

MINUTES OF A MEETING OF
THE UNIVERSITY FACULTY SENATE
WEDNESDAY, FEBRUARY 11, 2009

Speaker Steven Beer: “ I would like to remind the body that no photos may be taken, no recorders may be used. I ask all members and visitors please turn off or silence all cell phones. I ask all persons who wish to be heard to please stand and identify yourself with your name and your department. At the moment we have no Good and Welfare speakers. I call on the Dean of Faculty, Bill Fry for remarks.”

1. REMARKS BY THE DEAN

Bill Fry, Dean of the University Faculty: “I would first introduce Karen Lucas who is the contact for the Dean of Faculty office, Karen will be the person you will interact with.

“I would also like to indicate that the President has involved the Dean of Faculty in a majority of senior staff meetings concerning budget issues. As recommended by the faculty governance committee, the Dean of Faculty has participated in some of the senior staff meetings and I assure you that the senior staff is occupied fully with the budget situation, which Provost Fuchs will describe to us.

“Also I want to convey that the Provost has asked for suggestions concerning the role of the University Faculty Senate in addressing budget-related issues. I will be meeting with the UFC and FPC as quickly as possible so that I can get a report back to Kent by next week. If any of you have any suggestions please send them to be as soon as possible.

“I should also say that today is the last day that we’re going to have refreshments. We are taking a hit like everyone else and the budget is going down so eat hearty today.

“I would like to make some comments concerning the calendar. The Educational Policy Committee is considering a change in the University Calendar. The situation is that fall orientation will be shortened by one day. The EPC recommends that classes start on Wednesday instead of Thursday in the fall. This would add one day to the fall semester, which is shorter than the spring semester. Additional options are that we start classes on Wednesday and we get Labor Day off or we get Labor Day off and treat Friday as Monday (if that makes sense) or we get the Wednesday before Thanksgiving off or we get a longer fall break or some other alternative. There is a letter from Georg Hoffstaetter to the community describing the situation. He is chair of the Educational Policy Committee. Please email Georg at gh77@cornell.edu with your comments. My

personal view is that this is a very small issue concerning a single day. I also believe that Cornell's academic calendar is troublesome and I would be really interested in a much broader review of the calendar, but that's going to take more time, so the focus of the EPC this year is on a single day and if we can resolve that I would like to initiate a discussion about a broader less difficult calendar. Those are my comments to you today."

Speaker Beer: "Thank you Dean Fry. I now call on Associate Dean Brad Anton for a report from the Committee of Nominations and Elections."

2. REPORT FROM NOMINATIONS & ELECTIONS COMMITTEE

Associate Professor Brad Anton, Associate Dean and Secretary of the University Faculty: "Thank you. We recently appointed some people to fill vacancies on Faculty committees and I have a list of them here (Appendix 1, attached). Also we are putting together a slate of candidates for the upcoming Faculty election. We have candidates now. We are working on the ones I sent you in the mail. We will have another mail coming to you soon asking for nominations only to faculty senators as we seek nominations for people to fill vacancies on University Faculty Committee and once that is known we will have the Faculty election in April. I thank these people for being willing to serve and I thank you also for giving us the nominations. I ask we approve this report."

Speaker Beer: "The report is up for approval by the Senate. Any objections? Report is approved unanimously."

"I now call on Provost Kent Fuchs for remarks."

3. REMARKS AND DISCUSSION WITH PROVOST KENT FUCHS

Provost Kent Fuchs: "Can we turn off the projector? I know it's hard to hear this, but I'll speak loudly so you all will hear. Can the students in the back hear? I've been to many Senate Meetings, but I've never seen standing room only. My comments are going to be directed to the Faculty. I know there are members of press, there are a lot of students here and others but the comments are specifically targeted to the Faculty. Bill and I had a conversation about if we should exclude other members, and I'm just not comfortable doing that so, Faculty, welcome to the Provost's discussion."

"I am going to be very, very frank with you all about the state of the budget and most of my comments will be about the budget and the state of Cornell's financial situation and what actions we're taking. We are going to set a tone for conversation that will endure, hope will endure; the entire time I am Provost. In the end I am going to call on your help as Faculty to work together with us in getting ourselves out of this situation that

the world's economy has put us in. What I would like to do is accomplish several things.

"One, I want to briefly mention the past, where we are and how we got here. Interim Provost David Harris came to you all back in the fall and gave a wonderful set of slides that many of you may remember, talking about the curves and data and tables. I am not going to show PowerPoint. I am a PowerPoint guy, I love PowerPoint, but that is not the purpose here. The purpose here is to have a conversation that is frank and engaging and yet informative so I thought that I would do it without a lot of PowerPoint. Bring me back and I will show you my PowerPoint.

"What I want to do is inform you. I secondly want to engage you. There will be two messages around the state of our finances, and they are conflicting. One is that the situation is grave. We are in a crisis. If we do nothing, mind you the state of the institution is at risk. The other message, which conflicts completely, is that we have amazing assets. We are in good stead in all respects and we are going to do really well, so you have got to sort of keep those conflicting messages together.

"You have heard through the emails and open forum that President Skorton has had with Faculty, staff and others that we are facing a budget deficit, not a debt but a deficit that represents about 10% of our budget. I don't think many of you heard what the real number is. The overall budget including the Medical School is \$3B, including the Medical School's and I am going to use round numbers so these are not precise but they will give you an order of magnitude within 10 or so percent precision. The annual budget is roughly \$2B; a bunch of that is research and other things that the Provost doesn't have the ability to cut or correct. The unrestricted budget is roughly \$1.2B, a little bit more than that. That includes my salary, includes you as Faculty. I think of that as restricted but on a budget perspective is unrestricted. You take \$200M which is our budget deficit, \$200M per year and on a \$1.2B unrestricted budget that gives you an approximate percentage of the challenge that we're facing - 16-17% of the budget correction is needed for the future.

"The fact is, due to a number of factors. Interim Provost David Harris shared this with you and I want to share it again with you briefly from a different perspective. The endowment has dropped significantly, and, we have a rule as you all know (that) governs the endowment payout. That payout rule will come into place and we will have an endowment reduction of roughly 30%; that's coming. That represents for us in terms of our budget here in Ithaca about \$70M+ per year contributing to that \$200M; so that's about one third of the need that we need to address.

"Many of these problems that I have mentioned to you are ones where time is on our side if we don't destroy the endowment. In other words, at some point, we hope, we expect, the market will come back, the endowment will come back and the balance that

we have to employ as financial stewards of the University is not to make or take Draconian actions that are going to erode the academic excellence of the institution but yet take actions that will correct the problem and preserve the excellence as well, so we're balancing both of those. So an endowment drop of about 30% in terms of payouts which will result in about \$70M of less funds in either of our colleges and other central facilities as well.

