

MINUTES OF A MEETING OF
THE UNIVERSITY FACULTY SENATE
WEDNESDAY, APRIL 8, 2009

Speaker Steve Beer: "I would like to call to order the April 8, 2009 meeting of the University Faculty Senate. I would like to remind members of the body to please turn off your cell phones, and also that there will be no recording of the proceedings either audio or photographic by anyone other than the authorities. When you speak please stand, speak loudly, and identify yourself and your department or other administrative unit. There are no good and welfare speakers today. I will post the agenda.

"First, I would like to call on Professor John Hermanson, Chairman of the University Library Board, who has brought a special guest, Professor Stuart Shieber, the James O. Welch, Jr. and Virginia B. Welch Professor of Computer Science, and Director, Office for Scholarly Communication at Harvard, to read and discuss open access for scholarly journal articles.

1. OPEN ACCESS PRESENTATION AND DISCUSSION

Associate Professor John Hermanson, Biomedical Sciences: "I am John Hermanson from the Veterinary College and I represent the Library Board.

"I would like to introduce Professor Stuart Shieber from Harvard University. Stuart has been instrumental in his role in working in the Office for Scholarly Communication to facilitate and implement the open access ideas."

Professor Stuart Shieber, James O. Welch, Jr. and Virginia B. Welch Professor of Computer Science, and Director, Office for Scholarly Communication, Harvard University: "Thank you very much for giving me this opportunity to talk to you today about some initiatives that we have been working on at Harvard to obtain the broadest possible access to our scholarly writings. There two different issues that I wish to mention. Some of you may know that there are some underlying problems in the current mechanisms for scholarly publications. It seems there are problems in the financial network, and particular business models that have led to what the library will refer to as a serials pricing crisis and the first thing you see is hyperinflation in cost of materials about three times the rate of inflation for the last couple of decades. This is of course not tenable for the long-term, mathematics imply that we can't have increasing costs without similar exponential growth in the library budget and we don't think that's what's going to happen.

"What is to be done? We have to do something. I am talking about a couple of initiatives that grew out of an effort by a committee hosted by the Provost of Harvard a

few years ago. This committee made various recommendations to the Provost and has since been begun to act on it. The first recommendation, I'll mention is that in the short-term, has to do with mitigating the worst symptoms of the so-called serial crisis, that is the reduction in access that follows from the spiral of increasing prices, increasing number of journals, further pricing increases, spiking revenues of the publishers, so then you get the spiral of hyperinflation, and loss of access to scholarly materials. The main tenet of the University is the broadest possible dissemination of ideas. We might try to mitigate the access problem directly. The approach we've taken at Harvard, is to set a resolution that faculty or multiple faculty can enact, and have the faculty grant the university limited permission to disseminate the results of its research in an open access repository, that is through an online record system, to provide universal records.

"The first part is a permission part, where by each faculty member grants permission to make available his or her scholarly articles and to retain their copyright in those articles. It was first voted on by the Faculty of Arts and Sciences in early February. This kind of policy has a number of nice effects.

"The second part is a waiver part. We want the policy to work in the best interest of the faculty and the public and we don't want it to get in the way in what is in the best interest of the faculty, so a waiver the policy will be issued for any article at the sole discretion of the faculty. If the author wants a waiver, a waiver will be granted.

"It makes a collective statement of principle. We are all interested in the broadest possible access of scholarly output of the university. That's part of the mission of the university.

"Secondly, the faculty's principle interest is having the broadest possible access to their writing. This policy completely clarifies the rights situation for all articles. One of two things will hold: either the article falls under this open access policy (with which the university definitively has the right to distribute the article through it's repository or behalf of the authors) or a waiver will have been granted in which we have full knowledge of the rights situation because, in the process of granting a waiver we acquired data about the article, what journal it appears in and so on. We can use that information to ascertain the rights we have and if we still have distribution rights, we then distribute it. If not, we can put in the repository without distributing it, whatever the rights situation for the article indicates.

"Thirdly, it allows the university to negotiate collectively and help with the article deposit process. The University has the ability to negotiate the rights to these articles collectively with the publisher on behalf of the legal document. The university can do so. It may be possible to make agreements with publishers that would support the open access policy in return for university refraining from using rights in ways that a publisher might find objectionable.

“Fourth: because the university acquires these rights, these wholesale rights, except for where there are waivers, it allows the university to collectively negotiate with publishers about the use of those rights.

“Finally, by moving from an opt-in rights retention to an opt-out process where rights are retained by default, the university has that right and because of the opt-out system and the expectation is that opt out trends can create higher participation. So that's the first initiative that we took back in February 2008 for the College of Arts and Sciences, followed later 2008 by the Law school at Harvard, most recently at Harvard by the Harvard School of Government. Essentially identical policies were enacted by the Stanford University School of Education. We would like to assist the university in distributing the articles, by having the faculty provide an electronic copy of the final manuscript to be available in the depository. This changes the system of copyright retention. We're going to a system in which the faculty have to opt in to unilaterally negotiate with the publisher to retain rights to place that article on a webpage, or convince people that the repository of the sorts of papers you have at Cornell in your eCommons repository.

“Next we'll talk about the underlying cost which is the financial model system of publishing is based on. Suffice it to say, it behooves us to have an alternative business model also to make it possible to maintain the important processes that journals provide to us as faculty members in a university. There are reasonable approaches, and the most likely one is the open access to journal publications. In an open access journal all the processes work identically as traditional journals. There is an editorial board, an editorial process, papers are submitted, reviewed by peers, accepted or rejected, then they go through a round of revision and so forth until they are accepted for publication, so the product process is made available.

“This leads to a business model where you have first copy costs paid by first copy charges. You don't pay at the reading end of journals but at the writing end. Instead of readers paying for access you would have fees/charges paid by or on behalf of authors.

