

MINUTES OF A MEETING OF THE FACULTY SENATE

Wednesday, September 18, 1996

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

1. REMARKS BY THE DEAN

Peter C. Stein, Dean of Faculty: "I wanted to talk to you about just a couple of things. The first is to report to you about a meeting that I went to last Thursday for the Executive Committee of the Board of Trustees and displayed the transparencies that I showed you last time about faculty salaries plus some others. I spoke to them not authorized by you, but on my own behalf. I was careful to point out that I was not expressing the views of the faculty or of this body, but my own views. Just to reinforce the spirit of what I said to them, I think that Cornell faculty salaries are risky, down to the point where they are dangerously low. I think that it's critical at this point to return ourselves to the situation that we were at a decade ago. I believe that we ought to correct that decade of decline and what that means for the endowed units is that faculty salaries should be increased by ten percent in four years' time. It's a very significant change and I think it's warranted, and that's what I told the Board of Trustees. I don't understand statutory salaries as well and find the situation somewhat more confusing, somewhat more difficult to interpret. I believe that the salary problem is as important to this institution, and possibly as critical, as the endowed salaries are, and I commit myself to trying to understand it and to do what we should for those colleges.

"The second thing I want to talk about is Senate Procedures. I thought a lot, after the last meeting, about what Bill Lesser was saying, when he wondered how we bring issues, not motions, to the floor. And I think I finally understand his concern. Maybe it's not what he was saying but I think that it's a valid point of view. In particular, I try to put myself into the mind of a faculty member who doesn't worry about these things every day of the week like I do, and is not part of the apparatus, but is just a faculty member who has a complaint he thinks we're not addressing. The faculty member doesn't particularly want to sit down and think through a motion and to figure out what we should do about it, but he knows that, in fact, the situation has become very bad and he thinks that we can do something about it. He thinks the Faculty Senate ought to do something about it, and he wants to bring that issue to the attention of the Senate. It seems to me that that is a legitimate concern, and we must find an avenue for doing that.

"Well, we have talked about that a little in the UFC. We believe it is a function of the UFC to figure out how to get a particular item that is of concern to faculty members to the appropriate committee or figure out what action we should take. And so we have done the following. If someone has a concern that they want to bring up before this body, I welcome you to call me. You know that. I'm happy for you to come to talk. I'll probably talk more than you want to talk about it. Likewise, if you know somebody on the UFC, you are certainly invited to call them up and tell them that you have something that ought to come before this body. But suppose you don't want to talk to me and you don't know anyone on the UFC. What then? Well, we have come up with the following, which we'd like to try for a while. Namely, we've divided the UFC into nine different groups of people, alphabetically, and to each group of people, that is something like eleven people, we have assigned one of the members of the UFC. We'll send that around on e-mail. That person, who is assigned to you, is obligated to think about your concerns and to bring that concern to the UFC and to come to some kind of conclusion as to what we're going to do about it. Bill, if that's what it is that you're trying to say, then that is our response."

Professor William H. Lesser, Agricultural, Managerial, and Resource Economics: "I really appreciate your efforts."

Dean Stein: "Furthermore, if anyone wants to communicate with any members of the Senate, we maintain a moderated mailing list. A moderated mailing list means we're not going to give it out, because you never know what is going to happen to a mailing list when you give it out, but anyone who wants to send anything to all the members of the Senate can simply send it to my office and we'll send it to all the members of the Senate."

2. APPROVAL OF MINUTES

Speaker: "The minutes have been put on the Senate web page for May 8 and May 15, 1996. You should have had an opportunity to look those over. Are there corrections to any of those? If there are none then we will call on President Rawlings to present the Deaths of Faculty."

3. ANNOUNCEMENT OF DEATHS

President Hunter R. Rawlings III: "Please join me in this opportunity to remember those faculty members who have died during the past year. I'll read their names and ask for a moment of silence.

