

MINUTES OF A MEETING OF THE FACULTY SENATE

Wednesday, February, 11, 1998

The meeting was called to order by the Speaker, Professor John Pollak, Animal Science. He then called on Dean Stein for comments.

I. REMARKS BY THE DEAN

Peter C. Stein, Dean of Faculty: "We have a big agenda today, so I will keep my remarks brief. The only thing I want to do is to mark the death of one of Cornell's great citizens, Alice Cook, who died on Saturday. I've known Alice since I came to Cornell. Alice contributed enormously to the founding and early history of the ILR school. She was the first Ombudsman of the University, and contributed to making that position what it is today. I also knew Alice as a tireless fighter for social justice and I was engaged in a variety of different forums and activities with her.

"As I was thinking about Alice, I thought about three things that to me stand out in her career. In addition to the monumental early work that she did on women in the workplace, that I think was at least a generation ahead of its time, but Alice was a model to women academics. She was a woman academic, and I know many women academics that feel indebted to her as a role model. She was a model, I think, for being able to be loyal to this institution without losing her criticality of it. For practically my whole career, Alice has been an Emeritus member of the faculty, and she participated in the activities in a very vigorous way. At a very advanced age, the faculty nominated her to the Ombudsman Search Committee. As late as six months ago, as far as I know, she carried out that responsibility. The last thing, is that Alice is a model for people like me who are approaching the age when they begin thinking about how much longer they have as a faculty member. Alice was a model for making that transition, how to remain a participating member of the faculty of this University for years and years, even decades after one has severed formal ties with this University. I just want to say that it was an honor for me to have known her for so many years."

Speaker Pollak: "We will now have a question-and-answer session with the Provost."

2. QUESTIONS AND ANSWERS WITH THE PROVOST

Don M. Randel, University Provost: "There are some encouraging signs affecting the statutory colleges, particularly with regards to the capital budget and the plan that is now being advanced for a five-year capital plan. It now seems that some projects we have had in mind for the campus will now move along. One still has to do a certain amount of juggling and so the usual cautions are called for, but we remain optimistic for the future.

"On the endowed side, there have been a number of items in the news that will interest you. One is that Princeton has announced vast new financial aid. I say "vast" because of its financial consequences. This is a new financial aid program that will not ask students from families who earn less than \$40,000 per year to take out any loans. Preliminary calculations suggest that it would be financially expensive for us. Just that one piece of it would probably cost us almost \$9.5 million per year. Yale has now matched that. On top of that, Princeton announced a tuition increase of 3.7%. Yale announced a tuition increase of 2.9%. We on the endowed side are looking at 4.3%. So the race is on in some respects about lowering the rate of growth in tuition and being more generous with financial aid. Our rich competitors are, in short, wielding their pocket books. I think this will not immediately affect our ability to attract the students we would like. Those students that we would not be attracting as much would probably fall into a category that we tend to lose anyway. In any case, it will have a ripple effect, you can be sure of that. Yale, by only raising its tuition 2.9% for next year, will still be \$1,000 more than our endowed tuition, but it narrows the gap. It would be difficult for us to charge more than Yale and Princeton. So, we are probably in for what we said we would like to participate in, but now we will be challenged to keep up.

"On the statutory side, we are only beginning to formulate what statutory tuition policy is going to be in light of what we now know of the Governor's budget. There, of course, we have similar problems to think about. Who are the competing institutions? How are we going to affect our relationship with SUNY if we raise our tuition rates at a pace that outpaces other SUNY schools? We do have a lot of things to think about since as a state-assisted institution, we are quite high-priced. The competition with Michigan State and similar institutions, is becoming keener, particularly with respect to students from lower- and middle-income families. I don't wish to preempt your questions, so let's hear those."

Associate Professor Randy Wayne, Plant Biology: "Last night, the Biology Task Force met. Monday I read the task force report, and I didn't read anything in that report that represented *me*. When I got to the meeting last night (although there will be another meeting tonight), the majority of the people who spoke seemed not to be represented by the task force report. Are you interested in the faculty and the biology faculty's viewpoint? If you are interested, then I suggest that we have a vote of the biology faculty. It

seemed to many of us present last night that there was a hidden agenda in the report either from you, or from the deans or from other people, and it certainly didn't come from us."

Provost Randel: "I am well known to be a lily-livered ninny, so that there is an agenda from me I think you can safely discount, or at least hear me deny that I have any agenda in the matter whatever. I am clearly interested in knowing what all of the relevant faculty members think about what we should do with biology. This is an extraordinarily serious subject for us. If you could only name one set of disciplines that our fortunes are most intimately bound up with as far as range and extent and quality, the Biological Sciences would probably be it, if you only got one vote. So I am certainly interested in what everybody thinks about this. There are serious things to be decided and whether or not they can be decided by a polling of the marketplace remains to be seen and whether it is one person, one vote remains to be seen. At this point, I have not been a party to the task force, they have received no instruction from me about what they might conclude, and I will conclude nothing about the report until I have heard comments from anyone who would wish to comment on it."

Professor Wayne: "I would suggest to you that you don't pay any attention to the task force unless it is accompanied by a vote."

Provost Randel: "That would be unfair, at least, to the members of the task force."

Professor Wayne: "But the members of the faculty outnumber the members of the task force."

Provost Randel: "That is true, and who represents who is always a complicated issue."

Assistant Professor Linda K. Nicholson, Biochemistry, Molecular, and Cell Biology: "I also was at the meeting last night and it was very enlightening in some respects and also very disturbing and sort of related to the resolution we are going to be voting on today. I understand the University's desire and willingness to put resources into certain targeted areas. I see this as a wave of the future. However, in the resolution, I see no mechanism for any sort of external influence in terms of how those decisions are going to be made and I think that is something that will be crucial. That became clear last night. The politically powerful are going to be the ones who are going to be influencing you. You are going to be the one in the ultimate position of power, in control of the purse strings, but you are going to be vulnerable to the political forces already here on campus. I already have some personal opinions about some of the specific areas that are targeted that leave out some very globally recognized research. I encourage you to consider a mechanism that allows for some outside influence to impact your decision."

