismissed. And here we have suspension. If suspension is recommended, and the faculty member fails to request a hearing within the thirty-day period described in paragraph B above, the suspension shall be implemented as recommended.

"Section E talks about what if the suspension is going to be less than one semester or for faculty members who are not as defined in the University Bylaws. And also in red here is a friendly amendment where they want to add two words, of time, which the AFPS thinks are fine and directed to amend. And so that is in red. So Section E is 'in the case of suspension of less than one semester or suspensions of any length of time of faculty other than university professor, professor, associate professor or assistant professor, a dean's determination to suspend a faculty member shall be subject to existing grievance procedures.' So if it's a minor sanction they can do it. In cases where the Faculty Committee on Academic Freedom and the Professional Status of the Faculty is the final step in the grievance procedure, the Faculty Committee will submit a report of its findings and recommendations to the President. So again, the final determinator is the President. If suspension is recommended, the President's decision shall be final.

"Now what follows are definitions that we felt were important to have in the document. The first one is just saying that if the Provost is also serving as a Dean, that she can't be in charge of the process for her own recommendation, and then the President steps in. So that's all that that says.

"The next one is the definition of suspension or suspend, which is the same as in our document that we passed, which just states exactly what a suspension is and the duration is no less than two weeks and no more than two semesters, and states that for emergency suspension the imposition of any suspension shall be deferred pending the conclusion of the internal review process. So you can't take the salary away until the person is convicted. And also defined is what an emergency suspension is, and the important part here has to do with the President. The scope and duration of the emergency suspension are tailored as narrowly as possible to the nature of the harm posed, and it's not more broad than will be necessary, before the full suspension procedure and review process is finished. So this is also directly out of our document that we passed in September.

"And the last thing is the definition of faculty, 'Faculty refers to full-time faculty members as described in the University Bylaws.'

"Are questions on the meaning of any of this or how it compares to what we passed previously?"

Speaker Knuth: "Any questions or comments or discussions."

Professor Meyers-Wallen: "Are there any objections to the friendly amendment."

Speaker Knuth: "Let me pose the question to you again. If this was actually a voting situation and you were inclined to support this, please raise your hand for observational purposes. Okay. Thank you very much that observation will be conveyed appropriately.

Observation - very, very strong - no votes against

"There's a question?"

Professor Lisa Earle: Plant Breeding and Genetics. "To assist the University Faculty Committee if it's going to act in lieu of the faculty, maybe it would be good if we had a count of the votes in favor so we'll know how close to a quorum we were. I just raise that as a question."

Speaker Knuth: "Well, it was very strong. I am not going to take a count right

now because we have a number of people who are missing and so on, so it's not a true reflection of the Faculty Senate."

Professor Peter Stein: "Might I just suggest you ask for raised hands of how many would be inclined to vote against it."

Speaker Knuth: "Okay. I can do that. How many would be inclined to vote against it?"

None - So observed.

NOTE: The resolution was approved by the UFC on behalf of the Faculty Senate.

"Let's move on with what I believe is going to be our last agenda item. That's hearing from Vice Provost for Social Sciences, David Harris who is going to provide an update for us on the enhanced VIVO project."

6. Update on the Enhanced VIVO Project

Professor David Harris, Sociology and Vice Provost for Social Sciences: "Thanks. It was so much fun last time I came back. So, I'm just the set-up guy for my colleagues who are going to tell you about the details. I want to set this up by taking you back for a minute to 2003 when I was being recruited to Cornell from Michigan. And I worked the areas of social equality and racial ethnicity and was being recruited to the Sociology Department. What I said was, well, I wonder who at Cornell works in these areas. Sociology is easy. I could look there, but then I thought, where else could I look? It's extremely hard if you are on the outside, to know for example, that the economists who do the work closest to mine are actually in ILR, in labor economics, not in the Arts & Sciences Econ department. That for many other things you think about, they may not be in the departments you think of at other places. This is something I have heard time and again from faculty recruits as well as some graduate student recruits. It's something I hear a lot from people in the communications division who are looking for experts to look up the media. It's something you hear a lot from development, when they have a prospect who is interested in finding something on X. It's hard for people to figure out where to find the experts, if they don't already know where to look.