Dorothy M. Proud, Professor of Institution Management, Emeritus, February 9, 1995

John Hartell, Professor Emeritus, Architecture, October 12, 1995

Thomas C. Watkins, Professor, Entomology (retired), October 27, 1995

Carl S. Winkelblech, Professor Emeritus, Agricultural Engineering, October 30, 1995

Charles E. Palm, Liberty Hyde Bailey Professor of Agricultural Sciences, Emeritus, February 25, 1996

Stuart M. Brown, Jr., Professor Emeritus, Philosophy, March 18, 1996

Robert Bechhofer, Professor Emeritus, Operations Research and Industrial Engineering, May 13, 1996

Morris E. Opler, Professor Emeritus, Anthropology, May 13, 1996

Edward W. Fox, Professor Emeritus, History, May 19, 1996

Ethel Vatter, Professor Emeritus, Consumer Economics and Public Policy, June 1, 1996

Thomas A. Ryan, Professor Emeritus, Psychology, June 16, 1996

Robert F. Becker, Associate Professor (retired), Horticultural Sciences, July 23, 1996

Abraham Nash, Professor Emeritus, ILR, August 3, 1996

Dorsey W. Bruner, Professor Emeritus, Microbiology and Immunology, September 1, 1996

Deane W. Malott, President Emeritus, September 11, 1996

"Let's take a moment of silence to remember our colleagues."

"Thank you."

Speaker: "We're going to start down through the agenda where there are several items that have to be addressed. We're on our honeymoon here, right? I get at least two or three meetings where you don't start yelling about rules of order and all these other things before I get my feet too wet. Let's start in on these very uncontroversial items. We'll call on Robert Lucey to start us off."

4. REPORT OF NOMINATIONS AND ELECTIONS COMMITTEE

Professor Robert Lucey, Associate Dean and Secretary of the Faculty, Soil, Crop, and Atmospheric Sciences: "You received in the announcements of the meetings the report of the Nominations and Elections committee for Fall 1996. There are 22 committees listed ([Appendix A](#), attached) and the Nominations and Elections Committee moves that you approve the report. Are there any questions?"

Speaker: "This motion from the committee had the list of names and you've had a chance to look them over. Is there any discussion regarding that?"

A Question: "We got by e-mail the names that the Nominations and Elections Committee were proposing for the co-investigator pool. Was that included here?"

Professor Lucey: "No. That's the next item."

Speaker Pollak: "Okay. Then let's have a show of hands of those who approve of this."

The vote was taken and the motion was passed.

Professor Lucey: "One of the nice features that I can identify by being Secretary of this Faculty is the privilege I have really of serving and meeting with a number of committees, and I'd just like to point out two things. One is that we're very appreciative of those members that are willing to serve on these committees because in my view they are very attentive, very analytical and very careful. So let me thank you very much. I appreciate it.

"So I've put up here the membership of the Committee on Nominations and Elections, and as Secretary, I'm chair of that committee ([Appendix B](#), attached). Now the next item is that the Sexual Harassment Policy requires that we provide a list of people who are qualified co-investigators if someone makes a charge of sexual harassment. Using the criteria, which is an important criteria, that individuals in this category must have had training and experience in dealing with such matters, the Nominations and Elections Committee has identified nine individuals for your approval:

Joseph Calvo CALS

Alice Cook ILR

Michael Gold ILR

Ken Greisen A&S

Fred Kahn A&S

Maureen O'Hara JGSM

Thomas Scott CALS

Katherine Stone Law

Barbara Strupp CALS

"The qualifications of each of these individuals can be summarized as follows. Joseph Calvo, Alice Cook, Kenneth Greisen, and Thomas Scott all held the position of Ombudsman. Michael Gold is an attorney who specializes in discrimination law. Maureen O'Hara has been a consultant for another university in a sexual harassment situation. Katherine Stone is a lawyer who drafted sexual harassment procedures for the Law School and teaches dispute resolution. Barbara Strupp has a history of experience of dispute resolution in the community and Fred Kahn is a former Dean with a history of bureaucratic dispute management."

Speaker: "Are there any questions about the list?"

Professor Gordon Teskey, English: "I think that this matter was deferred until today at the last meeting because of a feeling that the Sexual Harassment Procedures hadn't been discussed."

Professor Lucey: "This is not asking for your approval of the Sexual Harassment Procedures. This group of people are qualified as investigators on issues of sexual harassment."

Professor Teskey: "Under the new procedures. If I'm not mistaken, I think that the point that was made at the last meeting was that we might not wish to approve these candidates until we discuss the procedures. That by approving these candidates, we are tacitly approving the procedures before there has been considerable discussion."