Provost Randel: "You have made your points very well. As an institution, we are embarking on uncharted waters, because we don't have very much of a history on how to make collective decisions in this way. Many of the decisions that the institution embodies have been, over time, the result of historical accident and, indeed, political forces within the University. How we became really good in some of the fields we became really good in certainly did not represent the sort of broad consensus building that we really ought to have. I am certainly eager to see us undertake these decisions collectively to the maximum extent possible. Life being what it is, and we being who we know ourselves to be, ultimately implies that not everybody gets their way. I don't know any way around that. Part of the problem is that we have to pick some items and exclude others and that necessarily requires that someone does not get their way. We'll have to try to be as responsible with each other as we can be. We certainly have to make some decisions, and not everybody will get the set of decisions that they would like."

Professor Nicholson: "I think that is precisely why we need someone who is not going to gain or lose from the decisions that are going to be made to help make those decisions."

Professor David Wilson, Biochemistry, Molecular, and Cell Biology: "I'm sorry to have all the biologists speaking. This actually has something to do with the research report. I thought that when we discussed this last time, we were told that there would in fact be other reports in other areas. Now I'm hearing that this is it and there will be no other reports."

Provost Randel: "I certainly didn't mean to say anything that suggested that I wasn't telling the truth last time."

Professor Wilson: "It wasn't from you it was from other people in the administration that I got this information."

Provost Randel: "We are already in the process of launching one on the social sciences. We have said right along that biology still requires a lot of attention and that is what we were arguing about. It is manifestly obvious that the report issued last summer is not the last of the reports. We need to review the individual sections, as well as having this discussion about the organization of the division.

"What I hope we don't lose sight of in this discussion about the organization is the underlying academic goals that we need to think about and, beyond goals, reorganizing the way we think about biology. What is at issue here is basically a question about

how this science should be carried on and not about what kind of bureaucracy should oversee it. We need to think about how this set of disciplines should be organized. Then we can try to make the money and have the institution support that intellectual activity. We should not argue about who should get the money and how many directors should be in this area and then make biology conform to that structure."

Professor William Lesser, Agricultural Resource and Managerial Economics: "Provost Randel, I'm sorry that this goes back a while, but I'd like to follow up on a question I asked you back in October about the source of funds for the President's housing plan. You said first that there would be no special fund-raising appeal, which is easy to understand. You said that the cost of capital would be less than for the private sector, which is certainly very likely. But, even if one charged no cost for capital, that would still mean that the principal would have to be paid, and if that principal were \$30 million, and was paid over 30 years, that would be \$1 million per year that had to be paid out. I am wondering where that money is going to come from. You mentioned also at that time that the Residence Life budget is separate from the general budget, but am I incorrect in my understanding that the financial aid package given to students is based on the total family need and that if housing costs go up, the total financial aid package goes up? Since, based on some figures shown us, we know that the financial aid budget is a notable component of the general university budget, am I misunderstanding that there is a possibility that the cost of this housing plan may be indirectly reflected in the general budget?"

Provost Randel: "The housing initiative will be taken up in such a way that it does not put upward pressure on the rates that students are charged. You are absolutely right that if what we charge students for dormitory rooms rises faster than the rest of our costs, that means that additional pressure is put on financial aid. That is one of the reasons why we sit down every year with Residence Life and Dining and put downward pressure on what they charge. They want to raise their prices every year and they think that they can do things better, but we tell them that they have to hold their rates down because it comes back to haunt us in financial aid. So in the last couple of years, tuition has gone up faster than housing and dining; about 4.5% for tuition, and 4% for dining. This year it will not be possible to hold the lid on to that extent. We've had to negotiate a new union contract which will have to be paid for, and since that is an enterprise operation, all those costs stay within that envelope rather than our directly subsidizing those costs through the general budget. Those costs have to be paid for by the people who live and eat there. Some fraction of that does come back to financial aid, of course only half of our students get that financial aid, but it is a concern and we think about it steadily.

"In this effort, we are going to increase the number of beds, so we are going to house more students on campus than we currently do; so that is a new stream of revenue that comes from all those people who will then rent from us that used to be renting in Collegetown. The phenomenon that you have to take into consideration here is the local housing market. We have to be very careful that housing costs are competitive with a certain class of housing in the community. It is the additional revenue that we derive from the housing, combined with very cheap money that will pay for the housing. So there will be no general fund-raising campaign, no direct draw on the general purpose budget and no undue pressure on housing rates."

Associate Professor Alan McAdams, Johnson Graduate School of Management:

"I wonder if you can tell us what the role for the Chief Information Officer of the University will be in the reorganization of the administration?"

Provost Randel: "I don't expect that there will be a major change in that role from what it has been as we know it. Suffice it to say only that those roles have to be strengthened. The Chief Information Officer will have to play a leading role in all of our academic efforts, in relation to the library, and in relation to the business side of the house. I suspect that CIT and the office of the Vice-President for Information Technologies will remain rather the same and will continue to report to the Provost and will handle both academic and non-academic computing, but must pursue vigorously collaboration with the library and research computing. We have at least two things before us to think about here. One is that we face the next generation of network and what could be a fundamentally different approach to voice and data communication. That will affect everybody and we have to ensure that that infrastructure will be as robust as it needs to be in the future. Then we need to also think broadly about research computing on campus. This has been somewhat fractured, as you know, sometimes for good and sufficient reason, but the social sciences have not been well enough served. I think those are at least a couple of things that the new Information Officer will have to deal with, and there is of course the ongoing issue of Project 2000."

3. APPROVAL OF FACULTY SENATE MINUTES OF MEETINGS OF NOVEMBER 12 AND DECEMBER 10, 1997

Speaker Pollak: "We had no 'Good and Welfare' speaker come up before the meeting, so I will take the 10 minutes and put five more minutes on the next to last item so that will end at 5:50 and the last item will go until 6:00.