"I was quite excited when I learned over a year ago about something called VIVO. Those in the life sciences, hopefully at least the life science people, know what this is, and I was excited about the prospect of expanding this VIVO to a whole university. The idea, the short version of it, and you are going to get a little bit longer version from my colleagues, is to basically have a broad database

of public information that has as much automatic input feeds as possible and allows for faculty editing. That's a database that can sit under, for example, the social sciences web site that I'm in charge of; or can sit under the international gateway and feed it information; or can sit under college websites pulling things together, so people can search without having to know that if you want to find someone on education and policy you look for Ron Ehrenberg, who happens to be in ILR, labor economics. So, with that set up, I'm going to turn it over my colleagues Medha Devare and Jon Corson-Rikert, who are here from Mann Library, to talk to you briefly about the details of what this is."

Medha Devare, Mann Library: "Thanks for having us. I am just quickly going to show you what we are calling the research portal, which David mentioned the life science portal. He mentioned a feed to the social sciences, and we do have portals that organize the data more or less according to the contents - social sciences, engineering, physical sciences, and so on. I think I am going to just focus on the all-portal, which brings in information from all of those different areas that we are trying to represent, and we are trying to represent pretty much all of Cornell. This is not a public portal, but it's likely in the future, hopefully going to feed some of the areas either the research phase or the social sciences web site and other such sites.

"The way the data is organized here is to people, academic units, education and training, which includes links to seminars series, workshops, etc., collaborative research areas, facilities, which include lab service, units as well as other units, stock rooms, field facilities and things like that, and then geo location. So here if you wanted to look at who works in Africa, you could go browse this area and find out. But what I am going to do is just show you what a faculty profile looks like, so you see what the elements are of the profiles, and where we are getting that information from. The idea here is that not to create any extra work for any of you. We are trying to bring in as much information by automated downloads or going out and getting feeds from the facilities that exist, or from databases that exist at Cornell.

"Just to show you a sort of sampling of what we are trying to get, and you are welcome to chime in and bring in ideas. I'm just going to look at Antje Baeumner's profile. When I do a search for her name it should bring it up. Here's what a typical profile in VIVO looks like right now. The first thing you see is that you see her photograph, her name, and the fact that she belongs to a multiplicity of academic fields or departments here at Cornell. You scroll down in the profile and you see that she's the head of physical life sciences interface. She's a faculty member of a whole bunch of departments. If I want to go in and see who else is a member of this department, I click here. I'm still in VIVO. I see that there are 25 other faculty members or 25 faculty members including her. I

can similarly navigate to check anybody else's profile. It gives you a lot of other information about the department as well. I see that she's a member of these graduate fields and again I can do the same thing with those graduate fields.

"Here's the part that it starts getting a little bit more interesting. She's the primary investigator and a co-investigator of these grants. That is information that has always existed in the OSP warehouse on campus. It's just rarely made public and so you don't get a chance to see that. We are trying to bring that in through an automated manner. It's not that we are expecting you to go in and put that in; we are just bringing that in for any faculty profile. We have here some course information. That doesn't exist for every faculty member right now. We are hoping to get that; again in an automated manner from the University Registrar's database. And there's another possibility where we can get courses from as well. That's something that changes from semester to semester, year to year. It's hard for us to keep on top of it if we do it manually, which is why we are trying to do it as much as possible from databases. The research areas here at the top of the page, this is coming in from faculty reporting. Many of the colleges, not all of them, have systematic faculty reporting procedures right now. We are trying to work through the faculty reporting to get as much information from them as possible to add more fields, depending on what makes sense for other people, what do the people want at Cornell, administrative units as well as other pages. We are trying to bring in as much information from faculty reporting as possible. This is what Antje put in the last cycle. The publications information is right now coming from automated downloads of *BIOSIS* data literature databases. We sit in Mann Library so we deal with the databases. It's focused right now on the Life Sciences. This is coming from *PubMed*, which is the life sciences medical primarily and health related database *BIOSIS*, which is biology and life sciences. And we have a test download from *Web of Knowledge*, which includes social sciences, life sciences as well a little bit of the arts and humanities. By no means is this going to give us a complete representation of what you are doing in terms of publishing. And so again, that's something we are hoping we will be able to augment from faculty reporting information.

"Impact statements if those are submitted come into faculty reporting as well. These are featured in are news items. So if there are news items that a faculty member is featured in we bring those in and that shows up in the faculty profile. Currently that is done manually. Soon we hope to be getting feeds of that as well, automated feeds.