Professor John Abowd, ILR: "As I understand what we did at the last meeting, someone proposed that we do what the Speaker just said, and we voted it down and we are here and we have a list of candidates to be co-investigators. It's an entirely in order motion consistent with what we did at the last meeting. It has nothing to do with the motion that we defeated in the last meeting."

Associate Professor Walter R. Mebane, Government: "May I ask for a description of the differences between the Law School procedure and the University procedure and regarding also the differences between the 'other university' procedures and perhaps some comment on whether the people involved in other university procedures are endorsing our procedures?"

Speaker: "You're discussing the procedures now."

Professor Mebane: "This is apropos of their qualifications."

Professor Katherine V. Stone, Law School: "That's slightly incorrect. I didn't draft the procedures for the Law School. The Law School does not have a separate set of procedures. I chaired the committee of the Law School to investigate whether the Law School should have a separate set of procedures and the conclusion was, 'probably not'—there wasn't a unanimous expression of the opinions of the faculty, but that was the conclusion of the committee. So the Law School did not go forward and draft a separate set of procedures. Now the procedures that we considered were quite different than these because they were procedures that dealt with sexual harassment between students, so the question was whether the Law School should override or not the Campus Code of Conduct for instances of alleged sexual harassment from one student by another. The question of faculty to student sexual harassment was completely outside the scope of the procedures that we were considering. The Law School did develop quite a detailed critique of the Sexual Harassment Procedures as they were being developed."

Professor Teskey: "I don't know if my point was made perfectly clear before. This looks like a terrific group of people to do this job, and I'm concerned, however, that there are faculty who feel that the Sexual Harassment Procedures haven't been discussed or passed by any University body. Approval of a pool of co-investigators under these procedures before they have been approved by a faculty body is to give a kind of tacit acceptance of them. There seems to be some concern among faculty that the new proposed procedures are at some variance with the recommendations of the AAUP and that they don't observe as much due process as is the case in the Campus Code."

The previous question was moved.

Speaker: "If there aren't any objections, then we'll take a vote."

The motion passed.

The Speaker next called on Dean Stein to talk about the reintroduction of the Program Review proposal.

5. ACADEMIC PROGRAM REVIEW

Dean Stein: "The reason that I'm talking about this to you again comes from the last UFC meeting that we had where some people thought that we were deficient in telling you where these things came from. The proposals seemed to drop out of the heavens into your laps, and there was no sense of history in how things developed. I just wanted to take a few minutes, not to talk for or against this proposal, but to tell you where it came from. This proposal had its genesis two years ago. Two years ago, in the last death throes of the Strategic Planning Process, there was a Task Force for Graduate Education that was called into being. That task force, which had, I don't know, something like 18 to 20 members on it, met and talked about graduate education. That group came up with half a dozen major proposals of which, probably, the centerpiece was a roughly three paragraph proposal that said that all academic programs in the University should have to have a consistent periodic review. That report was given to outgoing President Rhodes, and President Rhodes gave the entire Strategic Planning package to our incoming President. Our incoming President, as I understand it, was enthusiastic about this particular proposal, and he charged Dean Cohen with calling together another committee to flesh out this three paragraph proposal. Dean Cohen, in the spirit of the new governance proposal at that time, which has now become fact, but which wasn't then, asked the Nominations and Elections Committee to nominate half of the members of a drafting committee to draw up that proposal. A dozen faculty members met during the fall term of last year and came up with a proposal that was very much like the proposal that you have before you. That proposal was mailed to the entire faculty, a bunch of comments came back, some were incorporated, some were not, it was discussed at various college faculty meetings, and then afterwards, that committee reported to the Provost that this was its proposal to be implemented. The Provost, correctly, I believe, sent that proposal to the Senate and asked the Senate to consider it, and his desire was to

enact that. It was then given to the Committee on Academic Programs and Policies chaired by Professor Yavitt. That Committee met several times, made several modifications on the proposal, and then that was the proposal that you have before you now. I would like to call on Professor Yavitt to present that to you now."

Assistant Professor Joseph B. Yavitt, Natural Resources: "I guess that we'll continue our discussion since the motion is already on the floor. We debated this at some length during last semester and even during the summer. It is the opinion of the Committee that the review process is probably going to go along regardless of whether the faculty join in on it or not. The point of the motion is to ensure that the faculty have a very strong say in that review process. The faculty committee would be the overseers of the review process. I think that this is an opportunity for the faculty to carry out the review process. That is the reason that we gave it a very strong recommendation."