"On the web, you had an opportunity to review the minutes of November 12 and December 10, and I would like to know if there

are any comments, questions, or corrections regarding those minutes. Seeing none, I will cast the unanimous ballot for the body to accept those minutes."

4. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "I am extremely pleased to be able to bring to you at long last the slate of candidates for the election that we will hold in the next month for the Dean of the Faculty. I would like to thank publicly the members of the Nominations and Elections Committee for their hard work in developing the slate. We most appreciate the suggestions that you and they have made in coming up with this slate. We have flattered a lot of people that you suggested we contact about running. This is our proposed slate and we need your approval to go forward."

SLATE OF CANDIDATES FOR DEAN OF THE UNIVERSITY FACULTY

Joseph M. Ballantyne, Engr.

J. Robert Cooke, CALS

S. Kay Obendorf, CHE

Peter C. Stein, A&S

Speaker Pollak: "Are there any comments about this list? Seeing none, all those in favor of approving this list, please raise your hand. All those opposed, please raise your hand. The slate is approved."

Professor Rasmussen: "To go forward with the slate, the Nominations and Elections Committee would like to recognize the importance of this office and the importance of having you and other members of the faculty involved in making this selection. We are proposing to hold a forum from 4:30-6:00 p.m. next Wednesday in Schwartz Auditorium, so we will have a few more seats. We hope that you will all come and bring your colleagues with you. We will ask each candidate to make a brief statement and then we will open the floor to questions from those who have assembled and Professor Pollak will chair the meeting.

"The Nominations and Elections Committee has been busy making a number of nominations since I last reported to you. The nominations are on these three overheads, which I will let you just look over.

CODES AND JUDICIAL COMMITTEE

Martin Hatch, A&S

UNIVERSITY BENEFITS COMMITTEE

Larry Blume, A&S

EDUCATIONAL POLICY COMMITTEE

Jeff Doyle, CALS

FACULTY ADVISORY COMMITTEE ON ADMISSIONS AND FINANCIAL AID

Tom Gilovich, A&S

LECTURES

Toby Berger, Engr.

MUSIC COMMITTEE

Karl Pillemar, CHE

FACULTY COMMITTEE ON PROGRAM REVIEW

Jon Clardy, A&S

PROFESSORS-AT-LARGE SELECTION COMMITTEE

Jonathan Culler, A&S

Bruce Lewenstein, CALS

NCAA ACCREDITATION REVIEW

P.C.T. deBoer, Engr.

James Houck, A&S

Francis Kallfelz, Vet

Verne Rockcastle, CALS

Wolfgang Sachse, Engr.

Andrea Simitch, AAP

"The NCAA Accreditation Review are only the faculty appointees to that committee. There are a number of other appointees to that committee, in fact, a very large number of other appointments.

"The Faculty Committee on Tenure Appointments has now been fully completed. The results of the college elections are listed on the top. You all had an opportunity to participate in your individual colleges and this is a summary of the process across the University. The Nominations and Elections Committee, as you recall from the legislation, has the opportunity to appoint five more people to balance college and area expertise and any other factors that ought to be balanced. We need to have approval of these nominations in order for them to be valid."

RESULTS OF COLLEGE ELECTIONS

Gustavo Aguirre, Vet

John Bishop, ILR

W. Keith Bryant, CHE

Elizabeth Earle, CALS

Cathy Enz, Hotel

Sidney Leibovich, Engr.

Vithala Rao, JGSM

Henry Richardson, AAP

Katherine Stone, Law

Ben Widom, A&S

N&E APPOINTMENTS

David Bathrick, A&S

Gary Bergstrom, CALS

Jonathan Culler, A&S

Thomas Gilovich, A&S

Peter Marks, CALS

Speaker Pollak: "Are there any comments, questions or concerns about the nominations."

Professor Terrence Fine, Electrical Engineering: "About the representation of Engineering, vis-à-vis the College of Arts and Sciences, is that a good balance considering the size of the colleges? We have a ratio of about 4:1, when I think a ratio of 3:2 would be more balanced."

Professor Rasmussen: "We considered in detail the size of the colleges and their distributions. If we had six places to fill, we could have put another engineer on; in doing so, we had to choose between Engineering and the College of Arts and Sciences. We actually offered it first to Engineering and were turned down, so we then offered it to Arts & Sciences. I'd just like to remind the faculty that these appointments are relatively short-lived, half of them will turn over in a year. So we will have another opportunity to rebalance in a year and adding another engineer would seem to be one of the things that we would consider very high on our agenda."

Dean Stein: "I think it is an important point. We made a calculation supposing that we were to distribute these fifteen seats according to the size of the faculty in their colleges. We have to realize that large colleges must get less than their representation because there are colleges like Law that get 0.2 representatives, but the representatives are quantized at 1. But if you do the strict proportionality, Arts gets 5, CALS gets 4, Engineering gets 2, Human Ecology and Vet get 1, and the rest get less than one. So there is no way you can do it. Arts is not overrepresented by that count. You can argue that it is less overrepresented than Engineering; if you do it proportionally it is more overrepresented than Engineering."

Speaker Pollak: "OK, any more comments? Seeing none, all those in favor of the nominations please raise your hand. All those opposed. The nominations are approved."

"We have two items that we are going to try to bring to resolution that were discussed at the December 10 meeting that we did not have a quorum for, so we couldn't have anything other than straw votes. Peter will now tell you a little bit about the first item."

5. DISCUSSION AND VOTE ON MOTION CONCERNING THE 11/11/97 REPORT OF THE PROVOST'S COMMITTEE ON THE TRANSITION OF FACULTY TO EMERITUS STATUS

Dean Stein: "This has been back and forth to the body several times. The final resolution was presented to the December non-meeting that failed to be a meeting by a handful of faculty. When we asked for comments there were a couple of positive comments, no negative comments, and it was unanimously approved by a straw vote. The chair of the committee, Ken Strike, did not feel that it was necessary to present to the group once more. So I present it to you."