"The second is the loss of income to the institution, and you can think of this in many ways. The way I think of it from the Provost's perspective, and you probably have not heard this before is there have been, for 25 years, philanthropic gifts in particular from one special friend of the university. These gifts have represented \$25-50M per year. Much of that has been at the discretion of the Provost, and so for about 25 years we have had a process where we have had a mechanism to fund initiatives that we have created, and we have all benefited. The beneficiaries ranged from students, to faculty, to departments, to colleges. But those gifts are no longer here. They ended a few years ago and we no longer have \$25-50M discretionary funds in the Provost's Office that we used to have. I had lunch with Mel Nesheim, and he said that when he was Provost many years ago he always dreaded the time in the Provost Office when those funds would go away. Well, they're gone, and we have to adjust our expectations in our budgeting around the loss of those funds.

"Coupled with that, as those funds went away, the market was at an all time high and so we were using the return on the market at an all time high to fund those initiatives and that all stopped in October. So that is a real loss of income and it will change the way we make decisions and the way we adjust our institution for the future. We have had a lot of academic initiatives and priorities in the past few years that we rely on those funds and we rely not just on those funds but expectations for the success of the campaign so we have spent \$650M of the Life Sciences Initiative and the expectations of success in fundraising in the endowment and we have had the tendency, I did it as a Dean, of creating initiatives that rely on success in fundraising, which no longer can we make decisions in that manner, and these are all wonderful initiatives that we have created, but they are ones that were the President's mid-term future; as long as I am Provost, we just can't count on those funds coming in as we make those decisions. We don't have the funds as part of our budget. |

"What we are doing is addressing those challenges. In the past six weeks, I have been in the Provost's Office now for 42 days, and in the past six weeks, what I want to do is to tell you what we are doing and tell you what we have not done and tell you what we have to do for the future. So the past six weeks there has been enormous engagement with the trustees. President Skorton is talking many times per day with the trustees to the chairman of the trustees as well as well as the normal duties in fund raising and being our president of the university. There is enormous engagement by the Trustees. I think appropriately so, many of those are investing hundreds of hours per month, many

hours per week, some of them for days, helping us make decisions about the endowment, helping us make decisions about financing and cash flow so we can right the ship from the financial perspective and it's just been phenomenal for me to observe, the past six weeks how those that are friends and the alumni of the university are investing their time in helping us and how everyone, including colleagues in this room are working together to help solve the problem.

"In the past six weeks there has also been an unusual speed in the decision processing as you might imagine. We have had to make decisions to create a budget using a process that we will not use in the future and we could not use in the past and the reason for that is the markets have changed dramatically since the beginning of October and the size and scale of the problem became revealed to us in October. So we had about two months to understand the problem and from my perspective, six weeks to try to address the budget for this coming year.

"So what have we done for this year? We released yesterday the budget cuts for all of the deans, all of the vice presidents and we are addressing slightly less than a third of the problem this year: \$200M problem and this year we cut the budgets across the board uniformly for all deans, all vice presidents. \$60M we extracted out of the budget and it isn't a matter whether you are a college, a contract college, or you are general purpose, whether you're President or the Dean of the Faculty, everybody's getting a budget cut that (is) roughly 5%. The President, his budget is down 10% including his personal salary. The Provost's office is down 10% as well. The Provost's office, just to give you an idea, represents about \$2M of budget cutting.

"Some of that is funds that the Provost has to give back to the colleges, so these cuts don't just influence the office, but they influence the initiative the Provost can deploy this coming year. What else have we done? We have frozen salaries of all the Faculty and staff, except for the lowest paid staff and Vice President Mary Opperman has created an initiative for a one-time bonus for the lowest paid staff, which you may have read on the web, and you know from President Skorton.

"Our expectation is that next year there will be salary increases for Faculty and staff and that is our goal as we do budgeting process but we will resume what we call our SIP program at Cornell for both Faculty and staff, but at this point there is none for this coming year except for the one-time bonus for the lowest paid staff. Graduate students - your stipend is going up. You are the only group across the whole university that is getting an increase in stipend.

"We are also doing the most controversial point of our correction this year and that we are doing what some deans refer to lovingly as a reserve sweep. We have a \$600 and some odd million dollars of reserves across the university. Most of that, about a half billion dollars of reserves are in the colleges. These are committed reserves. College of

Engineering has \$50-60M of reserves, and those are reserves that I know each year help make tough decisions that help the Dean of Engineering set the money aside for purposes for specific projects. But what we are doing is we are going out and taking pieces of those reserves, not specific accounts, but we're giving bills to each one of the colleges, each of the vice presidents, and the correction this year for the reallocation this year reserves represents \$75M. We are taking 30% of the central reserves, which are controlled, by the Provost and the President, so 30% of our reserves are gone. They are allocated so that represents \$50M. Then the other \$25M we are taking from the \$500M that are out in the colleges. We are not looking at any individual new faculty accounts, start up accounts, none of that, but we are sizing up the size of the amount of the bill agreed to the college and the vice presidents based on the reserves in the departments and colleges overall.

"Next year, so will all be shared with the deans and vice presidents, the budgets for all the colleges, for all the reserve accounts and when they look at that as they did yesterday, they will see there is quite a differential amount of reserves we're taking from different colleges and is based on ability to pay. We have to do it again next year, and then we will be done with this taking of reserves.

"We are doing \$75M this year; we have promised the Trustees. They have basically demanded that we allocate another \$75M next year. It is not clear what we would use next year for sizing the amount of reserves that we have to reallocate in the departments. It is unlikely it's going to be on ability to pay. It is most likely that it will be a bill based on some other metric - the number of Faculty, the number of staff, I don't know. We won't use the same allocation as we did this year for the reserves.

"I would love to discuss that, as it's the most controversial of what we've done in the Q&A if you want but it's a necessary part of what we're doing. We are taking of that \$60M in budget cuts which represents about 5% cuts for all units. We are re-allocating \$10M of that so we are reinvesting \$10M and these don't necessarily represent at this point the academic priorities of the institutions. They represent the needs of some critical units that have budget challenges that we would not, would be aggravated if we did not reinvest. So examples, in fact ones that we're reinvesting at this point are in continuing education and the College of Veterinary Medicine. We taxed their hospital so we need to reinvest there.

"We are reinvesting in Art and Architecture Planning. We're asking them to balance their budget, which has been underfunded for many years. We will reinvest in research. We will probably need to reinvest in fund raising, Alumni Affairs and Development if we are going to grow out of this and then there is another roughly four or so million dollars that has yet to be determined in the reinvestment.

"We also raised tuition. We raised room and board. Room and board went up about 4%. Tuition on the endowed side went up 4%. Turns out that's the lowest increase in tuition, percentage wise, since 1966, but means a real sacrifice by students and staff who have children and its 7.2% increase on the contract college at the undergraduate level.