Professor Abowd: "I'd like to ask President Rawlings if he would say a few words and state the rationale for program review by Cornell."

President Rawlings: "Thanks. I'd be happy to. I think that the history that Peter gave is quite accurate. I would only add to it, that there was discussion of Academic Program Review at the Academic Leadership Series (ALS) on at least one occasion and maybe on a couple of occasions. It also generated a positive response in general, which doesn't mean that everyone looked favorably upon it, but it seemed to be a strong consensus in one of those summaries of the ALS that was done by polling those members who had attended and asking them how high a priority they placed on various such measures and this was one that seemed to garner a great deal of faculty support. Based on the evidence of the strategic plan, then from the ALS, then from the committees that have worked on this, it seems to me that there was a good deal of support for the idea of Academic Program Review. I have been involved with academic program review myself at the University of Colorado and have also heard testimony from faculty members at other institutions about its efficacy. And, of course, it ranges from one university to another. A good deal depends on what you put into the process and how seriously people take it. But you come to a point that Professor Yavitt made. I think that it's very important to realize that this is one of those few cases where we can put shared governance into effect. We can have a process where the faculty is very heavily involved and the administration is also involved and is able, in fact, to gather and derive information, data, and expertise from a process that is faculty driven in order to make decisions at a later stage.

"And so you see, under #2, under the 'whereas's' that 'sound academic administration at all levels should be based on a well-founded assessment of strengths and weaknesses of existing programs.' And it strikes me that one of the best ways to convince faculty members that good evidence has been brought to bear and that expertise has been brought to bear in their disciplines, is, in fact, through a process like this one, where, first of all, there is self-scrutiny by the department or program involved. Secondly, we have an opportunity to bring distinguished faculty members, distinguished scholars, researchers from other institutions to Cornell to help us reach these conclusions, and to provide them material in advance that helps them to do a good deal of thinking about what we have embarked upon.

"An additional point is that I think that it is useful, healthy, in fact, for departments to be engaged in this sort of periodic planning on a regular basis. Some departments do. Maybe many departments do. But some departments are not adept at doing the kind of five to ten-year forward thinking to assess what is most important in their field, where they may be particularly strong, where they may be weak, and where they would like to make improvements over the next few years. That kind of exercise is a good thing for departments to undergo. I might also add that for different types of departments the need for program review varies of course; we all are aware that many departments undergo one kind of review or another. One of the things I was pleased about in the report was that there would be very little additional burden in those cases placed upon those departments. We would make every possible effort to make sure that there would not be duplication or replication of effort. We would make every effort to time this process with those external processes that those departments already undergo.

"Among departments there are clearly those that are absolutely excellent in every single way. And I know that we have a number of those at Cornell. In the cases of those departments, one may ask: What is the value of academic program review? I would say that the value is that this is a shining opportunity for that department to convince itself and its colleagues and the administration that it has precisely that position within academia. I'm prepared to believe that and, in fact, to see such instances. And then there are those departments which are quite good, but are rather complacent and haven't given a great deal of thought as to why it is that they have not, let's say, moved up even further in their own estimation and that of others. This is an opportunity, it seems to me, placed upon that department, to move out of its

complacency and to ask itself some questions and to get some help from outside in asking those questions in terms of becoming even stronger, or at least, not slipping in respect; or perhaps in answering questions that are of interest about the balance between graduate programs and undergraduate programs. Then there are those departments that are not quite so strong. Not very numerous at Cornell, but there are some, and this is an opportunity for them to do a good deal of self-scrutiny and to get help from outside, and to ask questions, and to help administrators that are trying to stretch those departments as well. Then there is another category of department, very rare indeed, which could fit into any of those earlier categories, but which does not get along very well. This is an opportunity for those departments to sit down and to come to agreement about some of the professional interests, in particular, that are confronting that department, and, if in fact, we learn that the department is unable to go through that process effectively and to consider those issues together, and to arrive at consensus, then we have learned something very important about that department. And to ask people to come in from outside of Cornell in that discipline and to help us with that, we might be able, in fact, to offer assistance of the most important kind. Of the kind that says, 'colleague to colleague, there are things that need to change within this program and we would like to offer you advice on doing precisely that.' All of that, frankly, helps departments themselves, and it also helps administrators. Administrators are often confronted with the question, 'Well, you have to make that decision, but how do you know that we're not doing the best job in this particular discipline but you don't understand it very well.' And this is the kind of institution where we can get that kind of expert testimony, which is really vital to administrators themselves, who are often not certain about just such decisions. Without going on at greater length, those are some of the reasons why I think it can be helpful. Let me just add two more points.