"At the bottom of the profile you see a section that is scholarship focused. That's taken from the faculty member's website. We are not in the business of putting words in your mouth. So whatever is on your website, is what shows up here. Or whatever you report in your faculty reporting or annual report mechanism is

what would show up here; similarly, educational background, awards and distinctions and then key words. Key words is again coming from faculty reporting. And the idea is that although you may not think about dating research descriptions, you may be thinking about key words. And those are searchable as well. So those are the sorts of things that we want to represent. If you are working in India or someplace like that, that would show up here as well. In this case it doesn't but it would show up in a faculty member's profile as well. And that's again another item that we are hoping to get through some kind of automated fashion, faculty reporting or ultimately an update button. So in every one of these profiles we would like to be able to have just a simple update button that you can click and go in and dynamically change what's here, or correct what's here, or update what's here.

"The idea ultimately is that that update button, when you update a profile in VIVO we hope that it will also update what it says in your faculty reporting. So ultimately we are hoping to create some kind of centralized updating system. Again, saving you time. So, that you are not having to go in and update multiple places.

"I'm just going to do a quick searching here to show you what sorts of search functionality we have. And, I can do something like gender. And here what you see is a categorized search so at the very top you see people, you see 67 faculty members, and this is the power of the thing. This is what makes it slightly different from the Cornell.edu search. First of all you are getting categorized results. So you don't have to go looking at pages and pages and pages for the one thing or the one category that you want. You see here people from Human Ecology, Weill Cornell, Africana Studies, Sociology, Psychology, again Weill Cornell, and the Law School. It's giving you that bird's eye view of Cornell. And it's allowing you to find people no matter where they are in Cornell's administrative structure or physical campus because Cornell is now spread over four campuses, geographically listed campus. This is going to overcome or surpass the administrative structure of Cornell to give you this kind of view. If you go further down you see the people. There are 51 more and I'm not going to look at all of those.

"Activities including courses, program offices, graduate fields, research grants, all of that kind of information, and events so that if there was an academic workshop or a seminar that dealt with gender and it had the word gender somewhere in the description or the title, it would show up. Organizations and then at the bottom publications are listed. So that's the kind of search functionality that we have that will hopefully bring to whatever websites we are doing administratively. Again, this is something that we are trying to harvest information and make it available to the world about us.

“That’s pretty much all I wanted to say. This is sort of a quick little introduction and we’re happy to take questions.”

Professor Michal Louge, Mechanical and Aerospace Engineering: “I have two questions. The first is what mechanisms are there to correct errors? And the second is question is more debated is Google has been around for some time and I’m sure that if you type in name of any Cornell faculty you will get a series of hits on that one. The difference between Google and this is that this is an official creation of Cornell University and therefore it is important that the faculty member has a chance to approve what goes in there before it actually gets published.

Medha Devare: “I think the two questions are related. So the first question you had was how is this information going to show up here and how are people going to have a chance to correct it? What shows up here is going to come in through faculty reporting. So assuming there is a faculty reporting mechanism and you are probably in the College of Engineering; is that right? Mechanical and Aerospace Engineering you said, right? ”

Medha Devare: “Right. So there is an initiative in place right now, a relatively new faculty reporting initiative that is bringing in other colleges. So CALS, the College of Agriculture and Life Sciences, for instance, has an established faculty reporting mechanism. The College of Engineering has other different mechanisms and these are working with all the faculty reporting administrators within the colleges to make sure that we are integrated fairly seamlessly into those systems. So the model that they actually want to use is the VIVO model. In addition to the kinds of things that you see here, that faculty will be asked to report on, will be the regular information that you are normally asked to report on in your faculty reporting form.”

Vice Provost Harris: “Let me just add also to that. I have been adamant about both things here. Adamant about the part of saying that we make sure this is completely accurate, and the best way to do that is to make sure faculty have the ability to make changes. And so we talked about doing this. A month or so before this thing goes live everybody gets an e-mail that says, we are just about ready to go. You are the first person that gets to check your profile. There will be lots of notice. We think it’s complete. If it’s not, click on the button and please help us. And so we start off with it as right as it can be. I don’t know if we have to talk about all these details. The other things are being pulled from public sources, most of these things. We don’t get your input. The courses are easy.