"We are in the process of doing, probably for me, something that is the most painful. We're looking at commitments that we made from the Provost's office, ones that we think put the institution at risk and we're re-negotiating and in some cases negating some of those commitments, so we're reducing many of those long term commitments like 5% or 10% and these are commitments that are made by us to departments or sometimes to individual Faculty for retention purposes that this institution could not bear for the future. So we are going to, in individual cases, and we are looking at commitments that we have made over the past 10-20 years that I think just have to be renegotiated. So that's what we've done in the past six weeks, a lot of fun.

"What we're doing now, as Bill just mentioned, as of this week since we've just issued the budget cuts is the long term planning process. We have solved about a third of the problem, a little less than that, \$50M have gone to the budget deficit problem. We are going to take about \$35M out of the endowment to help with financial aid so that's a part of this \$200M problem. We're looking at the methods for doing that so that will be on a reoccurring permanent basis. Eventually we need to reinvest in the endowment and financial aid because that take out of the endowment, I don't think is sustainable but for now that helps us to address the problem.

"So there is a remaining roughly two-thirds of the problem that we need to address as Faculty and now is the time for us to work together. We have got about nine months to come up with a plan of what we're going to do for the next two years. Not about the finance problem, we know how much we have to correct, but now the question is how are we going to correct it. We have the finance part of the institution and the alumni and others that are helping us with cash flow and helping us to borrow, to manage the cash flow and use of the endowment but really rely on us as Faculty and academics to decide now how to address the problem.

"Remember it's 17% of your budgets in your departments that are the piece of this that contribute in some sense to the challenge that we all face. Seventeen percent of the entire \$1.2B unrestricted budget.

"I am going to come back to that, the part about the planning because I have asked Dean Fry to help us and the time is short. I have to report to the Board of Trustees at the end of the first week in March - March 6th and March 7th - about the process that we are going to use to plan. Part of the planning is budget planning. Part of it is academic planning and part of it is institutional planning so the President will be involved, the vice presidents, the deans, the department chairs and virtually every academic

department, but the time is short but the hope here is that you all have been thinking and planning already. The circumstances are different in the next five years. For the next five years, my term as Provost, we are living in a different world than we lived in October of last year. What we need to do is to decide how we are going to adjust as departments, institutionally, in all areas across the university to correct the budget and then to begin to re-grow ourselves out of this in roughly 2½ - 3 years.

“So we’re going to go through a process in three years. We have finished year one in terms of budget cuts. We just did it yesterday. Now we have two more years of budget correction and we need some significant planning. The kinds of planning that has to take place have to do with the size of the student body. It has to do with the size of Faculty. It has to do with how we invest our resources and facilities – it’s just all aspects of this university. The most strategic part of this I think is how we restructure as a university. If we do nothing, there will be another memo from the Provost in 11½ months, having another cut of this magnitude centrally distributed out to all of the colleges but frankly, I don’t have much interest in that. I think we have to think very, very carefully about what we want to look like as a university from central all the way to individual areas within each department. If the risk we have is the largest, let me say it in a different way, is that we as faculty will absorb our cuts by just people retiring or leaving and what that will mean in some departments they will lose half their faculty in this process because there will be hiring in certain departments. Other departments will lose no one – that is not the strategic way of managing what we’re doing. We have to think what it is, how we want to restructure it as an institution and that’s up to you all and that’s up to the entire Faculty and the deans and department chairs and then we have to manage the budget to achieve those goals.

“There are many parts of the institution that are not going to change in this process. We are going to focus on excellence in teaching and scholarship. That will drive every decision and I recommend that that drive your decisions as you may plan your own departments and schools and colleges. We have to have aspirations that will endure beyond the current challenges. As I said, I think in three years we’re going to be reinvesting in significant ways and major areas and we’re going to preserve Cornell’s unique character. This is the place that you love and I love and it is a place that our alumni love and our current students do and this is a place that is unique in all aspects of its breadth and the areas that we work and its excellence, and we will maintain that and we will support it and invest in it. There will be investments as we move through this process of cutting. I talked about this \$10M that we are investing from the cut. Remember that this is being balanced by faculty searches being stopped across the university, projects being halted, us resizing, renegotiating commitments in the midst of all that there are going to be reinvestments. There have to be. There have to be investments in faculty hiring. There have to be investment in financial aid as we just have and there will indeed be the facilities that we will reinvest in as well.

“There will be a change in behavior, I believe, as we make decisions. We rarely make decisions that centrally where we ask about the opportunity costs. It is typically based on whether something is a good idea. But we can no longer fund all great, wonderful ideas. We will have to talk about the opportunity costs. We have to have a sustainable budget model for any new initiatives that come forward and those sustainable budget models cannot rely on the campaign as it has in the past. That has typically been the way that we have said we’re going to fund things. Any proposals that come forward and talk about raising an endowment to sustain the initiative, it’s unlikely to be funded for the future. We have to no longer think about funds as being restricted in certain areas. We often think about funding in one area as being no cost while funding in another areas is shared by all of us, all of the initiatives across the university are part of Cornell. Whether it’s a building or whether it’s the New Life Sciences initiative or whether it’s Gannett or anything this is all part of our future and we should all share in the debate and decide what is the highest priority.

“We are going to change the budget process. I mention that we have now shared with all the deans and vice presidents, with Dean Fry, with the Vice Provosts, the spreadsheet that shows three pages of all the income for every college. The infamous CAM charges, the overhead returns, F&A, all the income, all the expenditure for all the colleges and we’re improving the budgeting process that takes into account our unique structure of contract colleges and endowed colleges, and somehow we get a system to manage it in a way that provides incentives but also allows us to realistically invest in the areas that are important and do it in a way that’s transparent and also a way that also reflects our priorities as Faculty. I am almost done, how much time do I have left?”

Speaker Beer: “At this point you have approximately eight minutes for finishing up and discussion.”

Provost Fuchs: “Give me one more minute.”

Speaker Beer: “We can devote two more minutes to your remarks and discussion.”

Provost Fuchs: “Thank you Speaker Beer. I have just one last page. Meaningful remarks again to the Faculty. First I want to express my thanks to the colleges. We are going to have three years of challenges. We really are, but I know from being a colleague here that this is an institution where we as a Faculty will not only lead we will also work together. We won’t think of our own areas, research education and scholarship. We won’t think of our departments or our colleges; we’ll think of what’s good, best – the very best – for the whole institution so I sincerely mean this, I really thank you for the sacrifices you are making and for the time and energy and collegiality of the future. I already mentioned a couple of times that we have to start a planning process, and what I need very simply from Dean Fry is what is it that we should plan?

How should we plan it? What's the process that we could engage, and thirdly who should be involved? What representation from the Faculty Senate? What representation from the colleges as well as the rest of the University? We are all going to participate in this process. When you have a 17% budget correction on a \$1.2M unrestricted budget, not 17% across the budget but 17% unrestricted, there is no way to hide. Don't think that your department or your unit will be protected – there is just no way. In some sense it's liberating – the challenge is so daunting that I know as David Skorton has told me, I will have no friends left because we are all going to be touched here. We are all going to have to reduce expenditures as we grow ourselves out of this challenge as President Skorton says. All of us will sacrifice. We are starting with salaries. We are starting with each unit – taking a 5% budget cut across this whole university and then reinvest in the reserves, but there's no where to hide and it frees us up. It allows us to think in ways that there is no other situation that I can think of that would enable us to think in a more creative way or force us to as we think about the future.