"One, it is not expensive, except in time. And I will grant that it is expensive in time and faculty time is extremely valuable. The dollars that one spends incrementally on this, are not very high; somewhere probably in the forty to fifty to sixty thousand dollars per year range for all of these reviews on top of what we currently spend on these things. That is not very expensive. Every dollar counts, but it is not a high expense. Faculty time is a very valuable commodity. We take that seriously. The question that faculty should ask is—'Is this worth my time?' That's the right question for faculty members to ask. If, in a particular department, a faculty member thinks 'It is not worth my time', then, so be it. And that faculty member does not have the opportunity to contribute to the process. Those who do find it worth their time, can, indeed make this an extremely effective instrument for the departments as well as for the colleges and the University.

"The last point I want to make is that a fair number of faculty members—I don't know exactly how many—have said to me and to others, that they would very much like to do this in their particular department and they give two or three reasons. We actually have departments that are volunteering for this. Now, some are in fact urgently volunteering. This occurs in cases where the department in its relationship with other, cognate departments has a sense of uncertainty and is not clear on the University's response to that department within the greater realm of departments, within that particular area of emphasis, and does not have a sense of commitment to it from the institution. I think that it's very important to have such an opportunity for departments like those to gain precisely that. That's the end of my brief reply to your question. I'd be happy to take questions or comments on that."

Associate Professor Jeffrey G. Scott, Entomology: "That would certainly be a hard act to follow, but I have something somewhat different to offer. Friends, Senators, and colleagues, I come not to praise this proposal but to bury it. The reasons for carrying out such a review are being distorted, the benefits are very few, and the costs are enormous. First, there is really no compelling reason for more review. Think about it, in most units, you meet annually with the chair of your department who has an idea of what you are doing. After that, you meet every few years. The chairs of the units know who is producing, who is teaching, and who is bringing in grants. The academic units, the colleges, have vast resources. They know what unit is producing the most teaching per FTE, they know who is bringing in the grants; they have vast databases. If they don't have what they need, they have something almost as bad as an A exam, something called a budget hearing, and they can get something out of you at that point. We have lots of reviews. The supposed benefits here are an illusion. The administration has lots and lots of resources. We heard an excellent presentation by Dean Stein last year—'Where did the 1.5 billion dollars go?' He did a real nice job. No unit had to give him a program review. He was able to find all that information. I suggest that if the administration doesn't really understand productivity of the units, it is not because of a lack of information. The next point is that the cost is astronomical. We have just heard a little bit about the cost. Our department has just finished a USDA review. Here it is, gang. This is not a tiny endeavor. It took us nine months. Not to pick on Dean Cohen, but he said that while the reviews that you'd be asked to do would be not nearly as onerous, Appendix A of the report wants more than what we have put in this. I consider that somewhat onerous. The other point. This isn't just faculty time, this is staff time. The cost to the college is \$12,000. That is just out of pocket money

that they have spent. Cost to our department was \$2,500 to hire additional help, plus hundreds and hundreds and hundreds of person hours lost. The cost is in the tens of thousands of dollars to the department. Sure, faculty are just supposed to give more time to every cause that comes along, but there are only twenty-four hours in the day, even at Cornell.

"I've heard that faculty 'need to have a say' in this review, because it's going to happen anyway. This truck's coming down the road, might as well have a say in whether it hits you in the head or it hits you in the leg. I say, no, if you're going to be tortured, you don't have to approve it. They can take us kicking and screaming but they can't make us say we like it. Reviews could happen without a mandate. We've heard that there are units that would like to have a review. OK. Sure. They ought to do it. If they don't have a good idea of where they are going, they ought to have a retreat, they ought to have some sort of review, but it doesn't have to be shoved down their throats every five to ten years.