“Under an open access model you'd have the faculty paying for publication services with everyone receiving the access at no cost. The faculty receives publication services, paying for those services. Given a choice between open access publishers and subscription-based publishers, the author has to make a choice. There are many things to consider: quality of production or publisher services, and so forth. Whatever the charge to the publisher is, that fee already starts off. The decision between the two is favored by the subscription-based journal because someone else is paying, subsidized by the university.

“There is no apparent advantage to the model from the point of view of the author to open access; the author is required to pay for the article. He or she can submit to a subscription based journal without incurring cost because the libraries are subsidizing those services with their subscriptions whereas submitting to an open access journal they have to be out a certain amount of money, whatever that fee would be.

“So this puts the two models on an unfair playing field. The open access model is at an immediate disadvantage from the beginning. So if you want to have a reasonable competition, there is a solution. If we can subsidize subscription journals, we could subsidize open access journals. The playing field would be level and they could compete for authors. The market would then decide which worked best. This is a simple solution to making an alternative business model in open access. What various universities, including Cornell, are thinking about is to what degree that the university would commit to underwriting reasonable publications.

“Let me stop there to answer questions.”

Associate Professor Thomas Bjorkman, Horticultural Sciences (Geneva): I guess it's Oxford University Press, I am wondering if this business model is helpful along the way or not because our institution subscribes we publish where everybody publishes but we get open access to those articles for free. Is that a helpful step along the way or is that actually an egress? (Repeating) Because our institution subscribes to the journal, when we publish in it, it doesn't cost anybody anything to publish in it, but they charge for open access in most offices, but because we're subscribers, we get that service for free, so it comes out our library budget, obviously.”

Professor Shieber: “Writing open access costs into funding proposals is a reasonable idea.”

Professor Peter Hinkle, Molecular Biology and Genetics: “I wonder if you have done any kind of financial analysis so if you provide to the faculty, money to pay for open access. Is there an overarching plan to provide the same amount of money to the library to pay for the existing subscriptions?”

Professor Shieber: “Yes, there are interesting reports done at Cornell by people in the room who have looked at some of these issues. But let me talk specifically about this open access compact proposal and to make a long story short, it's possible to extrapolate from the experiences of other open access at other universities. Again, you're getting an estimate of the cost per faculty member per year under the supplication and it turns out the cost turns out to be in the low tens of dollars per faculty member per year. It's not a huge cost and I would explain why but time is limited.”

Speaker Beer: "I would like to call on Professor Dennis Miller, a member of the University Faculty Committee, to give a report of the committee.

2. **REPORT FROM THE UNIVERSITY FACULTY COMMITTEE ON THE AMERICAN COLLEGE AND UNIVERSITY PRESIDENTS CLIMATE COMMITMENT**

Professor Dennis Miller, Food Science: "I am doing a very short report on the UFC regarding the American College and University Presidents Climate Commitment, which I think you are all probably familiar with. This proposal was signed by President Skorton in February 2007. It commits Cornell to achieving climate neutrality as soon as possible. The UFC felt that it had certain implications for all of us and so we thought it would be good for us to know a little bit more about this. We thought of some of the questions that some of us might be interested in getting some answers to. How will this affect our teaching? Our research? Our outreach? Our daily commute? Our travels to meetings? What has Cornell been doing so far to achieve this commitment? Cornell has been doing quite a lot. There has been an inventory of greenhouse gas emissions at Cornell and this slide (Appendix 1) shows the CO₂ equivalents that are produced by activities directly related to our work on campus. You can see that most of these come from heating, from using electricity to operate our buildings but also we emit a lot of greenhouse gases just by traveling back and forth to work and also by air travel on University business. The next slide (Appendix 2) shows, very briefly, the climate action plan that the committee is working on. We have invited Professor Tim Fahey, co-chair of the committee on climate commitment to give a report at the May meeting of the Faculty Senate. Kyu Whang, VP Services and Facilities and co-chair with Tim Fahey, will also be present at the meeting. So I would encourage you to come to this meeting and learn more about this very important topic. For all of us on the UFC, thank you."

Speaker Beer: "We have time for one question, if there is question. Thank you very much, Professor Miller. Before we get to the Dean of Faculty Report, we will consider the minutes of the March 11, 2009 meeting. Are there any additions or corrections to the minutes?"

3. **APPROVAL OF MARCH 11, 2009 FACULTY SENATE MINUTES**

Associate Professor Abby Cohn, Linguistics: "I have a number of very small editorial comments that I've only just now been able to address. Can I just submit those? I do want to take time to go through those."

Speaker Steve Beer: "Is the body content with accepting Professor Cohn's corrections? Any objection? Therefore, the minutes will be accepted as corrected by Professor Cohn, by unanimous consent. Thank you. Now, I would like to call on the Dean of Faculty, Bill Fry for remarks."

4. REMARKS BY THE DEAN

Dean of Faculty, Bill Fry: “Thanks Steve. I have a few items to report, and I would like to continue a conversation. The first concerns median grades on transcripts. It is by the Educational Policy Committee. We have identified that the faculty intended that all members of a class be treated the same way and that means that class of 2010, would all be treated the same way. That class does not have median grades on transcripts, and so we clarified this for the transfers who are members of the class. These transfer, even if they matriculated in fall 2008 will not have median grades on their transcript. I will alert you that the EPC will bring to the Senate, another resolution to not publish median grades on the web.

“Concerning the impact of the current FY10 budget reductions. I had a conversation with Provost Fuchs, and I have asked for some additional updates on the budget situation. The budget situation is certainly a moving target.

“Next I would like to identify the President’s response to the Senate resolution that we passed last meeting. I hope to read a part of the paragraph that is on the press release that will be released either tomorrow or Friday. It says, ‘...in keeping with the spirit of the resolution recently passed by the Faculty Senate on this matter, information regarding the purpose, justification, funding status of projects will be available for public review at CUinfo. The new link, prominently featured under Budget Communication, will provide access to a database regarding decisions on specific capital projects as they occur. ... a description of each project, and approval justification, funding and status information. ... updated as new capital projects are approved.’ I find these words to be very heartening.