“I want to conclude by thanking a couple of people. I thank you all as Faculty, but there are others across the institution – the ones that I have been working with most closely within Day Hall and some of them were there before I was, obviously. But we have had a couple of interim people working that sort of dropped into this situation. One of them is our Interim Vice President for Budget and Planning, Paul Streeter. The other is David Harris who was the Interim Provost. He dropped into this. Paul works about 90 hours per week literally on behalf of us as academics and David Harris did a spectacular job last semester. So, thank you Paul.”

Speaker Beer: “Thank you Provost Fuchs. Will you welcome questions? Before questions, I would like to remind the body that only members of the University Faculty may speak at the University Senate Meetings.”

Professor Muawia Barazangi, Earth & Atmospheric Sciences: “To increase the income, what are the main problems in increasing the percentage such as students?”

Provost Fuchs: “One way to implement our budget correction is through increasing revenues. It is not just cutting fortunately. There are many creative ways of having new revenues. Much of that has to do with the educational program. There is a piece of it that is research and there is a piece of it that has to do with the New York State as well. Much of it has to do with students. I have been calling our provosts colleagues around the country and introducing myself, and they are all facing similar challenges on a very similar scale. They all have their own nuances and try to protect their private information. Some of them believe that increasing particularly the undergrads enrollment doesn't really help you financially. So this is a part of our challenge in the next few months is deciding what size should the undergraduate population be. It is not just revenue; it's workload on faculty. It is the student life. Learning experience.

North Campus. West Campus. But there are other areas. There are the masters programs. There are the Ph.D. programs. There are ways that we as Faculty – these are the areas the Faculty will decide what we want to do in this area.”

Speaker Beer: “The gentlemen in the light blue shirt.”

Hotel School -- “I want to know what the basis is of your belief that this economy and therefore the problem will solve itself in three years?”

Provost Fuchs: “It is just a simple naïve optimism. That is all it is. I just cannot endure more than three years of budget cutting. People are going to start spending and there are economists in the room so yes.”

Professor William Arms, Computer Science: “You said something about building. Some building projects have been postponed; some of them cancelled. Some have been given the green light and what is the criteria used and how is this being decided?”

Provost Fuchs: “The question is about the facilities. We have literally, I think, billions of dollars of needs in facilities across this campus. Funds come in from a variety of resources. Some come in from NYS. Some come from alumni donors and then we debt finance. Almost every building has some component of debt financing, which I think many Faculty don’t understand. If we didn’t do debt financing you wouldn’t see hardly any buildings going up. The criteria that was most accurately described in an editorial in the Sun yesterday by Vice President Steve Golding and I think, I don’t want to repeat that; but there is a whole set of criteria about the priority. You look at our needs that we have, you go through the list for example, Olin Library. We need to invest \$50M in Olin Library – most of it will have to be debt financed, but if we don’t we have to shut down the stacks. Which am I going to do? I am going to invest in Olin Library if I’m asked about what the option is. There are safety issues; there are academic priority issues. There is the ability to pay when it comes to a college and it’s the Trustees right now not the Faculty are the ones that are saying be careful of any investments and they are the ones that we’ll have to work with the most closely to convince them to allow us to do anything. The Trustees wanted us to capture all of the tuition revenues centrally this year. We didn’t do that. We allowed some of the tuition increases to reside in some, not all, of the colleges and the schools. The Trustees are being very aggressive.”

Speaker Beer: “Gentleman in the Bow Tie.”

Michael Reich, Mechanical Engineering: “Is the joining of reserve funds based on the ability of department units to pay, isn’t there a risk that or a tendency”

Provost Fuchs: "Yes and that's why we are not going to do that next year. The colleges this year that had the largest reserve contribution was Veterinary Medicine – wasn't any of the big colleges. The second was my colleagues, College of Engineering that had the second largest. It was all based on ability, from our perspective, on ability to pay. Understand there are no uncommitted reserves in a college, speaking as a Dean. There all there for a purpose and put aside based on good management for some specific purpose and what we're saying is the institution is at risk and we're going to reach in and take from that half billion in reserves in the colleges and vice presidents and re-allocate it to the problem we have and we're taking a third this year, 30%, of the Provost's reserves which frankly you want us to keep those reserves for critical things like paychecks so next year we won't do it based on the ability to pay but there will be a bill that we will send to Engineering College, I apologize, for your contribution. Then we will be done taking reserves."

Speaker Beer: "Peter Stein."

Professor Peter Stein, Physics: "There is a part of this that I don't quite get that was brought up by the gentleman from the hotel school's question. Your model is that in three years the Dow will be back."

Provost Fuchs: "No."

Professor Stein: "Well, when you say it is over what do you mean exactly?"

Provost Fuchs: "It means that we have a \$200M+ budget problem and that has some assumptions that my colleague Executive Vice President Steve Golding could explain to you better than I about return in the endowment. We are modeling specific returns in the endowment. We are not saying it's going to be back to where it is now, but we are saying, we're taking actions now that will allow the budget to be stable. It is going to take more than three years but my actions, in terms of cutting and reallocation of reserves and endowment payout for us, that I am looking at from a three-year time limit. Will it actually take longer than that? And we are not expecting the endowment to come back in three years."

Professor Stein: "The reason I ask the question is it seems to me that one way to look at this is to make various assumptions. What are we going to do if in fact now the Dow is going to be at 8K for as long as we are all alive, then what? Does Cornell go down the sinkhole? Probably not, ok. What if it comes back in three years? What if it comes back in five years? And then make some kind of an estimate as to whether we are eating ourselves faster than we need to if indeed one believes that 8 years from now it will be back. I don't know how to phrase the question but somehow I think that should be part of the plan."

Provost Fuchs: "It is, It is, Peter. What we are not doing – believe me we are not going to take Draconian actions. We are assuming, this is an optimistic model and if things are more optimistic they turn around faster than expected, we will stop cutting in year three. Our colleagues are doing the same thing. I just spoke to the MIT provost two weeks ago. They are doing \$50M a year in budget cuts and they are not going to do year three if the Dow comes back. You are right – a lot of this has to do – each year we're going to have to re-adjust the plan. I agree with that, depending on the stock market and depending on the philanthropy that year but I have to trust my colleagues and all of our alumni that are on the finance committees. The Trustees would give us good guidance. But I don't think we are cutting more than we should."

Speaker Beer: "Brad Anton."

Professor Anton: "Seventy-million of this budget deficit comes from the payout from the endowment. That is the part that is directly related to the market, influenced by the external economy. The other \$130M that is in this deficit must be some ongoing problem."