"So I'd like to close here by saying that this proposal is a little monster. We must defeat this motion so that it does not become a big monster that consumes huge amounts and blocks of time that are critical to you, me, and our colleagues, for carrying out our scholarly responsibilities. Thank you."

Professor Sally McConnell-Ginet, Linguistics: "I can't compete with the eloquence of my predecessor, but I want to come down on the side of President Rawlings here and say that I am very much in favor of external program review, because I think that we learn things that we don't necessarily already know. I'd like to propose an amendment that I think you all have received, with the aim of protecting the process."

1. Fourth paragraph, lines one and two of Section 2d. Delete the text in brackets below:

The ad-hoc evaluation committee will consist of [two Cornell faculty members from outside of the department being reviewed⁶, and] at least three specialists in the field from outside of Cornell^{6,7}. [The chair of the ad hoc evaluation committee will be one of the outside specialists.]

Footnote 6 : [No more than one Cornell faculty member can come from the same college as the unit being reviewed. Furthermore,] None of the members of the evaluation committee can have a significant ongoing relationship with the work of the department.

2. Fourth paragraph, line one of Section 2d.

Delete footnote 7 which reads: The participation of appropriate alumni in this role is encouraged.

Rationale

External program reviews are best conducted by people who are external not only to the department but to Cornell. To include Cornell members on such a committee, even if they are outside the department in question, is to jeopardize seriously the integrity of the process. To include members from rather different fields compromises the principle of peer academic review, which assumes that reviewers possess substantial expertise in the discipline or interdisciplinary field being reviewed. Even to prefer Cornell alumni in such reviews seems unjustified. External review committees are standard procedure at most universities. Why do things differently here? The only rationale offered at the Senate meeting for including Cornell faculty in nearby areas was that they might be of some use in assessing the relative strengths of a department or program compared to those of its (Cornell) neighbors, thus assisting in the matters of concern for general area reviews. But the area reviews are a quite separate matter; conflating them with individual program reviews is likely to degrade both. The other rationale offered off the Senate floor has been that "Cornell is special" and cannot be understood properly by non-Cornellians. Each institution is distinctive and Cornell is certainly especially complex, but there is something seriously wrong if our programs cannot stand up to external evaluations unmediated by local colleagues' institutional insights.

The amendment was seconded.

Dean Walter Cohen, Graduate School: "On the second point. I spoke briefly last time on the first one, and the second has to do with alumni. This is just a point of information. As best I recall, the reason for putting that in was rather different

from the first one, and I'm just going to mention that. It was a feeling on the part of a lot of applied departments that it was important to cultivate connections with the professions the people were going into because of that in-Cornellness of it. It had a completely different logic to it. That isn't an argument for or against it, it is just a clarification of the rationale of the committee."

Professor Frank C. Keil, Psychology: "I support this on the ground that we have people from within the University, that at the beginning or the end of the process, could contribute to writing the report as a perfect solution to the problem."

Speaker: "If there are no more comments we will vote on the amendment to the motion."

The amendment to the motion was approved.

Professor Frederick Ahl, Classics: "I would just like to make a plea for the members of the Senate, who come from various different segments of our Cornell community, to bear in mind that although they may be, through the requirements of their particular discipline or academic affiliation, subjected to routine and often burdensome reviews, that many segments of the Cornell academic community are not submitted to any kind of routine review whatsoever. And, as I understand it, and perhaps the framers of the motion could have made this clearer, is that the purpose of this intention is to have more programs reviewed. I make the assumption that the intention is not to duplicate review processes that are already in existence. That is to say, not to create further ones but to find some way of integrating the ongoing present structure with future planned reviews and to make sure that certain programs don't slip altogether through the review. I have been at Cornell for twenty-five years. My department has gone through one external review in that period. I do not think that this is an unusual situation altogether, because in many divisions of the University there has been no systematic and regular review. I really thank our colleagues who are in areas who have gone through these reviews, and who I really sympathize with, since I have served on external review committees myself at other universities, and I sympathize with going through it. There are really times when the failure of the University as a whole, to have a policy of regular, routine reviews of programs is going to yield a legacy of disorder and problems. I urge the body as a whole, if you've had a bad experience with program reviews, to simply make sure that as they make suggestions and amendments they do so in order to prevent duplication and further exacerbation of the annoyance of the current problem, but not to prevent those of us in programs who have suffered from lack of external reviews over the years from receiving the reviews that I believe the motion on the floor would give access to."