“Finally, I would like to report on a continuing conversation between the UFC and members of the Committee on Faculty Governance. We have initiated that conversation and in a combined meeting between the UFC and the members of the Faculty Governance Committee, it has become clear that consultation between the Administration and the University Faculty is extremely important. We also learned that there are diverse opinions as to what is entailed by consultation.”

Speaker Beer: “Questions? Thank you. I would like to now call on Professor Brad Anton for a report from the Nominations and Elections Committee.”

5: REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE

Associate Professor Brad Anton, Associate Dean and Secretary of the University Faculty: ‘We have 23 recent committee appointments here. First I'd like to thank Joel

Baines, Fred Schneider, and Bonnie MacDougal for agreeing to serve. Next, I would like to present the slate of candidates for the upcoming faculty elections.

Before I do, I would like to tell you something. This is my third year running the faculty elections. What we do on the elections committee is select a list of candidates to ask if they will run in the election, and then I contact them and ask them. The commitment rate was much lower this year than in past years, probably at least by a factor of two, particularly for the Nominations and Elections Committee. I think I spoke to probably 15 people to get a couple to agree. Two more people volunteered today. For the Associate Dean of Faculty, I spoke to about a dozen people and only got one. A number of people told me that they feel they are busier now than they have ever been, and I think there is some anxiety about what the future holds that kept some people from volunteering. I only say this as I worry another possible victim of the budget problem will be our Faculty Governance.

Now I present the slate of candidates:

Associate Dean and Secretary of the Faculty:

Frederick Gouldin, Professor, Mechanical & Aerospace Engineering.

At-Large Member, Faculty Senate:

Robert Bertoia, Associate Professor, Art

Michael King, Associate Professor, Biomedical Engineering

Helene Marquis, Associate Professor, Microbiology & Immunology

Simone Pinet, Associate Professor, Romance Studies

At-Large Member, Faculty Senate (non-tenured):

Christopher Anderson, Assistant Professor, Hotel Administration

Margaret Bynoe, Assistant Professor, Microbiology & Immunology

Jens Ohlin, Assistant Professor, Law.

Nominations and Elections Committee:

Daniel Decker, Professor, Natural Resources

Richard Harrison, Professor, Ecology & Evolutionary Biology

Ellis Loew, Professor, Biomedical Sciences

S. Leigh Phoenix, Professor, Mechanical & Aerospace Engineering.

University Faculty Committee:

Eric Cheyfitz, Professor, English

David Delchamps, Associate Professor, Electrical & Computer Engineering

David Lipsky, Professor, Industrial & Labor Relations

William Olbricht, Professor, Chemical & Biomolecular Engineering.

"Before you approve the slate of candidates, we can also accept nominations from the floor. If you would like to nominate someone to run in one of these positions in the election, I cannot promise you that they will. I will call them and ask if they will agree."

Speaker Beer: "Senator Cohn?"

Professor Cohn: "I just have to ask a quick question. If I nominated somebody who agreed to serve and their name is not on the list, what does that indicate? Would it mean that you have a surplus of people in that category, and that the Nominations and Elections committee made a selection?"

Associate Dean Anton: "Yes."

Professor Cohn: "Okay. Thank you."

Associate Dean Anton: "Okay. I ask then for acceptance for approval on the slate of candidates."

Speaker Beer: "The Associate Dean has asked to approve the slate of candidates on behalf of the Nominations and Elections Committee. All in favor signify by saying, aye. Opposed? The slate is approved. Thank you, Associate Dean Anton. Now, Professor Kent Fuchs, Provost of the University."

6. REPORT FROM THE PROVOST ON STRATEGIC PLANNING AND OTHER ITEMS

Provost Kent Fuchs: "Thank you for inviting me to come address the Senate and for the opportunity to work with you all. I want to talk to you about three things. It says strategic planning, but I thought I would give you some insight to a few of the things that are occurring, in addition to the work that is about to be launched and around planning in the future. I wanted to talk to you briefly about budgets. I am not going to spend much time on that at all. So it will be good to do that in the Q&A. My plan is to speak for about 15 minutes and then to have Q&A, as long as our moderator will let me stand up here. Secondly, I would like to talk about facilities. I know many of you are interested and there's a trustee meeting tomorrow. We will be talking about facilities. I want to talk about some changes that will be occurring in the president's office and the Provost's office, and thirdly I want to talk about planning for the future, your roles all of our roles, as faculty and in that process.

"The good news is that the numbers are not worse. The main thing is that the stock market may be improving a little bit, which frankly, is pretty fantastic. The state treated us well this year. It depends if you compare where we were a year ago or six months

ago or today. We had \$159 million from the state for the contract colleges, 12 months ago, well at least we thought we had it. Then midyear, they took back \$8 million. So we had \$151 million. This year, just signed by the governor a few days ago, we have \$155 million. So considering the state of the economy, the state of New York's economy, \$155 million for the contract colleges is good news. It is less than the \$159 million we had, we thought we had 12 months ago, but it's better than \$151 million that we ended up with last year. I talked to this group and many other groups about where we are with endowments and where we are with financially, and the structural budget and I will be glad to repeat those numbers if any of you are interested in that information. But I think that number, \$155 million for the state, is really good news.