Provost Fuchs: "Those are commitments."

Professor Anton: "Commitments? We have over-committed and reading in between the lines it is like I perceive that you have discovered that we have been operating by over-committing."

Provost Fuchs: "It not between the lines, it is very clear."

Professor Anton: "Even if the economy does not crash around us, we would still have \$130M deficit problem to solve now because you discovered it, right?"

Provost Fuchs: "No, I didn't discover it. It was discovered before me."

Professor Anton: "It was discovered? So, if that's true, can you explain that?"

Provost Fuchs: "Sure, Sure. It is not that it's simply two pieces. One is a drop in the endowment and the other is a drop in revenues, and that is why I mention this, this reliance we have had on philanthropy. One donor gave us a half billion dollars over 25 years, much of it at the discretion of the Provost, and so that is what has disappeared so yes, we had overcommitted but its over commitment based on expectations of the future, you understand that? It wasn't just that we were spending money, we had expected that the development, the campaign would be a billion dollars more now in the campaign so it wasn't just over-commitment it was over-expectation about what we would achieve in the future for new revenue and it was the loss of gifts from an anonymous donor."

Speaker Beer: With that, Provost Fuchs, thank you very much for your comments.”

4. APPROVAL OF THE MINUTES

Speaker Beer: “Approval of the Minutes of the November 12, 2008 Senate Meeting. Minutes were distributed to Senators by e-mail. Any objections or can the minutes stand as distributed? Here and now the minutes are approved as distributed.

“I now call on Professor Howie Howland to give a report of the University Faculty Committee.”

5. REPORT FROM THE UNIVERSITY FACULTY COMMITTEE

Professor Howard Howland, Neurobiology and Behavior: “Brief report concerning the reporting and distribution of Senate minutes. Until a meeting of November 12, last year, it has been the policy of the Senate to post minutes of its meeting on the Senate website, however earlier in the fall, some remarks of the Acting Provost that were recorded in the minutes were accessed by persons outside the campus community and appeared out of context in the public press. Thus, in order to prevent such incidents in the future, the minutes of the last Faculty Senate meeting were distributed by e-mail to Senate members. The UFC would now like to solicit your opinions on rather this or other policies that would ensure increased privacy should be adopted. We have three possible types of records of the minutes:

- 1) Tape recording of the meeting, which is going on now
- 2) Complete transcriptions of such recordings, which we have done up to now
- 3) Minutes in a summary form, which we have not done but could do.

“There are at least three ways of disseminating the minutes:

- a) E-mailing the senators and other meetings participants, as we did this last time
- b) Posting the minutes on the web with password restriction to Faculty and administrators
- c) Posting summary minutes on the web open to the group that had access before
November of last year, a much wider group.

“The major factors of importance here would appear to be:

- i) Keeping an accurate and accessible historical record of deliberations of the Senate

- ii) Giving timely access to the Faculty and administration of current Senate deliberations;
- iii) Preventing the limitation of discussion due to fears that one's words may be taken out of context or that they will reach an unintended audience.

"So we have a little bit of time for discussion. If you don't want to express your thoughts now you are welcome to e-mail me or Dean Fry."

Speaker Beer: "Would you like to take questions from the body?"

Professor Howland: "Yes."

Professor Risa Lieberwitz, ILR: "I think that this is a problem that does not exist, that you are describing something that I can't see as a problem. I think the last thing that we need is to impose restriction on information that (the) University is a place where we can open discussion we are having now and once the minutes are approved I don't see any reason for restricting them, it seems to me that we should invite more debate and there is always the risk of one statements being taken out of context, someone else's point of view, I think this is a very bad idea to restrict access."

Professor Howland: "Thank you for these comments, I think the feeling of the UFC is that what we did not want was to restrict the communication between the administration and the Faculty and if administration becomes so cautious that they don't really want to tell us what is going on that would be a bad thing. Now whether or not that is a realistic fear or not, it certainly was back last fall, but that was the feeling of the UFC."

Professor Richard Helms, Physics: "I would like to agree with the previous speaker, the more people that hear what we say, the better off we are."

Professor Lieberwitz: "It seems to me that the logic of what you are saying would then say that well whoever was here should not be able to tell anyone what was said, I just don't see the logic of basically what you are saying is that information should be confidential based on this very large definition of people who have access so what is the difference of what you are saying and telling us whatever the administration tells us or anyone else it shouldn't leave this room, I am really baffled."

Professor Howland: "Speaking for myself, I do see a difference between somebody finding something in print and taking it out and giving it to a newspaper and somebody repeating something they heard in a meeting, but that is my own particular opinion on this. I think some of my colleagues from the UFC share these same feelings."

Associate Professor Nicholas Calderone, Entomology: "Can you give us an example or some type of information that we would discuss in this forum that shouldn't be made public."

Professor Howland: "I could imagine some but wouldn't want to say it in a public place."

Provost Fuchs: "As with every decision, leave it open here, there are students here, there are staff here. About a month ago, I probably would not have been free to share with you the extent of the financial challenges. If this audience was not just Faculty, it sends a different message to staff when they hear about budget problems we are facing, there would be financial details. As you see I did not make that call, I did not ask that this be limited to Faculty. I think there can be times when you do want the meetings to be confidential to Faculty. Not this one, but there could be."

Speaker Beer: "Thank you, and thank you to Professor Howland."

6. RESOLUTION OF PAUSING MILSTEIN HALL

Speaker Beer: "I now call on Professor Abby Cohn for introduction of the resolution."

Professor Abby Cohn, Linguistics: "The resolution before us today grows out of a concern shared by many faculty members regarding the impact of continued debt financing of new construction at Cornell. We applaud President Skorton for his considered action of creating and then extending a construction pause to address this issue and other dimensions of the financial impact of planned new construction. I would like to take the next couple minutes first to speak briefly to the original resolution (Appendix 2) before you, (which is) endorsed by five members of this body, I would also like to explain why the endorsers of this resolution and Senator Tim Mount propose to put forward the new resolution which was circulated yesterday. I will then ask the Speaker and our Parliamentarian to advise us on whether we can or cannot pursue the adoption or the discussion of the new resolution and if not how we might proceed. I was told one thing yesterday and another about three minutes before the meeting, as our bylaws have been interpreted differently, so I don't quite know where we stand; but why don't we cross that bridge when we come to it. First, I would like to say very clearly that this resolution is neither for nor against Milstein Hall. The resolution is about process and making the best decisions that can be made in these extraordinarily difficult financial times. It focuses on Milstein, but the issues apply to all capital projects, current and future. What it calls for is that Milstein Hall, projected to cost an estimated \$54M at least, still in the design phase, and with an anticipated funding gap of an estimated \$25M or more be included in the construction pause. And that the time thus afforded be used as an opportunity for careful review of the current

design to address both financial concerns as well as issues of the sustainability. With Vice President Golding's statement in yesterday's Sun and I quote, "The pause affects all capital projects, except those already under construction at the time of the announcement or for which state funding has been provided. The list of projects affected by the pause include Milstein Hall as well as the Humanities Building, Gates Hall and Olin Library and many more projects."