BE IT RESOLVED, that the Faculty Senate supports the following recommendations of the 11/11/97 report of the Provost's Committee on the Transition of Faculty to Emeritus Status:

1. Overall Reactions. The Faculty Senate is pleased with both the process and substance of the interaction between the AFPS Committee and the Transition Committee. It commends the Transition Committee and its chair, Vice President Ehrenberg, for a job well done and for the respect shown for Senate input and faculty governance, and looks forward to a similarly cooperative relationship as other issues raised by the original transition report receive further attention.

2. Telecommunications. The intent of the report (see D.3) concerning office resources for emeritus faculty seems to be to provide equitable office resources (comparable to non-retired faculty) based on an assessment of actual levels of professional activity as well as departmental capacity. However, no explicit mention is made of access to communications resources (e-mail, WWW access, fax access, etc.). The Faculty Senate recommends that an appropriate reference be made to these resources in D.3.

3. Phased Retirement. The report describes two options for phased retirement. Option 1 is for indefinite half time retirement with tenure retained. Option 2 is for fixed term phased retirement. Options 1 and 2 are not mutually exclusive. Moreover, arguments for either option tend to make highly conjectural assumptions about how they would affect the transition to full retirement. The Faculty Senate recommends that for the short term the University make both options available, that it engage in a study to determine how faculty are likely to respond to different mixes of options, and that it carefully monitor the consequences of these options.

Rationale for recommendation #3:

1. The argument for Option 1 assumes (a) that it will be more attractive to faculty because it does not specify a point at which one must retire, and (b) that those faculty who choose it will not continue half-time for an undue amount of time. In contrast, Option 2 ensures that those who take it will retire in a timely way, but, because it is less flexible, it may also reduce the number of takers. If both (a) and (b) are true, it is reasonable to believe that Option 1 will be more successful in moving faculty into retirement than Option 2.

2. The basic argument for Option 2 denies (b). Thus it envisions Option 1 proliferating a significant number of long term part time faculty and slowing the transition to emeritus status.

3. The Option 1 plus Option 2 plus a study has the following rationale:

a. We do not know whether assumption (b) is true. Thus, we do not know whether Option 1 or Option 2 is more likely to facilitate transition to emeritus status. We are unlikely to know this if we do not study the matter and if we get no experience on the matter.

b. Option 2 is not only less flexible for the faculty, it is less flexible for departments and colleges. It may be that there will be numerous cases where departments and colleges will benefit by permitting a faculty member to continue in a part time role for an indefinite period.

c. Adverse consequences of including Option 1 in the mix of options can be controlled. None of the proposals under consideration grant faculty any right which they can unilaterally exercise. The effect of any mix of options will be to create a bargaining situation between faculty, departments and colleges. Departments and colleges are not compelled to agree to either Option 1 or Option 2. Thus departments or colleges might choose to limit the number of people who can be on part time status (in either form). Or they might limit the number of people who can be on Option 1.

d. If the Option 1 plus Option 2 plus a study approach proves to generate an unacceptable number of indefinite part time faculty, it is possible for Cornell to eliminate Option 1 leaving only Option 2. Whereas, if we have only Option 1, there is no fall back position, and if we have only Option 2 we will never know whether Option 1 would have been more successful in facilitating the transition to emeritus status. In short, the Option 1 plus Option 2 plus a study allows Cornell to choose between Option 1 and Option 2 (if that should prove necessary) on the basis of evidence and experience rather than on a prior speculation, and it avoids the out of hand rejection of the option (Option 1) that may be better both for Cornell and for the faculty.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering: "Despite what Peter just said, I would like to register my disappointment that this report isn't taking issue with the age discriminatory statement in Item 4 of Option 2 of the transition report. It seems to me that it is clearly discriminatory in nature and violates the spirit and probably the letter of the age discrimination law."

Professor Judith Reppy, Science and Technology Studies: "My understanding of the federal law is that age discrimination is outlawed. So, can we even do this?"

Dean Stein: "I would like to defer to Vice-President Ehrenberg on this matter."

Vice-President Ron Ehrenberg: "I am hiding here in the back. Cornell counsel will address whether or not that provision is acceptable. It is the belief of people that voluntary programs in which people are not compelled to participate, like voluntary early retirement, are within the spirit of the law as well as the letter of the law. To ensure that this will be securely within the letter of the law, there are academic professional groups that are pushing for Congressional action that will make that explicit."

Professor Locksley Edmondson, Africana Studies and Research Center: "Shouldn't we seek the opinion of University Counsel before we pursue this very delicate issue?"

Vice-President Ehrenberg: "University Counsel would prefer not to make any official judgment on this matter before there is an official proposal that is brought forward, and the Provost cannot bring a formal proposal until the Provost knows what the sense of this body is. However, the sense of the committee was that in the event that the age 70 restriction was seen to be discriminatory, then it would be simply dropped from the proposal."

Assistant Professor Carlo Montemagno, Agricultural and Biological Engineering: "If the faculty approves this and counsel decides that the age 70 restriction is discriminatory, doesn't that establish a paper trail that there is really an underlying tendency in the administration toward discrimination?"

Professor Edmondson: "I am just asking the body what the wise choice would be in this situation. Do we wait and find out later? Or, do we take a position now on something that may be unprincipled? I simply cannot support the latter choice and I hope the rest of the body feels the same way."

Professor David Gries, Computer Science: "I suggest that counsel is not serving us as it is supposed to if it won't answer our question before we vote on it."

Vice-President Ehrenberg: "Just to remind you of the process we agreed to follow. The joint faculty-administrative committee would make a recommendation to the Provost. The committee has made its recommendation and the Faculty Senate is being asked to give the Provost the sense of what they feel about that resolution, and the desire to take no action will force the Provost to make a decision based upon the evidence that he has. I would advise you to take some position even if the position is that 'we don't want to take this position because we feel this position will back us into a corner.'"