“Facilities: the situation with the projects, urgent projects, particularly for this summer is really complex. President Skorton has put the brakes on almost everything, including projects that are urgent. To those of you who are department chairs and to those of you who are deans, others in this room, we have had long meetings almost every day for the last few weeks including over the weekend. I am encouraging the President, and I will encourage the Board tomorrow to let more projects go forward. Currently on the list are the following, and if the board approves these tomorrow, as Dean Fry says, this will go up on the website that he mentioned with information on the project, the cost of the project as well. There are a couple of renovations of laboratories. We actually have a faculty member that was recruited over a year ago was still in his other institution at Penn State -- he can't come here until his lab is done. That lab will go forward. All of these have money here. They are just sitting in accounts in departments and colleges waiting to go forward. Donlon Hall elevator. Moot court law school -- it doesn't look like we'll be able to do that this summer, but is going to be allowed now. Bradfield Hall has major problems with air quality, HPC, in that building. We are going to request that the Board allow this to go forward. That's in a contract college paid for by the state. Barton Hall, which will also be paid for by the state -- we're going to ask for that to go forward. There are a number of electrical upgrades in buildings across the campus in which money, all of which have money to be spent; potable water, the Rowing Center, which is not the building the Rowing Center, but to do some design and that money has been contributed as well. There are other projects which we would normally release immediately, for example, one of the contract colleges as a facility in a building for which they need renovations -- -- \$2 million project. It's on acquired debt, so we normally at Central would loan them that money and they would pay us back in two or three years. They are working today with the college, because it requires us to actually go off and put this debt on external committee paper. So it's not the kind of thing that the president wants to go forward on. I think as early as an hour ago, we have a solution where, the college will fund internally this project, the \$2 million project, and then on Friday we will ask the president to allow that to go forward. So you can see, projects that we normally would just immediately allow, he has asked us to stop, unless they're critical or urgent, based on the criteria we set up. There are a bunch of others that are larger and are fully funded. An example of that is The Plantations, which has a

facility for which donors have given money -- -- we are not letting that go forward yet, but the money is sitting in here. The Art Museum has had a new addition to the Art Museum. As of yesterday, that project was fully funded with gifts by donors but we're not yet letting that go forward, but obviously decisions will have to be made in either letting it go forward or stopping it for the long-term. Another example is little more complex. There is \$11 million of energy conservation projects. It will save us money for the long-term. It will help us with our sustainable goals, but we will require that they are put on debt service, until we can pay it back and were not letting that go forward. So that's where we are, with facilities. I think, as we make progress in balancing our budget, and as we can confirm that these projects meets the resolutions that you all passed in the last Senate meetings, and secondly, the president is comfortable with them, and the Board of Trustees is comfortable with them, I think we will see more of these move forward. There is some that affect you all. There is a dehumidification project in Lincoln Hall. There are many others that are just sitting there that would probably we just won't do for the present time. Because of the concern on campus the impact on people, if we do facilities projects, there's a whole suite of issues, but it will affect us as a faculty body.

“Let me say a little bit about people, not buildings. On Friday this week, we will notify the staff whom applied for what is called the Staff Retirement Incentive program, SRI. I was told I am not allowed to say how many people applied for the SRI, but it was three times as many as we expected. So it is a great success in terms of the numbers of staff that are retirement eligible and also eligible for this program. Yesterday we had three hours of meetings and I have a meeting at six o'clock to decide actually how many of the staff we are going to be willing to accept. It is an expensive program. Most of us believe, including all the college deans that we need to accept all of them. The issue is how are we going to pay for it. We will save salary savings, but that means not filling those lines or filling as few as possible. So it's a complex issue that impacts people's lives, but I think it's good for the university and for the staff that have accepted this initiative program.

“Many of you have offered/provided ideas for the faculty side. The SRI is just for staff, but for the faculty side, a number of you have sent e-mails to me, the president, and to others, interesting possibilities of what to do with faculty. Is Satya Mohanty here? I was going to thank him for several ideas. His suggestion was the possibility of going part-time for a brief period, a couple of years, and then coming back full time. What we have decided to do with faculty is to not to offer a plan that applies to all faculty, not from Day Hall. It would not be wise. It would not be wise for departments. It would not be wise for colleges. It would not be wise for schools for us to do that. We cannot predict what the impact would be on departments, so we are leaving it up to deans to work with department chairs. If there are faculty members that want to work part-time, or are willing to work part-time -- -- if there are faculty members that want to retire earlier than they had planned before, please speak to your department chair or deans.

There is a lot of flexibility in the system for us to be very creative many of the colleges are doing that. We welcome those suggestions.

“Many faculty have offered to make contributions. You should have received notice, but if not, there is a link on the website describing a hardship fund for staff. Many of us have contributed to that. Thank you for doing that and it is another way to give back to the staff and faculty who are experiencing hard times in the midst of this economy.

“I am addressing a whole bunch of items here and I’ll keep talking all the way through will do a Q&A at the end. The Provost’s office and President’s office took a 10% pay cut for this year. My expectation is that we will probably have to do something similar next year in our two offices. That really means people and programs as it does in each of your departments. For the Provost budget, the central budget is \$11 million. So a 10% cut across his \$1.1 million. We will be announcing the end of April or early May, some of the changes that we’re making the Provost's office to capture, to save \$1.1 million. Some areas for example, the dual career program that we run of the Provost's office -- -- we’re not going to cut back on that. So that means that we have to cut back on things more deeply.

“You will hear about those changes and it will affect what we’re able to do for departments and colleges, as we implement those changes. The President has asked that we announce his changes with our changes and our reorganization in those areas.

“There are some searches going on that I wanted to briefly mention. There are a couple of dean searches going on – the Dean of Engineering is in process. We had hoped to have candidates on campus by commencement. We decided to delay that process. We have extended the search to early fall. There were over 200 nominations and applications for that position. It is a better position than I realized. The vetting process going on right now number one, and we want to do that thoroughly, number two. We have a spectacular interim, so I made the decision based on the recommendations of the search committee that we would continue full speed including into the summer and bring the candidates back early fall.

“The second search is for the Dean of the Faculty of Computing and Information Science. That search is internal. The other one is external, as I may have mentioned. This one is an internal search. It is also being chaired by John Silicano, who is the Vice Provost chairing the first one -- -- the Engineering dean search. We still expect that we will have a decision by commencement time. Because of budgets, because of change in Provosts, we didn't start the search until just recently. I think because that's internal, and I think that will go rapidly.