Professor Howland: "Mr. Speaker, I am sorry but we don't even have a motion on the floor, we don't have it on the screen, and secondly we are getting a speech without a motion on the floor. I really don't like this. Would the speaker kindly move the motion so that we can address it."

Professor Cohn: "I am happy to do that although I have never been asked to do that before. I would like to move the present motion so that I can address it."

Mr. Speaker: "Move it. Motion is seconded. Would you kindly address the motion?"

Professor Cohn: "The pause has been extended. We understand the first part of the resolution--as is stated here--to have been addressed and we welcome this news. The process of review afforded by the pauses addresses or offers the opportunity to address our second clause. We call upon President Skorton, the Capital Funding and the Priorities Committee, and the University Trustees to use the time thus made available to re-evaluate the current plans to ensure that this building addresses the current and future programmatic needs of AAP, while balancing the financial constraints and sustainability objectives of the university as a whole. Which thus leads to conditions under which a project might proceed, again as stated by Vice President Golding in yesterday's Sun. Once the review of these projects is thoroughly completed, President Skorton will consider a recommendation to proceed on a given capital project provided that the following conditions are met. A capital project must be deemed critical to either the mission of the University or life and safety of the campus community and it must have an approved funding plan with the appropriate resources identified and available". With regard to the first condition, we do not believe that an assessment of the programmatic needs of AAP falls within our purview and we in no way question the needs of AAP to maintain their accreditation, to bring their facilities in compliance with ADA codes to have appropriate studio space and to meet their programmatic needs more generally. The question we think should be addressed as now afforded by the pause is whether these important goals can be achieved in a way that does not necessitate debt financing from the general operating budget of the University and which addresses Cornell's current sustainability guidelines, not yet in effect when the building was originally designed. We do dispute the assertion made by some, that Milstein and any other project for which debt financing is required is "fully funded" and therefore exempt from the construction pause. Since Cornell's financial problems have been exacerbated by the wide-spread practice of debt financing, continued debt

financing is of serious concern as our Provost has discussed with us earlier today. It impacts all aspects of university operations and directly contributes to the need for the 5% or more budget cut all units are absorbing for next year and will influence how big the remaining cuts will need to be in subsequent years. We believe that the issue of what constitutes “full funding” and on what basis debt financing is used to fund new projects warrants a broader discussion than the framing in our original resolution and that is why we have brought forward a new resolution. At this point I will turn the floor over to the Speaker to address what it is that we should be discussing.”

Speaker Beer: “At this point the motion (Appendix 2) on the screen is before us, Senator Cohn has spoken in favor, and it is now appropriate to have debate and will hear first from a Senator or member of the faculty who wishes to speak in opposition to the resolution and then we will go back and forth hearing from speakers pro and con. If you would kindly wait for Emeritus Dean Walcott to deliver the microphone to you, then we will all be able to hear you much better. Is there someone who wishes to speak in opposition to what I should call the Milstein Hall Resolution?”

Dean Kent Kleinman, Gale and Ira Drukier Dean of Architecture, Art, and Planning: “I am new to Cornell, so I don’t know you and you don’t know me. I appreciate this opportunity to address this motion, although this is not the preferred way I wanted to introduce myself to this community but that was not my choice. I also want to preface my comments by saying that I was not sure if this motion would actually be discussed or if the subsequent motion would be discussed. Since it seems to be the case that we are talking about this one, I would like to offer a little perspective.”

Speaker Beer: “Perhaps I can clarify at this point we are discussing the merits of the resolution that is on the screen, it seem highly unlikely that the alternative resolution will be fully discussed at the meeting today.”

Dean Kleinman: “Okay, thank you. My interpretation of comments to the Cornell Sun was that there are three areas of concern that the Faculty body has. I have to say parenthetically that I didn’t see the motion coming because I didn’t understand the degree to which the project was not communicated to the Faculty in the past; I think there is a great degree of lack of communication that I hope will be corrected.

“I inherited this project, so I want to make clear that it was not a design or program that I invented or knew. I do know that for the last decade the College of Architecture, Art, and Planning has suffered with inadequate facilities and has been anticipating rectifying them with a new building. This building has a long history. It has had many designs, as many of you know. I now know about them as well, and I wanted to simply say that the design that we have and the urgency of building it is very real for us. I fully recognize the conflict that the Provost has laid before you today, so I don’t mention these things lightly at all.

“I have spent a good deal of time over the last two weeks speaking to the Accreditation Board. We are in extreme danger of losing our accreditation for our Architecture program if we do not satisfy our facilities needs. I know there is some question of what that means: we have committed to the accrediting body that we will rectify our facilities with a new structure. They are expecting to see a new structure as a way to remedy our needs, so anything less than that is a very dangerous course to engage in. I wanted to make sure this is as clearly understood as possible.

“In terms of the programmatic needs, I think it should be clear that when you have students commuting from Esty Street back and forth to campus, and graduate students paying high fees for their tuition, we have a serious problem. Even in the absence of NAAB, that problem is extremely urgent and extremely real. I know we are in a fiscal crisis, but the problem is nonetheless very real.

“Let me talk about sustainability and finances, because I think those are the two issues that are very much the meat of this resolution. The way this building will be financed involves some debt financing – there is no question about it. It is not that we have \$52M, we do not. We are a small college with a fund-raising target of \$30M. We are very close, about \$2M dollars away from that target, and it is my responsibility to hit \$30M and I am confident that we will do that.

“Where is the rest of the money going to come from? The college is making up only \$12M of that through debt financing, but that debt financing is planned. We have an endowment that gives us money and that money is enough to fund the \$12M we borrowed. That is not an unplanned, unanticipated burden – it is a planned burden that we are committed to. Whatever the balance ends up being once the final price is known does fall to the University, and I think it would be disingenuous of me to say anything other than that. When and if this project is approved, some amount of debt funding will have to be borne by the University. I appeal to you as a Faculty body not to let the fiscal situation get so much in the way that a significant academic mission is not considered vital. I think that is the commentation that really has to be had. Yes, it will cost the University some money in debt financing to build Milstein Hall. My back-of-the-envelope numbers suggest that the burden to the University, to borrow the balance, will be on the order of 25/1000th of 1% of the University budget. So this is the order of magnitude we are talking about to give the architecture program what it needs to stay alive. That is the computation that we have.