Dean Stein: "I would just like to note that there are only three possible actions that we can take at this meeting. We can refer it back to committee, we can vote it up, or we can vote it down. I recommend that we make a decision about what to do on this matter quickly."

Associate Professor Brad Anton, Chemical Engineering: "I move to refer it back to committee."

The motion was seconded.

Speaker Pollak: "We have a motion on the floor to return this to committee. Is there any discussion on the motion?"

Professor Ken Strike, Education: "I am the chair of the committee. The committee is probably in a reasonable position to take the matter under consideration and think about it. I'm not sure that we are in any position at all to determine its legality without going back to the same sources or finding some sort of legally competent advice."

Dean Stein: "My own experience with this committee is that they are capable of accomplishing the task that we are asking them to accomplish. They are not the Supreme Court of the United States, but they'll return with an opinion which will not be frivolous. I'm confident that a referral to committee would be fruitful."

Speaker Pollak: "I'm going to ask for a vote on this now. All in favor, please raise your hand. All those opposed. This will be referred back to committee."

"We'll now move on to the next item. There is an amendment to that item, and Peter will now provide us with background information."

6. RESOLUTION ON THE REPORT OF RESEARCH FUTURES TASK FORCE 1: PHYSICAL AND BIOLOGICAL SCIENCES AND ENGINEERING

Dean Stein: "At the meeting that didn't take place in December, the motion we are considering now did not have as happy a reception as the previous issue. It was apparent that the people in the room, who were probably most of you, were disturbed by this report and didn't know what to do. There was a lot of controversy in the room as to what this motion meant. After that meeting, the UFC went back and spoke to three members of the Research Futures Task Force and tried to find out from them what this report was trying to say.

"The report was essentially saying a couple of things. It was saying that these are three hot items: information technologies, material science, and genomics. The group there thought that we should put ourselves in some sort of condition so that the people in these areas ought to be able to advocate for them. We ought to facilitate groups of people making plans for the research future in these areas where areas transcend college and department lines. The second thing they were saying is that there ought to be a committee to advise the Provost on where he should place his bets essentially in research futures.

"The confusion that there was on the report was somewhat bifurcated. The first was that in the report this advocacy and advice-giving function seemed to be combined into one committee. The more we talked about it, the more we felt that was a bad idea. We felt that these were two valid functions, but that they ought to be separated and that the same people who advise the Provost shouldn't be the same people who advocate these areas to invest in, because we have other areas to invest in also.

"So, the UFC came up with a resolution that essentially says that. It very carefully defines these two areas of advocacy and advice, and agrees with the statements that were made in the rest of the report as recommendations, which were characterized by the people in this room as 'motherhood'. They may be 'motherhood', but I think they are important and I think they deserve to be

said.

"After circulating this motion around, we were approached by John Smillie of Mathematics and Clifford Earle, Senator At-Large, and they felt that the resolution we had written didn't address another problem, which is that many people believe that the report has come to the conclusion that Cornell should put its best bet in these three areas. If you read through the report, you can find evidence of that, but it does not come through in the recommendations. They felt that it was important to make it clear that an affirmative vote for this resolution did not mean that the body supported the notion that Cornell should put its best bet in these three areas. After talking to Clifford Earle and John Smillie, the UFC drafted this amendment, which is Part D, which says that. So I now present the amendment to you."

D. That the Senate objects to any other administrative action based on this report being undertaken without prior consultation with either the Senate or the faculty committee proposed in Recommendation A. above.

Professor Lesser: "I would just like to ask a question. I think the amendment is very appropriate, but I wonder about the word 'objects'. Would another, stronger term, like 'prohibits' or 'excludes' or something like that be a better choice? It seems as though we are saying we wouldn't like if they did these things, but they could go ahead and do it anyway."

Dean Stein: "There was some discussion about whether 'objects' was too strong or too weak a term to be used in this amendment. It is clear that we do not have the authority to prohibit or preclude or anything like that. In this area, we are only advice-givers and 'objects' was about as strong a word as we could find, given the limitation of the advice-giving function."

Norm Scott, Vice-President for Research: "I saw this particular amendment as a bit difficult to understand. Where it says, 'any other administrative action,' I'd just like to illustrate four issues that I am unsure whether they are consistent or inconsistent with that terminology: 1) Should someone in my role not initiate opportunities for discussion? 2) Should not respond to requests from faculty who ask for bringing together some groupings? 3) Should not participate with faculty if asked by faculty in certain kinds of integrated projects? 4) Or even support by letters for certain studies, many of which relate to these particular areas? So, the 'any other administrative action,' seems extremely encompassing. I'd like to get a sense of what it means."

Dean Stein: "Some of the things you name, like facilitating these groups, are already mentioned in the report, so we would object to those. Also, we are only an advisory group, we are not legislating. If we were legislating, I think we would have to think about it and define it more clearly. But I'll just tell you what was in the minds of the people who drafted it. We do not want the Senate approval of this document to be interpreted as the Senate endorsing the notion that we should make a shift of resources from some areas of the Physical Sciences to the areas that were named. We do not feel that those decisions should be made until the administration has consulted with the faculty committee that we have asked be formed to advise the Provost on these matters. That is the spirit of this statement."

Associate Professor Robert Corradino, Physiology: "Just how much funding is actually going to be provided by the University as opposed to the amount that is funded through research grants to individuals, which is the normal way that these sort of projects are undertaken? In other words, what is the University's financial stake going to be in this?"

Vice-President Scott: "That is a very difficult question to answer, because when you talk about resources, you're talking about the allocation of very important faculty lines and everything else. In terms of the whole process, I guess if you want a quantitative answer to that, which is still not as clear as it may sound. You look at the reported numbers on research at Cornell which are compiled like they are at every other institution and submitted to the NSF. In this past year's \$351 million of expenditures on research, there is a number of about \$30 million that is ascribed to what is called 'institutional supported research.' But, this includes everything such as underrecovered indirect costs. So, that would be the absolute maximum with a rather unclear definition."