“There are two other searches that may not be as visible. One is the Vice Provost search, and one is Vice President search. Michelle Moody-Adams from the Arts College has

been the Vice Provost for Undergraduate Programs. She has been a spectacular Vice Provost following Isaac Granik and leaving our initiative for another graduate program. She is leaving to become a college dean and vice president at Columbia and David Harris, the Deputy Provost will be leading the search for her replacement. There'll be a small search committee; it will be an internal search. If any of you want to nominate, someone please feel free to send your nominations to me -- -- provost@cornell.edu or David Harris directly, either one. We went through a process for about a month talking to a number of people, including Michele and others know about whether we actually needed that position. The fact that it was coming open, gave us an opportunity to re-examine and I actually considered very seriously, merging it with another position. That is a matter of saving us a fair amount of money as you're paying for faculty member plus a staff person full-time in that position, but I decided because that position has so many responsibilities, and the possibilities for the future to replace Michelle that position.

"The second one is the VP for Planning and Budgets. This is Carolyn Ainslie's position. She came and addressed the Senate many times. This has been vacant now, since the early fall. We have had a spectacular interim person, Paul Streeter, and we are now launching a national search for that full-time person. We have hired a search firm. The person staffing that is Liz Neumann from Brill Newman. I will chair the search and will have a number of people, including faculty, college officers and others on that search and it will be a national search. That one has a high visibility with trustees because the full-time person deals with budgets. And I thought of Carolyn Ainslie as the most important person on campus, when she was here so it is really quite an important search, and that's why I've asked the president if I could chair it and he's agreed.

"Let's talk a little bit briefly about planning, and I know this will open up to Q&A. We are going to propose the Vice Provost for Undergraduate Education and I asked the Nominations and Elections Committee for candidates to be on a committee and I am going to do the same thing for key committees that are going to be involved in the planning process. For many of you, and you've heard us say that the planning process will be in two phases.

"The first phase will end in the fall -- roughly October. We will be working in the summer, for those of you who want to be here and help us with the process, and we hope that many of you we really need to assess this as well, in April and May and August and September and we hope to end in October. First phase is about how we can be strategically smaller, as an institution. It's not about growth and aspiration in certain areas but where we will be investing a lot in resources -- -- that's really phase two.

"Phase two is about making decisions about reducing our expenditures to be in the habit of strategic fashion. So there were going to be three major parts to this. One part of this is about administration. If you are a typical faculty member, like I am, you think

administration can probably speak be smaller than it is today. That means a savings of a fair amount of money. We have decided to do something, just this week -- -- it took me a while to be convinced of this. But now I am a believer -- we are going to hire a consultant to help us. I am chairing the planning process as well and I have been able to get consensus amongst the president and others that we need consultant come in. I don't know enough about administration to be able to tell what should change in the administrative unit -- finance and budget, facilities, information technology.

“We can save a lot of money, 20% or more by being much smaller and, in the process, be much more effective and efficient. That's money that doesn't have to come from the colleges and out of the schools and the departments and so it's really important. It needs to be done, I think, by external people, otherwise we're likely to replicate what we have and will be a little smaller, but not more efficient.

“Secondly, the search will help us there. David Harris, the Deputy Provost, is going to be the process of vetting the search firm, because we want the academics to drive this process, and not others. We will also have taskforces for students, and taskforces for academics.

“In terms of academics, we have given a charge, a direct charge, to each of the college deans to start the process that some of you have already started in your schools processes about your schools and departments, in looking at your programs, in looking at the areas you teach, the areas you focus on research and looking how you can strategically be smaller. We know there will be budget cuts coming and we don't want to shrink in a random or uniform fashion, as we did just a couple of months ago. What we want to do is to do this in a strategic manner to be able to implement significant budget reductions, I think you heard us talk about that before, and then starting in the late fall and we are going to develop a plan that talks about growth, talks about, how are going to rebuild Cornell in ways that'll make us stronger and better, more efficient and effective than we were before started facing the challenges. Let me stop to answer questions.

Speaker Beer: “Let me remind you that when you ask a question, please stand, identify yourself and affiliation and speak loudly, while standing.”

Professor Eric Cheyfitz, Ernest I. White Professor of American Studies and Letters, and Director, American Indian Program: “I heard something on the grapevine and I was hoping you would either confirm it or deny it. I heard that the VP for Outreach position is killed.”

Provost Fuchs: “That is one of those announcements that we will be making in April. And this is a very public forum, but the answer is yes. The Associate Vice Provost for

Outreach, that position is being eliminated. Let me give you some context, if you don't mind. Did you have a follow-up question as well?

Professor Cheyfitz: "I wonder what the consultation process was in arriving at a decision as again I heard about this on the grapevine as a fait de compli, rather than hearing it in any formal announcement in which some process would have been outlined."

Provost Fuchs: "You cannot take \$1.1 million of the Provost budget without having fewer people in the Provost office so there are other things that we will stop doing as well. So indeed, that position and the staff associated with it will end on July 1st. There is going to be, this is a very important point, for the next year there is going to be a lot of instability (the best way to describe this), in a number of areas -- as programs, as positions are not filled or programs are moved or programs are eliminated. Let me give you a great example which I many of you will understand. Professor Elizabeth Mannix, who is the Vice Provost for an Equity and Inclusion and Diversity. She is going back to the Johnson school. This is her choice. As a faculty member, she has been interim vice provost. We are going to leave that position open for a year. Provosts will do more than they have in past. So we need some time to figure out how to do that better, how to make a real impact on areas of diversity. The easy thing would be for me to refill that position or the other position in Outreach, but I decided not to do this. In the diversity area, I know were going to do something spectacular, but it may take me a year to figure out how to do it.

"In the outreach position: In the past twelve years as an academic leader, I helped fund three international programs in my time, so I feel very strongly about engagement and outreach and making an impact. I really believe that's not something that we should be running without the offers from the Provost office. I think it should be vetted in colleges and schools and departments. I think the Provost has to lend incentives to provide leadership, but I don't think we can just appoint a vice provost and have that person then solve the puzzle unilaterally. I think we can do better with less money. The consultation took place. You asked about that, with all of the vice provosts, the deans and vice presidents."

Faculty member - "What about the LGBTQ - that office?"

Provost Fuchs: "I am not familiar with that decision."