Grants we have. But it's critical to have the faculty update. And it has to be really easy for faculty to update."

Medha Devare: "And the idea is that if there is already something there then it helps. You are not typing in everything new every year. Hopefully this will give you some kind of template to do that. Either be ready to enter it through VIVO and update in VIVO or whether you do it through faculty reporting. They both are on top of each other."

Professor Abby Cohn: "I'm just curious about the potential blurring of public and private information here. And I'm curious about whether all these data bases that we are talking about the potential places that you are going cull information are currently generally public or some of them are restricted to either Cornell community or smaller grouping and particularly in the context of Arts and Sciences. There is not an agreed upon procedure whereby even our annual reports are not public information. So I'm just curious about those questions."

Vice Provost Harris: "There are public sources. For example, the publications we would have would be publications pulled from these various data bases. So these are things somebody could find if they wanted to see what has Abby done lately. They could find these probably. We are not going to put other information about salary, or things that are reported on official annual reports unless the college has said we as a college have decided that from now on every thing on our annual report is public. And we can therefore put it there. We are very concerned about that. And with Weill, they are a piece of it also, we have been very concerned with them about very separate data bases separating the public from the private."

Professor Cohn: "And so potentially this could vary from college to college?"

Vice Provost Harris: "It might."

Professor Peter Stein: "Would a faculty member have the right to delete a piece of public information from that? The question is what do you mean by corrections? If I find something is wrong and want to correct it, I guess that's a correction. But what if I find something there that I just as soon not be public. I know it could be public from some other source but I don't want someone to get at it through this particular source."

Vice Provost Harris: "We'll have to work with details. That's a detail we haven't worked through yet, which is what if someone decides basically, I don't want to participate. I'm going to go and I'm going to delete all my information. That's a

version of what you are talking about. That's something that we have to work through. It hasn't been worked through yet. Does that faculty member have the right to remove their public data from a University database? I have an idea but I'm not going to say what I think."

Professor Koeller: "A few questions. The first question is what is the anticipated time line for this enhanced VIVO? It's not on line yet?"

Medha Devare: "Well it exists and you can get to it but it's not officially released. You are Plant Pathology so you may or may not be aware of the Life Sciences VIVO, which has been out there for a long time. You can go there and do exactly the same thing. It looks similar. It's just a subset of this."

Professor Koeller: "Okay, but not under this VIVO."

Medha Devare: "Yes. The url for that is VIVO.cornell.edu and you will get to the Life Sciences."

Professor Koeller: "My second question is. All of us, I think at least we at CALS, are maintaining our own faculty website pages. And those faculty pages are designed and administered by us, by the individual faculty. So how is this overlapping? We have the full authority, us as faculty, to put into our faculty page, what we want or what we don't want to design it. So this is overarching. This might contain a lot more information than my own page."

Medha Devare: "Right. And in fact departments have made a decision to simply link to our book mark because they say this is doing it, why duplicate it, or however, that works. We are open to suggestions"

Vice Provost Harris: "One quick point that is critical here. You really have to think about VIVO in two pieces. VIVO is both a database and it's an interface. The key to it, is the database. That is the information that sits under it. The interface is who accesses it and how. And that's going to happen in many different ways by many different actors. And so a department may decide to access some fraction. International gateway will and so forth. The key is the database. Some departments may decide we will do this instead of what we do now, and others won't. And that's fine. It's an interface component. This is the database."

Medha Devare: "And some departments may decide they don't want a full profile. They just want pieces of it. And that's possible as well."

Professor Ted Clark, Microbiology and Immunology: "Is Weill involved in this?"

Vice Provost Harris: "Yes."

Professor Thomas Bjorkman, Horticultural Sciences: "I've been the department rep for interface for VIVO for people for my department for four years or something. In response to the comment earlier the major complaint is there's not enough stuff, not enough of my grants are in there, not enough of my publications, not enough of my key words. Those are the complaints that we get. And it's because of the automated harvesting. But in terms of the actually faculty concerns when they are live on this, not enough stuff."

Speaker Knuth: "Okay any other questions or comments? Thank you very much for presenting this. I appreciate it. Thank you all for attending."

Dean Walcott: "I have just one announcement before you all run. Barbara has done a wonderful job as our Speaker. This is her last meeting. I would hope that you would join me thanking her."