Speaker Pollak: "Are there any other comments on the amendment? Seeing none, we will move to a vote on the amendment. All those in favor, please signify by raising your hand. All those opposed, raise your hand. The amendment carries. Now we will move to the resolution."

WHEREAS, the Research Futures Task Force has issued a report that was "designed to stimulate a discussion", and

WHEREAS, the future prominence of Cornell as a leader in physical and biological sciences and engineering depends on its ability to attract talented faculty and students, and

WHEREAS, increasing costs of research support coupled with constrained university finances have made it imperative that resource allocation choices be made wisely, and

WHEREAS, wise choices are helped by thoughtful advice from the faculty, and

WHEREAS, the faculty in certain important rapidly developing fields need structures that will support a advocacy for and coordination of their efforts,

BE IT RESOLVED

A. That the Senate recommends that the administration and the Senate jointly form a committee of faculty to advise the administration on ways (including resource allocation decisions) to enhance Cornell's prominence and the quality of both its departmental and interdisciplinary programs in physical and biological sciences and engineering; and

B. That the Senate urges the administration to provide appropriate structures to enable faculty to coordinate and advocate for their efforts in areas that transcend department and college boundaries. Three identified examples are genomics and integrated molecular biology, information sciences, and advanced materials; and

C. That the Senate recommends that in the area of physical and biological sciences and engineering we at Cornell:

1. Increase emphasis on the recruitment and retention of the very best faculty. All faculty search committees should be broadly representative of the discipline, including, where appropriate, members from outside the academic unit.
2. Enhance, in a decisive and timely fashion, our competitiveness in attracting the best graduate students. The Senate requests the Dean of the Graduate School to report to the Senate annually on Cornell's current success, as well as our future prospects, in enhancing our competitive standing in attracting students.
3. Maintain a commitment to our traditional areas of strength in basic research by hiring the best faculty and let them choose what research to pursue.
4. Improve our research infrastructure. The increasing expense of new faculty start-ups and senior faculty appointments, rising costs of state-of-the-art instrumentation, and increased demands for matching funds for research equipment proposals require a more integrated approach to the use of resources.
5. Encourage interdisciplinary research. Cornell has strategic advantages of strength in broad areas and a tradition of interdisciplinary collaboration, but needs to develop new approaches to capitalize on its advantages.

Professor Nicholson: "I apologize, I am writing a grant proposal and had a lot of things going on and I hadn't gone through this very thoroughly and I hadn't realized that there was the exclusion of an external influence on how allocations will be made. It is a deep concern of mine and it was reinforced by the meeting that I was at last night. It was very evident that certain forces had been acting to determine what five targeted areas would be in Biological Sciences. From my own perspective, protein structure was one of these five areas. I am an NMR spectroscopist, I saw that as a very positive thing; but when I read the description it was all x-ray crystallography, which was a very disappointing thing. I think external opinions are very important to really remain current in a global sense and not just in terms of what people here at Cornell are seeing as the forefront of science. I don't know what mechanism we can at this point build in, but I think it is just something we should consider."

Dean Stein: "Just to quickly answer Professor Nicholson, the motion before you recommends a faculty committee and it is very unstructured. It doesn't say how many, it doesn't say how they will be distributed, it doesn't say how it will operate, it doesn't preclude their seeking an external opinion if they think it is appropriate. If you pass this and the Provost agrees to go along with it, then there will be somebody else who will have to think about how to construct this thing and how to make it right, and I think they'll be back with that."

Professor Barry Carpenter, Chemistry: "I guess I'm having a hard time constructing in my own mind a committee that will simultaneously be knowledgeable enough to inform the Provost and yet free of conflict of interest. Can someone construct such a model for me?"

Professor Nicholson: "I think this would be an external source, someone who was completely unaffected by any allocation of resources, but had the wisdom in a global sense to see what are the emerging areas of science, who would not personally benefit or lose by this decision."

Professor Anton: "I can't imagine that the University would undertake some big expenditure without some external funding involved. Ultimately it is up to the referees to approve those grant funds anyway, so it seems to me that at least some external influence is already built in, almost unfortunately."

Professor Fine: "No good deed goes unpunished. I remember the Provost's rationale for this, which was that when he gets requests for money, he would like some advice on how to disperse it, given that he doesn't have enough to give to everyone who wanted it. That was the good deed, now the punishment. We have this report, which as I read it has a bunch of motherly — no that's a bad choice — I have nothing against motherhood, I have something against this report! In the end, it creates an answer, a committee, another faculty committee, wonderful. Then it binds it with amendment D, that says, 'don't do anything until you talk to the committee.' I think it's awful. I'd rather let the Provost seek advice where he wants to and forget about this."

Professor Clifford Earle, Mathematics: "I wish my fellow Senator John Smillie were here, but he is in Washington giving advice to the NSF on how to allocate resources for research funding. One thing about the committee envisioned by part A is that its design is to be a joint venture between the faculty and the administration and it occurs to me that those are the people who designed the research futures task force, and we are where we are because of some unhappiness on some of the features of that report. It is, as Senator Carpenter just pointed out, hard to imagine a completely disinterested committee. Nevertheless, I have to say that as a concerned faculty member, I would like the Provost to get the best advice he can and I would like the advising to be very cleanly separated from advocacy. The advocacy portions of the task force futures report are very eloquent, but eloquent things could be written about other research areas as well, and it is dangerous to take the advice of people who are committed to a particular agenda or particular set of research priorities. I think we are in a difficult position. But, I still would like to see the Senate come up with a way to give the Provost advice without having stacked the cards ahead of time and having anointed particular areas for favored treatment. We did succeed after months of floundering with getting a committee together, with giving the Provost advice on tenure appointments, and I think this effort now also deserves some hard work and it is not something that we need to leap into."

Speaker Pollak: "Are we ready for the question? We will attempt a show of hands. All those in favor of the resolution, please raise your hand. All those opposed. It is a little close. It looks like it does not pass, but we should call the roll (attached, [Appendix A](#))."

The resolution was defeated by a vote of 25-48 with 5 abstentions.