Professor Cheyfitz: "They say they are searching for one director for the lesbian gay transgender diversity office."

Provost Fuchs: "I hope that's not the case, but I have not been informed of that."

Professor Howard Howland, Neurology and Behavior: "With this 10% across-the-board cut, I wonder if there has been some unintentional damage. The thing that worries me, if you cut the non-professorial faculty, and not the professors who are protected, the cuts fell on the teaching associates, lectures and senior lecturers. They are the people who do a lot of work for very little money, so it seems to me that the consequence is that either we are to shrink our teaching program or we're going to have to replace those low-paid people with high paid professors. Either of those results would be regrettable. While I'm speculating here and my questions are first: can we have a detailed accounting of the teaching and what positions were cut and how they were worked out and the second is: if we find real damage has been done, and we may find that, is there any possibility in strategic planning stage to rectify that damage."

Provost Fuchs: "The answer is, I think, yes to all of those except for the 10%. There was not a 10% cut. Shall I go through the cuts specifically?"

Professor Howland: "Indirectly, there was a 10% cut?"

Provost Fuchs: "No, there was a 4.8% cut in budget. My personal fear is then actually most budget reduction, across the entire University, will be in the tenure-track faculty. That's my fear. We don't yet know the numbers, the SRI that we just talked will have a big impact on the final cuts are. But my fear is that the, because we move around, there is more turnover in faculty than in other areas and that will take the biggest cut. That's my fear. I understand your concern about the non-tenure-track faculty and I hope this is not the case. I know that's not the case in some of the colleges. We asked each of the colleges and schools to give us their projected reduction of the faculty and staff. There were lecturers in some colleges that were reduced, some colleges did not reduce. Once we have the final number headcounts to all those, it will take until July probably before it settles down. But my fear is faculty more than others."

Assistant Professor Professor Tarleton Gillespie, Communication: "I just wanted you to articulate that fear."

Provost Fuchs: "There is a perception that not filling a faculty position is somehow not as problematic as laying off someone. I don't agree with that. This is my personal bias and opinion. I am not a dean or department chair, so I don't do those things anymore, but it's just easy not to fill lines. And the faculty are higher paid, as we say over here, typically not always but typically, and that means you can save a lot of money by not filling a couple of lines. So, you know, if you are in a group and there is one administrative assistant and four or five faculty, if one faculty leaves, the perception is that the impact is not that great. But it's eroded. I see that continually and I fight that continually, but I think reduction in faculty, and there will be reduction in faculty, there really will be but I think we need to be careful. We should do it in a way that is planned not by sort of just by letting it happen."

Speaker Beer: "Professor Cohn?"

Professor Cohn: "I wanted to follow up on Professor Howland's question in terms of the issue of unintended consequences. I am wondering, in the strategic planning process, if there might be a mechanism specifically to address that. The issue I see is that often times that, at a department level or college level, what appears to be a reasonable decision has been made without fully understanding the impact and perhaps if there was some mechanism, where we could even just sent e-mail to an e-mail address, we could send our specific points of view as what we see as unintended consequences or something like that, maybe the strategic planning process could incorporate some of that information, or something along those lines."

Provost Fuchs: "It is a great idea. We tried to capture at least the intended consequences of this reporting mechanism for each of the schools, but as soon as we got it back, we realized we forgotten to ask about TAs. It is a great idea. Not just the deans and department chairs will see this. I'll set up some mechanism where people can tell us about things that are happening that none of us expected to happen. You're absolutely right."

Speaker Beer: "I think the time for the Provost Fuchs has expired. We have to move on to the next item of the agenda. Provost Fuchs, thank you very much."

"At this time, I would like to remind the Senate that some of the procedures are rather complicated and you can see the Senate procedures on the website of the Senate. The Senate procedures are complicated and require the motions being submitted one week in advance of the meeting, and we have a rather complicated procedure today, which involves four resolutions which we heard about last meeting. These resolutions are going to be considered by a process specified by the Educational Policy Committee that has been endorsed by the University Faculty Committee."

"The first motion is going to be considered and, if passed, then we can move on to the next motion. If the motion were to fail, then we're done. If the first motion passes, we will move to the second and then decide what to do about it. If the second motion fails, we will consider which days to remove from the calendar. The first, I think that we are going to consider to remove from the calendar is the Wednesday before Thanksgiving. If we decide to remove that day, actually half day, from the calendar prior to Thanksgiving, then we're done. If we decide not to remove the half-day before Thanksgiving from the calendar, then we consider the fourth resolution, which is to remove Labor Day from the University calendar, in other words, no teaching on Labor Day. So I hope that that is all clear, and I would say that the Senate procedures that provide for motions to be suggested by faculty committees endorsed by the University Faculty Committee allowed this rather convoluted consideration to take place today."

With that I would like to call on Professor Hoffstaetter to present the first resolution from the Educational Policy Committee."

7. **RESOLUTION FROM THE EDUCATIONAL POLICY COMMITTEE
ON THE ACADEMIC CALENDAR**

Associate Professor Hoffstaetter, Physics: "I would like to alert you all; I know this is complicated. Here are the resolutions from the EPC:

1. *Whereas orientation for new students in the fall will conclude on Tuesday, Be it resolved that the classes start on the following Wednesday of the fall semester. (Adopted)*

"If resolution one passes, the following will be submitted:

2. *Whereas classes will start on Wednesday in the fall semester, Be it resolved that the fall semester be lengthened by one day.*

"If resolution two succeeds, the following will be submitted:

3. *Whereas classes will start on Wednesday of the fall semester, Be it resolved that there be no classes on Wednesday before Thanksgiving break.*

"If resolution three is defeated, the following will be submitted:

4. *Whereas classes will start on Wednesday of the fall semester, Be it resolved that there will be no classes on Labor Day. (Adopted)*

"If resolution number four is defeated, the fall semester will be lengthened by one Wednesday.

"We specifically asked the University Faculty Senate to submit recommendations. This was not easy. We asked you for information for several months. We have sent e-mail to deans and department chairs, and we got lots of e-mails.