Associate Professor Andrea Simitch, Architecture: "I just have a question of clarification about this proposal. Were other program reviews, others at Harvard, Princeton, Yale, considered? How does ours, as a system, compare to theirs?"

Dean Cohen: "I don't think that we have written versions from their schools. We have written versions from several schools. I talked to the deans of the graduate school of our peers, all of which have regular program review. What we looked for on the committee, despite what Jeff Scott was implying, is something that would involve less paperwork and less time, on average, than we thought we saw in most of the ones we saw in detail: Rutgers, Northwestern, Iowa, Colorado."

Professor Simitch: "Does Harvard review regularly?"

Dean Cohen: "Yes. Harvard, MIT, and Yale all review regularly. Harvard has overseers that come in. The complaint about Harvard is that there is too great a complicity between the external reviewers and the department. That they are too close. Yale makes sure that the external committee does not consist mainly or exclusively of people who are on the department's list of acceptable reviewers. I would disagree with that myself. I think that they should be on the list. They are pretty much the opposite extreme from Harvard. Berkeley has had a process, which they've had for a long time but might end up junking because they've run out of money. UC San Diego does it every seven years for every graduate program, without exception, with an exit interview with the Chancellor, so they try to give it a high profile. That's about as well as I can do off the top of my head."

Associate Professor Donald E. Halseth, Fruit and Vegetable Science: " I guess what troubles me most about the proposal is the quantitative nature suggested in Appendix A of the document. It seems we're not asking the right kinds of questions which would give us the most help. For example, it says, 'What are the average GRE scores of matriculants?' It seems to me to be a better question to ask, 'What are you doing to recruit the best possible applicants for the program?', not, 'What

is the average GRE score? What are you doing to recruit underrepresented minorities? What is the administration doing with this process?' And the same way with counting grants and publications. It seems to me a more relevant question would be, 'What are you doing to encourage productivity?' Questions like that go to the heart of what we need to do to improve ourselves, not like a lot of the quantitative stuff that our department goes through periodically."

Dean Cohen: "We discussed whether to include Appendix A or not. Those are suggestions, not requirements of the review. The form of the review is to be determined by the faculty committee. The forms of the review could take different natures for different departments. We discussed whether to include this list, that it might be misunderstood as requirements or not, we decided to leave it in. This is a suggested list. This is not what the reviews would look like. The form of the reviews would still be determined."

Professor Terrence L. Fine, Electrical Engineering: "I'd like to oppose the motion insofar as it is proposing an across the board review. I have no issue with people who like to have reviews. If you'd like to have reviews, wonderful. I'm sure that the administration would like to support the conduct of that review. I'd definitely like to oppose the urging of an across-the-board review that we are all subject to. I've had some experience with reviews. In Electrical Engineering, we have a regular accreditation, we have previous Deans who liked five-year plans. I have to say that we've gotten very little value from the effort that we've put into these things, and with regards to duplication, I've currently been launched on paying for yet another review, independent of our accreditation process, by our current Dean of the college. There is no avoidance of duplication. When we talk about not having it; it's about to happen. We've just had one in this very process; one that is not involved with accreditation. When I look at this proposal, when I heard the President speak, and when I look at the rationale, I don't find it. I have to say, and now I will invoke my cloak of tenure, that there is a lot of cliché and inconsistent argument. The document that we were given talks about primarily clarifying existing potential linkages. The one we got before talks about other things. We don't need to know about faculty honor, for example, to talk about linkages. It's clear, from what the President just said, that more is being executed here than just clarifying linkages. He's looking at the quality of programs. I think that it's good for the administration, if they are suspicious of a particular program, or have some doubts, to want to do an evaluation of it. But I don't think that the evenhandedness is worth the price that you want from us. There is an appearance of the idea that we will all be treated equally, the good, the bad, the indifferent and we'll all have this review. Focus it. The tool may have some value. I'm not going to challenge that where there are some particular problems. I doubt that it has the value that has been assigned to it, when there are not quite problems, and I think that the President agrees. The burden of time on the faculty can be substantial. I'm not going to worry about the tens of thousands, as I would if it were my money, but we've got one and a half billion dollars and it can come out of that.