7. DISCUSSION AND VOTE ON THE DATA ACCESS POLICY

Speaker Pollak: "We will now move on to the next item on our agenda and John McMurry will come up and give us a little background on that."

Professor John McMurry, Chemistry: "The resolution on the Data Access Policy, which has been under discussion for at least a year, has been previously distributed. It is a very complicated policy. Dean Stein asked the Committee on Educational Policy to look at the three options provided by the committee and simply give faculty input and a faculty viewpoint, so that is what we did. We unanimously agreed that what is called Option 1 in the draft of the Data Access Policy is our recommendation. Basically, we focused on what we thought were likely to be the contentious issues. Those would be salaries and access to student records. With respect to faculty salaries, there were three options. I'm in the Chemistry Department. Who should see my salary? Chair of the Chemistry Department? Yes. Dean of the Arts College? Yes. Central Administrators? Yes. But, should other deans or other department chairs see my salary? Our feeling was that unit-wide data of this sort should be available only to individuals in that unit. Central Administration sees all salaries. Deans see salaries only within their colleges and department chairs, see salary information only for people in their department. That recommendation is part of Option 1. That is what our committee thought was the best choice.

"The second possibly contentious issue has to do with access to student records and again we felt that compartmentalizing these were probably the best choice. Again, central administration has access to everything. Deans have access to student records within their departments. Department chairs have access to students within their departments and individual advisors have access only to their students. These recommendations were also a part of Option 1, which as I have said, seems to make the most sense to us."

A member of the faculty raised a question of how this policy would affect cross-disciplinary committees like the Academic Integrity Hearing Board.

Speaker Pollak: "We have a guest today, Marjorie Hodges, who was on the drafting committee, and she can probably answer most of your questions on the policy itself."

Marjorie Hodges, Information Technologies: "In answer to the question, if you have a 'need to know', even if you don't fit into any of the categories, you would be able to have access to that information. So, if you don't automatically get that access, all you have to do is demonstrate a 'need to know'. Certainly, the Academic Integrity Hearing Board would have a 'need to know'."

Professor S. Kay Obendorf, Textiles and Apparel: "I would like to know, when you have clearly defined units with chairs, what happens with graduate fields that cross departments? What happens with directors of undergraduate study? For example, Biology and Society is across three colleges. Does the director of undergraduate study get to see all Biology and Society student records?"

Marjorie Hodges: "The intent behind the policy options is that if they need to have access to the records, they will have access."

Professor Obendorf: "Who is the gatekeeper who decides all of this? They are not department chairs, the titles differ across campus, the situations differ. Have you ever tried to get access when they told you you could have access and then you couldn't get access?"

Marjorie Hodges: "Yes, and the answer to the question is that it is going to be difficult to do. But the University is committed to make that happen. The idea is that the University wants those of you who need this kind of information to do your jobs to have this information. It's not possible for everybody now, there are a lot of complaints about access to information. These policy options are designed to provide that access. It probably won't solve all the problems the day we pass the policy because we still have to implement it and the implementation will be difficult, but the goal is that those individuals will have access."

Professor Milton Zaitlin, Plant Pathology: "I have a related question. I'm still not clear who the gatekeeper is, and is there an appeals process if your request is denied?"

Marjorie Hodges: "Hopefully, in 95% of the cases, we will be able to decide in advance. We might not be able to decide before implementation in all of the cases. For those cases, the criteria will be the 'need to know'. For the 95%, the responsibility would fall on the chief academic officer of the University. There will be an appeal process of sorts, we haven't hammered out the implementation of that yet, because it depends on which option we choose."

Associate Professor Risa Lieberwitz, ILR: "It seems to me that there is a real difference between access to information on faculty salaries and information about students. I'm very concerned about keeping student information confidential to protect them, but it seems to me that we should promote increased access to information about faculty salaries. I think secrecy about faculty salary is damaging, often to women and people of color. I wonder if you thought about that."

Professor McMurry: "Before coming to Cornell, I was at the University of California and, at state schools, all faculty salaries are public information. The University of California functions perfectly well. Personally, I think the whole issue of salaries is overblown; I don't really care. Yet, there are people that do care and those feelings ought to be respected and we felt that since we had to make a recommendation, that salary information should be protected."

Professor Lieberwitz: "So you are saying that it was the sense of the committee as a whole?"

Professor McMurry: "Essentially."

Professor Donald Farley, Electrical Engineering: "I have a question regarding the students. Is there a problem we are trying to fix here? This resolution must have risen out of something."

Dean Stein: "The problem is the future. We are now entering an era when all of this information can be put on one little chip someplace. The question is, who has access to the data on that chip. No one is asking the question now, because we don't have the chip, but there is a trade-off here between expense and privacy and the cheapest way is to allow everyone to have access to the system. You don't have to go through the problem of assigning electronic keys to people and you don't have to decide who gets keys to what. The more restrictive you make it, the more expensive it gets and that really is the trade-off that is being discussed."

Professor Fred Ahl, Classics: "The assumption in the resolution is that one is only talking about faculty access to this data. For example, a department chair is certainly not going to be the only person in a department that has access to information on faculty salaries in that department. Who outside of the faculty structure will have access to this information? I have found that it is easy enough to find out information, not by approaching faculty, but by approaching staff, who seem to have access to all sorts of things. I was just wondering what structure is set up as far as access for administrative aids and other staff positions?"

Marjorie Hodges: "Access is limited to the unit. So staff members and faculty members would have access to information in their unit, but not outside of their unit."

Professor Corradino: "I have a concern about the constitutionality of opening up access to student records."

Marjorie Hodges: "We actually revised this point earlier. There is a distinction in all of the policy options that there will be three classifications of data: 1) Confidential, 2) Restricted, 3) Unrestricted. Confidential is all information that we are required by external law to treat in a certain fashion; we will call it confidential and treat it in that fashion. Restricted is information that the University is not required to treat in a certain fashion, but chooses to do so for a policy, business, or moral reason. Unrestricted is information that may be published and available to anyone. We will have greater restrictions surrounding confidential data than we do surrounding restricted data."