"The majority recommended the following: take the Wednesday before Thanksgiving off, mostly for the following reasons: students need more time to travel home; importance of family time for students' psychological health had been pointed out by respondents; and when a Wednesday is added and a Wednesday is taken off, class schedules are least disturbed; lab classes already do not need to meet on Thanksgiving week and so those are not disturbed. We made reference to our president, and these motivations are summed up by: "I believe you have to lead or manage by a set of

principles. The student comes first." And therefore the majority of the EPC felt student health and student education should have precedence over advantages for faculty families.

"Of course there was a minority opinion, which was to take Labor Day off, mostly because childcare is hard to find on this national holiday; Labor Day is an important national holiday, particularly in New York State; classes are hard to teach when support staff has the day off; this change does not impact the payroll of employees, they already have that day off; adding a full Wednesday is not compensated by taking half Wednesday before Thanksgiving off. I am leaving most of the time for discussion before I want to move to the first resolution."

Speaker Beer: "Very good, I think most of the people in this room can read this. Now, the resolution number one is before the body. Is there any discussion before we vote? All those in favor of voting for this resolution at this point, say, 'aye'. Okay, all those in favor of Resolution Number One signify by saying 'aye'. Opposed? Resolution Number One has passed.

"Professor Hoffstaetter?"

Professor Hoffstaetter: "All right, you can all read this."

Speaker Beer: A second resolution is before the body. This resolution provides for adding one day to the fall semester calendar. Any questions? Pros? Cons? All those in favor of Resolution Number Two signify by saying 'aye'. All those opposed to number two signify by saying 'nay'. Resolution number two has failed. Therefore, the fall semester will not be lengthened by one day, and we will proceed to resolution number three."

Professor Hoffstaetter: "I so move."

Professor Howland: "Everybody realizes that you have to either vote for this one or the next one. You cannot vote for two. You have to make a choice now."

Speaker Beer: "As Professor Howland indicates, we have a choice. The Educational Policy Committee has voted to consider whether the Wednesday before Thanksgiving to be deleted from the calendar before we vote on whether Labor Day should be deleted from the calendar. If we delete the Wednesday before Thanksgiving, from the calendar, then we will not consider deleting Labor Day from the calendar. Senator Earle?"

Professor Elizabeth Earle, Plant Breeding and Genetics: "Before deciding between three and four, I have a question. Has the Educational Policy Committee figured out,

what would happen to the Monday labs that currently meet on Labor Day, if we delete Labor Day?"

Speaker Beer: "Professor Hoffstaetter, can you please respond to the question?"

Professor Hoffstaetter: "Several people, especially from the biology and chemistry departments pointed out that this would be a huge problem, because they have large classes with large labs which meet in student groups. And if you cancel just Monday you cancel one third of the student body's laboratories, which means you might as well just cancel the other ones also. It is clear that there are huge implications."

Speaker Beer: "Another question, gentleman in the bowtie?"

Professor Michel Louge, Mechanical and Aerospace Engineering: "We discussed this several years ago. We had to cancel the entire week of fall break and the entire week of Thanksgiving, because, the period on which our lab is established effectively appeared in one week and another appeared in two days.... saying Monday/Wednesday/Friday. So that consequence is quite real, and it's not just biochemistry, but I daresay in engineering in general. Whenever we have a large class, perhaps in physics, these are huge implications. On the one hand, we are asked to consider the family issues, and then the other, students. I think that we can resolve this simpler. We can allow exceptions which can be done by the department chairs so we can resolve these issues so I personally recommend that we do not take Labor Day off, because it would really wreak havoc on all of these classes and then the department chairs and deans entertain exceptions on a personal basis, if there is indeed such a parent family problem otherwise, for one person or another. I recommend that we vote for this motion."

Speaker Beer: "Professor Gillespie."

Professor Gillespie: "I am sure the laboratory sciences have thought of this but it seems like if we do miss the Monday for Labor Day than labs start Wednesday/Friday/Monday. That is the first sequence, and then the Monday people go to lab on the Monday before Thanksgiving. It doesn't seem like if you lose a Monday you can just cycle through. The students are bright enough to know that Wednesday/Friday/Monday is the first session, Wednesday/Friday/Monday the second session. It seems like there are opportunities that are not entirely closed down. Maybe I'm missing something."

Speaker Beer: "The other gentlemen in the aisle."

Professor David Delchamps, Electrical and Computer Engineering: "I think the student-centered idea regarding the Wednesday before Thanksgiving. First of all, the student who is to leave town, has already taken a day, okay? When I had the

Wednesday class on the Wednesday before Thanksgiving, as I do next fall, and as I have in the past, I usually show up to my audience of say seven students, out of 30 students that are stuck in Ithaca. I entertain them for an hour and 15 minutes somehow. If I deprive them of that one little piece of entertainment and give them one more cold and lonely day in Ithaca, where they can't go anywhere. To me, okay I think it's a weak argument, because the students are gone anyway. And that's it. So in other words taking Wednesday off before Thanksgiving in my opinion does very little good for very few people. Taking Labor Day off, I have come to understand, from my colleagues in engineering, that it does a lot of good for a lot of people, and it doesn't take John Stuart Mills to figure out what the right choice is, in my opinion. The lab classes that have a problem with doing something like Tarleton suggests can deal with it. They deal with fall break. They deal with Thanksgiving week as it is now. I think they can deal with the cycling through a lab. That's my opinion and I have statistics from CU Advanced, my colleagues have shared this piece with me, and they have actually shared similar things with me before. When I was the chair of the EPC and we discussed this issue. They didn't come to any resolution. We are not the only school in the Ivy plus that don't take Labor Day off. Some of them take the day before Thanksgiving day off and Labor Day off, and they have semesters that are no longer than ours. I think that would be fine, but Labor Day, in my opinion, is where we should go with this. It's a family issue. It's something that doesn't affect me personally. I travel and Thanksgiving; I don't have any children. I should be for my own personal benefit in favor of this, but I say vote no on three and save your yes for number four."