Meeting adjourned - 5:50 p.m.

Respectfully submitted,

A. Brad Anton

Associate Dean and Secretary of the University Faculty

Appendix 1

 Cornell University	School of Chemical and Biomolecular Engineering 120 Olin Hall Ithaca, New York 14853-5201 t. 607.255.4276 f. 607.255.9166 e. ads10@cornell.edu
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October 13, 2017

Dear President Skorton,

With this letter, we hope to impress upon you the need for Cornell to commit sufficient resources to make its new childcare facility of the highest possible quality. We are faculty, directors and chairs, staff members, and students who are interested in the well-being of children and families in the Cornell community and in the strength of Cornell's position in the recruitment and retention of faculty, staff, and students.

We applaud the University's initiative to build and support a new childcare facility on campus. This project will help address an acute need for infant and toddler care in Ithaca and broaden the accessibility of on-site pre-school at Cornell. We want to emphasize that, beyond being just a stopgap, the new center is an opportunity for Cornell to expand its role in setting a standard of early childhood care (as it has done with the Early Childhood Center) and to stand above its peers in making accessible the highest possible level of care to members of its community.

Why should Cornell strive to go above and beyond in its provisions for early childhood care and education? We see many reasons: 1) the University aims to be a role model for society as a whole; just as the University is taking a lead on topics such as "climate neutrality", it should lead in providing quality human services to members of its community. 2) Education is the University's business and in this business it aims to be a world leader; the same uncompromising standards must be applied to all educational activities associated with Cornell. 3) In pursuing its mission as a leading center of scholarship, Cornell must compete for the top faculty, staff, and students world wide; to win this competition, Cornell must excel in creating a family-friendly environment in order to compensate for some of its intrinsic recruiting challenges related to geography. Given the University's desire to improve gender diversity within the faculty, the promise of exceptional childcare could be an invaluable recruiting tool.

To capitalize on this opportunity, we ask that the University commit the financial and human resources to guarantee the following characteristics of the new center:

- 1) Gold standard practices in early childhood care and education, including caregiver-to-child ratios and indoor and outdoor space.
- 2) Adequate salary and benefits for the center's teachers and staff to ensure the long term commitment of highly qualified people.
- 3) Accessible rates for all members of community with a sliding rate scale.
- 4) Convenient means of transportation between locations on campus and the center.

We also ask that the University facilitate the continued success of existing high-quality childcare centers by providing aid to community members who use these centers and coordinating with these centers to ensure appropriate capacity in the region for all age groups.

Finally, we ask that you create a Program Committee with representatives of the stakeholders in the community (families, experts in early childhood education and care, university administrators) to work with the Office of Human Resources and Bright Horizons to develop programmatic aspects of the new center (operational policies, philosophy, curriculum).

Thank you for considering these comments. We look forward to the opening of an exceptional new childcare center on campus.

Sincerely,

Abraham D. Stroock
Assistant Professor
School of Chemical and Biomolecular Engineering

Co-signers: 245

Appendix 2

Resolution from the Faculty Senate Committee
on Academic Freedom and the Professional Status of the Faculty

WHEREAS, a suspension is second only to dismissal in the effect that it has on a faculty member's career, and

WHEREAS, a dismissal procedure, authorized in the Bylaws of Cornell University (Article XVI Instructional and Research Staff, Appointment and Tenure, Section 10), is already present in the Faculty Handbook of Cornell University (Section 4.3, Separation), and

WHEREAS, the Faculty Senate unanimously passed the Job-Related Faculty Misconduct Policy (aka the Suspension Policy) in September 2006 containing the principles and procedures deemed essential for imposing suspension upon a faculty member, and

WHEREAS, the Administration has agreed to a revision of the dismissal procedure adopted by the Board of Trustees and the University Faculty in 1951, creating a combined procedure for faculty dismissal and suspension (attached below) that provides faculty facing a temporary suspension with a process as fair and protective of faculty rights as the September 2006 Senate approved Suspension Policy,

Therefore, Be It Resolved that the Faculty Senate approves the following procedure for dismissal and suspension, with the intention that it will replace the Job-Related Faculty Misconduct Policy (aka the Suspension Policy) unanimously passed by the Faculty Senate in September 2006.