Professor Anton: "As to the language, maybe this is just a matter of personal style, while I agreed with most of what this report had to say, I wonder why it couldn't be written in a more precise and assertive way. For example, where it says 'Therefore be it resolved that the Faculty Senate recommends that the administration adopt a policy that includes the following. . .' So what I am saying is that instead of saying 'should be done' we would say 'will be done,' instead of saying this is the way we would like it to be done, we would say this is the way it will be done."

Professor McMurry: "The simple answer to that is that all we are doing is recommending Option 1 to the Provost. The rest of this is a short summary of what Option 1 is."

Speaker Pollak: "There is a motion to call the question and the motion is seconded. All of those in favor of calling the question, signify by raising your hand. All of those opposed. The question has been called, we will now move to a vote on the resolution. All of those in favor of the resolution, please raise your hand. All of those opposed. The resolution carries."

The resolution as adopted follows:

WHEREAS, the Administration intends to take action on a draft Data Access Policy, and

WHEREAS, the Committee on Educational Policy has reviewed the Data Access Policy draft of November 12, 1997, and has come to a unanimous opinion favoring Option 1 in that draft,

THEREFORE, BE IT RESOLVED, that the Faculty Senate recommends that the policy adopted by the Administration be consistent with the following:

- 1. Access to restricted university-wide data should be routinely granted only to authorized individuals within the central administration. Furthermore, we urge that legitimate special requests for access to restricted data or custom statistical reports be granted on a case by case basis.*
- 2. Access to unit-wide restricted data should be granted only to authorized individuals within that unit. For example:*
 - Department chairs should have access only to data for their department.*
 - College deans should have access only to data for their college.*
- 3. Access to restricted data within a functional area should be granted to authorized individuals within that area. For example:*
 - Faculty members should have access only to records for their own advisees.*
 - Department chairs should have access only to records for students in their department.*
 - College deans should have access only to records for students in their college.*
- 4. While agreeing that the above restrictions are needed to preserve the confidentiality of individuals, we also urge that access to anonymous or aggregate data be made widely available so that the flow of information needed for planning or other statistical purposes is not hindered.*

"We will now move on to our next item on the agenda and Peter will come up to provide some background on that item."

8. DISCUSSION AND VOTE ON THE MPS IN APPLIED STATISTICS

Dean Stein: "There is a long tradition that the faculty and the FCR and then the Senate have the responsibility of approving new degrees. Any new masters degree needs to be approved by this body."

Professor Montemagno: "The Academic Programs and Policies Committee was asked to review the granting of an MPS degree in

Applied Statistics. The committee reviewed it, looking at its possible impact on the Ph.D. program, looking at the possible costs that may be incurred, and we were satisfied that this degree program would fill a vital niche that is not filled by the Master of Science and Ph.D. programs in Statistics. It would be managed in such a way that it would be self-supporting and not incur any additional costs. As a matter of fact, one of the principle issues that was discussed was whether or not this would draw resources away from the Ph.D. program and based upon discussions with a number of people, we feel that this may generate additional revenue that will be able to support more fellowships in the Ph.D. program. Consequently, the committee recommends unanimously to approve this new MPS degree in Applied Statistics."

Professor Howard Howland, Neurobiology and Behavior: "If I heard correctly, some of the money from this professional masters degree is going to go back into the statistics graduate program to help support research initiatives. This has been going on for some time now, that we have been supporting academic programs by filling Ithaca with people who are pursuing professional masters degrees. I just want to call your attention to the rate of masters degrees which has gone up dramatically in the past ten or fifteen years. You can make arguments for and against it, but it seems to me that there is a certain dilution of intellectual climate in a great university doing that."

Professor Seymour Smidt, Nicholas H. Noyes Professor, Johnson Graduate School of Management: "I have a question about the funding. Is it a usual thing that funds generated by professional masters programs go to support the research in those areas?"

Provost Randel: "There is no single rule that applies to anything at Cornell, including professional masters programs. Over time, a variety of deals have been struck, most of which entail turning some of the revenue back to the program itself. I wouldn't necessarily say in support of research as opposed to support of something else."

Professor Smidt: "I am concerned because in my experience, and this is sort of anecdotal, the quality of the students in these programs seems to have gone down over time and the story I heard from colleagues was that it was a profitable program for the school. I have no problem if the Statistics department wants to have a professional degree program in this area, especially if there is a need for it. But I think the University should be concerned that it gets funded in such a way that doesn't dilute the quality. We should decide to do these things based on educational merits and then fund it in the normal way. I would hate to see Cornell's excellent reputation in Statistics decrease because of a lower quality of students in this program."

Professor Peter Schwartz, Textiles and Apparel: "The field of Statistics covers many colleges. Is the tuition that is going to be charged to these students going to be reflected in their choice of advisor? And, if so, has thought been given to the problem that students may choose advisors in the state colleges to get the lower rate of tuition?"

Professor Charles McCulloch, Chair of Statistics: "The department, for administrative reasons, is organized into CALS, so we are restricted on how much we can charge. To ensure that the program raises enough revenue and is of high enough quality, we have aimed for one of the highest statutory tuitions available. So, it won't be as low as in-state statutory tuition, but it will be one of the statutory tuitions and it will be consistent across the board."

Speaker Pollak: "Are there any other comments? Seeing none, we'll take a vote on this. All those in favor of the resolution, please raise your hand. All those opposed. The resolution carries."

The resolution as adopted follows:

We, the Faculty Senate, upon review of the merits of the proposal put forth by the Graduate Field of Statistics herein recommend approval of their request to form a new program leading to an MPS degree in Applied Statistics.

Speaker Pollak: "Since it is before 6:00, do I have a motion to adjourn?"

A motion to adjourn was made and seconded.

The meeting adjourned at 5:57 p.m.

Respectfully submitted,

Kathleen Rasmussen, Associate Dean and Secretary of the University Faculty