“Let me talk about sustainability if I may please. There is a lot of conversation about rather the building is LEED certified. I am quite familiar with LEED; I am not sure how familiar you are with it. We will do our best to make this the highest certified building that it really can be under the circumstances in which it exists. LEED is not for every building. LEED measures certain things that we simply don't control – if you are on a

brown field you get points, if you are not on a brown field you do not get points. Thank goodness we are not on a brown field. So please be aware that LEED is not the only measure that pertains to the building. I think, I hope, that it is sufficient to say that as Dean of the College of Architecture, Art, and Planning, there is no way that not being sustainable is something we find acceptable. We and our Faculty are committed to building a sustainable educational facility, and nothing could be higher to us as an educational value. Whether we make silver, I don't know. We are very close, and we will know in a few weeks. I doubt we will make gold. I think we will be in the silver category, which is pretty good for a building of this program and that site. We are doing the best we can with that.

"Lastly, I just want to mention and some of you may know, the Architecture Faculty in particular are a very feisty bunch. They generally have different opinions on many things; they never agree on another architect's design. That is almost unheard of. Yet you have a letter — I believe it is open to the Senate — which 18 of our 23 Architecture Faculty have written on behalf of this project, not because they love the design, not because they love the debt financing that we will have to absorb, but because they love our students. This building is 100% for student programming. I might add that as of today, 13 of the Art Faculty have also written to encourage this body to let the President make his best judgment on whether or not this project should go ahead.

"With respect to the pause, it is my understanding that this facility is subject to the pause. It is not exempt from the pause, and if the President and the trustees determine that it is mission critical and fiscally responsible to go ahead, they will make that judgment and we will go ahead. I encourage this body not to preempt that with this motion.

"Thank you."

Speaker Beer: "Is there a person who wishes to speak in favor of this resolution?"

Professor Carol Rosen, Linguistics: "I think I can rise as a speaker in favor of the motion, since I am one of its five original sponsors. However, what I would like to point out is that the resolution which is in front of you right now, which has provoked such an eloquent defense of Milstein Hall on part of the Dean, is rendered in large part moot by Vice President Golding's recent public statement to the effect that the construction pause is in fact fully general and that all projects will be examined and considered under uniform criteria and indeed we have heard that the Architecture College will respect such a decision and go from there. Given the very recent and welcome statement by Vice President Golding, a new resolution has been drafted, and my concern is this: what can we do in order to get the better-targeted resolution to come under the consideration of this body? Would we have to suspend the rules so the new resolution could be presented today?"

“The new resolution calls for a sensible general procedure in harmony with the measures that our administration is putting in place to cope with the financial crises plus also responsible measures that would put our institution in the right with respect to environmental considerations. I am not sure whether I am considered to be speaking in opposition or in favor of the motion on the screen. My concern is to see if we can redirect our attention to the new motion which is now more appropriate.”

Speaker Beer: “Thank you, you raise the question as to whether or not the alternative resolution can be considered, and there have been many discussions between the Senate Parliamentarian, Peter Stein, myself and the Dean of the Faculty, and I would like for the Parliamentarian, Peter Stein, to address the question of whether or not we can consider the alternative resolution which was distributed to members of the Faculty yesterday afternoon at this time. Professor Stein has investigated the matter, and I have some back up data in hand if you need. “

Senator and Parliamentarian Stein: “I was first consulted on this weighty matter yesterday when Steve (Beer) sent me an e-mail, and we spoke on the telephone, and I answered him quickly by saying, well in my experience, I am not a professional Parliamentarian, but in my experience in a number of organizations that a motion to suspend the rules requires a two-thirds vote, and with that two-thirds vote, then you can do whatever you want, irrespective of the rules; I have seen that in more than one organization. Then I was approached this morning again by Steve and when I say that, I said I better read Roberts, and so I did not call him back immediately, I spent maybe 15-20 minutes leafing through Roberts, and I was quite surprised to realize that the common practice is quite contrary to the rules of Roberts. There are two things that are talked about: one is the suspension of the Bylaws and the other is the suspension of the Rules. Rules according to Roberts can be suspended by two-thirds motion, but what are Rules? Rules are not the Bylaws, Rules are a lesser set of conventions that are usually followed by a body and those Rules can be suspended. I cannot give you an example of one but I think one might be such as in many bodies exactly in what order does one thing come on the agenda in general might be a Rule it is not a Bylaw, but a Bylaw, which Roberts describes as a fundamental way of operating, if the body uses continuously and always uses cannot be suspended by suspension of the Rule; it requires suspension of the Bylaw and a Bylaw can only be suspended if the Bylaw includes a provision for how you suspend the Bylaws and what Bylaws you can suspend. I am sorry for this lengthy thing but it does seem to me that the Senate Procedures has, as long as I have known them, and I have known them for their whole life, has this process by which it decided that in order to get a sensible and deliberate consideration of a motion so that senators can consult with their constituents about what position they should take on it that a motion to be considered at a meeting must be given to the senators a week in advance. Therefore, I come to a conclusion that

Roberts Rules says that it is not possible to suspend these rules and that the substitute motion cannot be considered."

Speaker Beer: Thank you very much. The gist of it is that our understanding of it is that since the requirement that motions be distributed to the Senators one week in advance is Bylaw, which cannot be overturned by any sort of vote of the body.

Professor Cohn: "Is it the case that we can ask for consideration of the new motion at a Special Meeting next Wednesday, since there is always a Special (Meeting) already scheduled, that would therefore constitute the requirement of a week in advance notice since it was circulated yesterday."

Speaker Beer: "Yes that is correct, the Senate Procedures provide for a follow-up meeting one week following the regularly scheduled meeting, that would be next Wednesday, February 18 at 4:30pm. Since the "policy change resolution" was distributed to senators yesterday afternoon, the group would have met the time requirement for distributing a motion at least one week in advance of the meeting so we could have a meeting one week from now to consider the resolution distributed to senators yesterday afternoon, which calls for a change in policy by the administration. The motion is on the floor and is still subject to debate, and we will hear from someone in opposition"

Motion by unidentified speaker: "I move to table the resolution."

Motion by unidentified speaker: "I second the motion."

Speaker Beer: "Motion has been made to table the resolution, and this motion is not debatable; all those in favor say Aye, all opposed to tabling say No. The motion is tabled. At this point we have reached the end of the scheduled agenda, but Provost Fuchs has additional points to make."

Provost Fuchs: "I just wanted to make sure the pause situation is clear. The pause does not mean that projects are not moving forward, you understand the conditions that were clearly outlined Vice President Golding's Sun article, and let me be very specific of one example, the Trustees meet frequently and when we get to the point where the President asked me my opinion on Olin Library, rather that \$50M renovation should move forward, I am going to say yes it should go forward because I think we have evaluated that situation, it is life-saving critical, there will be others like that, I hope are not assuming that every project, that nothing is going to happen until after July, this is an important point for the credibility of the Faculty."

Professor Timothy Mount, Applied Economics and Management: "I want to ask a question, are we going to have a Special Meeting next week or do we need to make a motion?"