**Text to be incorporated into the Faculty Handbook
(proposed changes tracked)**

Article XVI, Section 10, of the bylaws states:

“The Board shall have the right to dismiss and terminate the appointment of any member of the staff of instruction and research for failure to perform the duties required of the position which he holds or for such personal misfeasance or

nonfeasance as shall make him unfit to participate in the relationship of teacher and student. Such dismissal shall be effected through such procedures as the Board may adopt. Such procedures shall provide for reasonable notice and an opportunity to be heard.”

The following dismissal procedure in the case of faculty members was adopted by the Board of Trustees and the University Faculty in 1951 (Note: non-substantive changes have been made to phrase the policy in gender-neutral terms):

The university reserves the right to dismiss and discontinue, or to suspend, the appointment of any member of its faculties, on reasonable notice and after giving such member an opportunity to be heard, for misconduct or failure to perform the duties required of the position he or she holds.

In the case of a university professor, professor, associate professor, or assistant professor the following procedure shall be adopted to govern dismissal or suspension for the period of one semester or more:

A. When complaint from any source is made against a university professor, a professor, an associate professor, or an assistant professor which might lead to his or her dismissal or to suspension for the period of one semester or more, the dean of his or her college, or in the case of a university professor the dean of the University Faculty, shall inform the faculty 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. The dean shall thereafter report to the ~~president~~ provost the results of the investigation together with his or her recommendations. The ~~president~~ provost shall cause the faculty member to be furnished with a written and detailed statement of the charges against him or her and the suggested disciplinary action if, after receiving the dean’s report and making such independent investigation as may seem appropriate to the ~~president~~ provost, it is the opinion of the ~~president~~ provost that further proceedings are warranted.

B. If the faculty member desires a hearing, he or she shall so request in writing to the ~~president~~ provost within thirty days of the receipt of the

written charges against him or her, and he or she shall then be entitled to a hearing before a board appointed by the ~~president~~ provost and consisting of five members of the University Faculty, of whom two shall be selected by the faculty member, two by the ~~president~~ provost and the fifth by the other four.

C. At such hearing 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. If the faculty member so requests before or at the opening of the hearing, he or she shall after its conclusion, be furnished, without cost to him or her, a full report of the proceedings before the board, including the testimony taken, the evidence received, and the board's findings and recommendations. The board shall submit to the president a report of its findings and recommendations. If suspension is recommended, the president's decision shall be final; and if dismissal is recommended, this report shall be appended by the president to any recommendations he or she may make to the Board of Trustees in regard to the case.

D. If dismissal is recommended, the faculty member shall be free to resign at any time within thirty days of receipt of the written charges against him or her; but if he or she has neither requested a hearing nor resigned within such thirty days, the Board of Trustees shall be free to dismiss him or her without further notice or hearing. If suspension is recommended and the faculty member fails to request a hearing within the thirty day period described in paragraph B above, the suspension shall be implemented as recommended.

E. In the case of suspension of less than one semester, or suspensions of any length of faculty other than university professor, professor, associate professor or assistant professor, a dean's determination to suspend a faculty member shall be subject to existing grievance procedures. In cases where the Faculty Committee on Academic Freedom and the Professional Status of the Faculty is the final step in the grievance procedure, the Faculty Committee will submit a report of its findings and recommendations to the president. If suspension is recommended, the president's decision shall be final.

For purposes of this dismissal and suspension procedure, the following definitions shall pertain:

“Provost” refers to the provost or the provost for medical affairs, as appropriate. However, in the event the provost for medical affairs serves simultaneously as the dean of the college in which the case arises, the president shall receive and review the dean’s report and make the appropriate judgment about further proceedings.

“Suspend” or “suspension” means 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, whether or not it is named as a suspension. 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, or a non-disciplinary reassignment of duties at an appropriate time in the academic calendar shall not be considered a suspension. The period of a suspension shall be no less than two weeks and no more than two semesters. Except for an emergency suspension, the imposition of any suspension shall be deferred pending the conclusion of the internal review process.

“Emergency suspension” refers to the suspension by the president or his designee with full salary pending the ultimate determination of the faculty member’s case where the faculty member is charged with misconduct and his or her continuance threatens imminent, serious harm to the member, to others, or to property. The scope and duration 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 suspension procedures.

“Faculty” refers to full-time faculty members as described in the University Bylaws.

Faculty Senate Approval
By UFC 5/10/07