Speaker Beer: "Is there a person who wishes to speak in favor of retaining Labor Day? As a teaching day? The gentleman in red."

Faculty member from Political Science: "I would just like to respond to the gentleman's previous comment. I also have a class typically at 11:15 Wednesdays, and there are not many people there. And it's fun to say, oh yes, seriously if we are not teaching, we shouldn't have a teaching day."

Professor William Arms, Computer Science: "I talked last time about computer science being a young department with a lot of faculty who have young children feel quite strongly about the problems involving Labor Day. You mentioned the CU Advanced Statistics, I had the very same sheet with me. The bottom part of the sheet and computer science is not the only department who has young faculty members. In fact, there are over 500 teaching faculty at Cornell who have children under the age of 13, so this is a problem that applies to a very large number of people. I know that the Faculty Senate tends to be the more senior faculty on average. My children, I won't tell you how long ago my children left, but it was a long time ago, but I think we have a real obligation to respect the problems of raising a family and a faculty member at Cornell."

Speaker Beer: "Professor Cohn."

Professor Cohn: "I find the family friendly questions compelling, but I think we are trivializing issues here. At Cornell, there are only two federal holidays that are fully respected. One is Labor Day and the other is Memorial Day. All of the other federal holidays are taken as hidden holidays during the week between Christmas and New Year's. I would like to see us offer more federal legal holidays to our collective staff and faculty. I just find it incredibly anomalous that we hold classes on a day at the university is legally shut. I just find this bizarre and problematic and given the opportunity to rectify that, I strongly encourage us to do so. I do think, based on some comments that were made at our last meeting, maybe we can have our cake and eat it too. Maybe also possible by tinkering slightly with how we define study period and other matters to take off the half-day before Wednesday, which is de facto what most of the community already does."

Speaker Beer: "Let me ask members of the Educational Policy Committee -- -- have you considered that possibility of removing one and one half days from the schedule, the Wednesday half-day before Thanksgiving, and possibly Labor Day?"

Professor Hoffstaetter: "We did see that the university academic calendar is illogical about several things. It's not only in these two places, so we had to restrict ourselves in this semester to this one change, taking one day off and encourage the Dean of Faculty to form a working group that takes a closer look at the complete calendar. Taking an additional day off, in principle, should be possible. We have an opinion from the University Council on the legal issues, because there are requirements from New York State for how much you have to teach and how many hours to offer. In principle it seems plausible, according to the current legal opinion, to have two days off. We want to have that explored later."

Speaker Beer: "And may I add to my question -- did you consider what we're possibly dealing with? It's not taking two days off, but 1.5 days off?"

Professor Hoffstaetter: "Yes, we excluded everything that is bigger than one day."

Speaker Beer: "Gentlemen in the aisle."

Faculty from Political Sciences: "I have a question that is, is that a half of the day if you officially ended in 1:10 PM? It is my understanding that is a full day not a half-day; in the same way that Saturday is actually still I think a full day because I think legally you can still teach on Saturdays until 1:10pm. I know in regular public schools, and they stay past a certain time, instead of the full day. So my question is, is it a half-day or is it a full day, the Wednesday before Thanksgiving?"

Prof. Hoffstaetter: "According to University Council, the days don't matter, the hours matter."

Speaker Beer: "And under that definition, the Wednesday before Thanksgiving is what?"

Prof. Hoffstaetter: "Approximately five hours."

Speaker Beer: "Professor Howland, you have a comment? The question has been called on resolution number three that deals with deleting the period of instruction on Wednesday prior to Thanksgiving. All those in favor of coming to a vote on this resolution, by saying 'aye'? Opposed? We will vote on resolution Number Three. All those in favor of adopting Resolution Number Three, which has the effect of deleting the portion of the day that is devoted to instruction on the Wednesday prior to Thanksgiving, say 'aye'. Opposed? The chair is in doubt on this question. All those who wish to vote 'aye' please stand. Counting. 14. All of those opposed? Please stand? The nays have it. And we will not delete the period of on the Wednesday prior to Thanksgiving. Now we will move on to Resolution Number Four. Professor Hoffstaetter?"

Professor Hoffstaetter: "So moved."

Speaker Beer: "Any discussion on deleting instruction on Labor Day? Is there a person who wishes to make a comment? Yes, Professor Fine?"

Professor Terry Fine, Electrical and Computer Engineering: "I think this fall semester runs shorter than the spring semester. So now you've added another day. The first argument is about family convenience. ...if this had really been an issue about respecting Labor Day but we don't and we haven't for a very long time. I think the idea that we're shortening an already short semester is not a very good idea. I believe we should leave things the way they are and bring this semester to parity with the spring semester."

Speaker Beer: "Any further discussion? Professor Earle?"

Professor Earle: "I don't understand the resolution. What does it mean the Wednesday after orientation? There seems to be something missing."

Speaker Beer: "Professor Hoffstaetter? Can you clarify that?"

Professor Hoffstaetter: "I think you should ignore the last three words. It is a typo. My apologies. The green sheet has the correct resolution. Please refer to that. Thank you."

Speaker Beer: "The resolution number four should be stated as, 'Whereas classes will start on Wednesday of the fall semester, Be it resolved that there will be no classes on Labor Day.' That is the resolution that is now under consideration by the body. All of those in favor of going directly to devote say 'aye'. Opposed? We will go directly to the vote. All those in favor of resolution number four say 'aye'. Opposed? The resolution clearly carries, and henceforth we will have no classes on Labor Day. We are now reaching the end of our Senate agenda. There are no good and welfare speakers. Dean Fry has one point to make before you leave."

Dean Fry: "We don't know when these conditions will apply. Likely next semester, we will start on Thursday. So the calendar change is not in effect, and it's not yet known when. But it's unlikely that it will be this fall. We don't know exactly when it will be."

Meeting adjourned: 6 p.m.

Respectfully submitted,

Brad Anton
Associate Dean and Secretary of the University Faculty