Speaker Beer: "There are various provisions under which a Special Meeting can be held; one, it can be called by the Dean, another can be called by a number of members of the Senate, and then one other, I think we can move that the Special follow-up Meeting be held next week at 4:30 pm, and that can be discussed and voted on in the time remaining."

Professor Mount: "I so move."

Speaker Beer: "The motion has been made that we have a follow-up meeting in one week's time; perhaps the mover would clarify what the business of a follow-up meeting should be?"

Professor Mount: "To discuss the new resolution that we have before us."

Motion by unidentified speaker: "I second the motion."

Speaker Beer: "The motion is seconded that we have a follow-up meeting to discuss in one week's time to discuss the resolution that was distributed yesterday afternoon so we will have debate on that motion."

Professor from Applied Economics and Management. "If you are going to discuss this, I would really prefer the committee broke out planning and sustainability and to treat them separately."

Professor from the Hotel School: "Why can't we do this at the next regularly scheduled Senate meeting?"

Speaker Beer: "Perhaps that is a question that one of the people in favor of this motion can address."

Professor Cohn: "Since we just had clarification from the Provost that anytime if a building is deemed critical programmatically to the University, and the funding is available that project can move forward, and I appreciate that clarification, but I also felt VP Golding's statement was also quite clear to that effect. It seems that it would be very timely to us as a body to discuss the issue of how full funding is defined and give any thought to the resolution and or guidance that we might see fit to (offer) the administration as soon as possible."

Speaker Beer: "It would be appropriate to hear from someone in opposition to have the special follow-up meeting next week."

Professor Stein: "I must say the Provost telling us what he did in six weeks, in the six weeks he could close the university. I am a little nervous saying what I am about to, but it would be my guess that nothing is going to move on or off the, that no shovels are going to go into the ground in the next month, and if, in fact if that is the case, if the timetable for proceeding on new buildings is to be measured in say half-years, than perhaps we don't need a special meeting, my concern is that people won't come to the Special Meeting even if we call it, so that if we could be assured by the Provost that nothing will happen that we are asking not to happen, then I would vote against having the Special Meeting, not because I disagree with the resolution, but because I think the emergency might not be there."

Provost Fuchs: "Peter, I don't think I can say nothing is going to happen."

Professor Stein: "Do you think another building might be taken off the pause list or construction might start on some other building?"

Provost Fuchs: "Number one, I don't control it so I can't make a commitment; number two, there are projects with urgency and I think we have to treat all projects uniformly; we (have) got contract colleges, we (have) got hazards, I would feel really uncomfortable saying, I don't even know when the next meeting is, but I would feel uncomfortable saying, this motion does not say that something is going to happen either. The way I read, it just says we are going to carefully evaluate it."

Professor Elizabeth Sanders, Government: "I am a new senator in the Government Department. I think it is important to have the discussion next week because the ground is thawing and shovels can go into the ground and a point has been raised and I think we desperately need to discuss the critical issue of whether a building is important to the University mission. The Dean has raised this issue again; it is the strongest argument for building a particular building to meet the needs of Architecture, Art and Planning. No one disagrees that we would really like for AAP to get better space and to get more space, and the question is how you meet that and whether if it has to be a building designed by the world's most expensive architect and ignoring sustainability standards.

It has some very **bad** sustainability features: environmental, physical and even fire code problems, so there are many reasons to be critical of the design. You say that Milstein is absolutely necessary to give accreditation to a program that is ranked first in the country. This is really a question: why would an accreditation team, having said that the problems they see with AAP have to do mainly with disability access and the interiors being sort of rundown? Why not refurbish the existing space and to make it accessible to the disabled? I teach in Sibley, and I saw that this problem has been

addressed by the installation of two new elevators in that building. Rand certainly needs an elevator, I just went over there today, and I know they need an elevator to take their stuff up and down. But, that is not a really big expense, why would an accreditation board say, you have to build a new building designed by the most expensive architect in the world in order to keep accreditation?"

Speaker Beer: "Kindly address the question as to whether or not there needs to be a meeting next week or not."

Professor Sanders: "I simply don't have time to get into this, this is really an urgent question because I think it's the issue that most people will use to make up their minds as to rather to vote for the resolution or not, you really need to really have that worked out."

Speaker Beer: "Are we ready for the question? Question has been called on a motion to have a follow-up meeting next week to discuss the resolution that is on the screen at present."

All in favor: 26
Opposed: 31

Motion for meeting next week failed; therefore the next scheduled meeting of the faculty senate will be Wednesday, March 11, 2009.

Meeting is adjourned: 6:01 p.m.

Respectfully submitted,

Brad Anton
Associate Dean and Secretary of the University Faculty

Report from Nominations & Elections Committee

February 11, 2009

FACTA

Margaret Washington, A&S

Faculty Committee on Program Review

Ken Brown, A&S
Clif Pollock, Engr.
Mike Walter, CALS

Institutional Biosafety Committee

Craig Altier, CALS

Institutional Review Board for Human Participants

Larry Featherston, (Research Associate), ILR
Yasamin Miller, Survey Research Institute
Dr. Richard Patterson, Gannett Health Services
Marina Welker, A&S

University Faculty Library Board

Jeff Rusten, A&S

ASSEMBLIES

Cornell Childcare Committee

Lisa Nishii, ILR
Sharon Sassler, CHE

Transportation Hearing and Advisory Board

Arnim Meyburg, Engr.

RESOLUTION

WHEREAS Milstein Hall was originally designed as “LEED Compliant”,

WHEREAS Cornell’s recently established sustainability guidelines state that all future buildings should meet at least the “LEED Silver” standards,

WHEREAS we believe that AAP should set the highest possible standards in this regard (“LEED Gold” or higher),

WHEREAS Milstein is projected to be unusually expensive and the cost will impinge on the overall financial situation of the University,

WHEREAS the estimated \$54M cost of Milstein is far from fully funded and will require debt financing of an estimated \$25M or more putting additional pressure on the general university operating budget,

[NB: Evidently the debt financing will be split between the general university operating budget and AAP, funded by the Thomas bequest, a \$20M endowment intended to support the programmatic needs of the architecture program.]

WHEREAS we believe that the financing of Milstein relying in significant part on debt financing should place it under the pause,

BE IT RESOLVED THAT

WE call upon President Skorton to include Milstein Hall in the construction pause and,

WE call upon President Skorton, the Capital Funding and Priorities Committee, and the University Trustees to use the time thus made available to reevaluate the current plans to ensure that this building addresses the current and future programmatic needs of AAP, while balancing the financial constraints and sustainability objectives of the university as a whole.

In order to implement a genuine culture of sustainability at Cornell, we call upon President Skorton to support and act on the recent resolution by the UA (passed unanimously January 28, 2009) to establish a university-wide sustainability committee.

Valerie Bunce, Government, senator-at-large
Abby Cohn, Linguistics, senator-at-large
Risa Lieberwitz, ILR, senator-at-large
Satya Mohanty, English, senator
Carol Rosen, Linguistics, senator