"Primarily I am concerned about not having this across the board. Norm, I agree with you also on this. Am I persuaded that it is coming, and therefore we must sign on to it? I think that by signing on to it we endow it with a very high degree of legitimacy and respect. I'm not sure that this particular project is deserving of that. We have all made a commitment to rational inquiry, and when somebody proposes something that looks like an exercise in rational inquiry, we are very inclined to sign on to it. This particular exercise does not persuade me that it is worth my time."

Unidentified Speaker: "I'd like to speak in favor of program review. I find it really strange that my colleagues don't think that it is worthwhile, every five or ten years, sitting down and taking a look at your program and talking in a group with your colleagues in your department and trying to decide where you want to go, what you have done. We are very critical of every other aspect of society and we like to tell them how to do everything right, and we need to sit down and tell ourselves how to do everything right."

Professor Paul P. Feeny, Ecology and Systematics: "I was Chairman of my department when we did a review in 1988-89, and it was, as Jeff Scott pointed out, a tremendous amount of work, especially because we thought reasonably highly of ourselves and wondered whether it was really necessary. But in fact, we got some excellent ideas from the review team, which we have implemented, and things have vastly improved, especially the treatment of our first-year graduate students, which was a weakness that we hadn't fully appreciated. I, therefore, am very much in favor of reviews. You can't tell what sort of advice you're going to get, but I think that the work is worth it. My problem with this proposal is with the review of the graduate fields. I think that the extra amount of work involved in reviewing graduate fields would probably not be justified. There is a lot of overlap between the graduate programs and the departments, and in our case, the department review provided a lot of very helpful comments about the graduate program. Graduate programs, in a sense,

don't have resources, so I think that's another reason why we might exclude them, or, include graduate programs as part of area reviews, so I would like you to think about, possibly, the option of dropping that, and making the burden lighter."

The previous question was moved and seconded.

Dean Cohen: "I would like to make some clarification to those comments. What we thought that we were saying was that any field that is all related to a department would be reviewed with that department. That takes care of about eighty-five percent of the fields. The legitimate issue that you raised involves the other fifteen percent of the fields, like Applied Math. Arguably, you should review that with Math, although it is a separate field. Or Medieval Studies, which is an independent field. Or Environmental Toxicology. Women's Studies is more ambiguous because it is not degree-granting, but Environmental Toxicology is and has a fair amount of money, and is a self-funding field, by and large. The question is whether those should be allowed to slip through the cracks or not. We thought that they shouldn't, on balance, but we're really talking about a total of eight, so the question is whether to do those additional eight, not whether we're going to do ninety different fields."

Professor Mary Beth Norton, Mary Donlon Alger Professor of American History: "I'd like to speak in favor of the program review on two grounds. One is that, just like Fred Ahl, who has been here the same amount of time that I have, my department has been reviewed all of once. I actually think that it would be extremely useful, as the acting chair, to have somebody come in from the outside and give us some perspective on some problems that we are struggling with. The second point that I would make comes from my experience as an outside reviewer for three different history departments at other places in the country. I have found that an extremely interesting experience for myself. All of the departments that I have been involved in reviewing have responded extremely positively to the kinds of things that the outside reviewers were able to tell them, to help them with making some of the crucial decisions about what was going on. There's also a third point. In this discussion we've been having, one aspect of this proposal has been lost. That is, that it is to be under the direction of a faculty committee. Several people who have spoken against it have envisioned the administration doing that. In fact, this sets up a faculty committee to run it, and I think that that's an extremely important part of the proposal. It does give us much more say in these reviews, and in fact, has been the case in those places where I have been an external reviewer. In all three of those places, I was told what to do by the Dean. I was not handed my walking papers, as it were, my directions, by a faculty committee, and I think that it is extremely important and useful for this proposal to have a faculty committee at the head of it."

Professor Scott C. MacDonald, Philosophy: "I would like to propose a small amendment to the proposal."

Speaker: "My understanding is that amendments have to come in a day early."

Professor MacDonald: "I thought that was only for motions."

Point of Information: "I believe that they can be overruled by the legislation that we adopted last week, and presumably they have to be stated for the Senators to have the opportunity to decide whether to overrule or to allow that amendment to go on."

Professor MacDonald: "The amendment is very simple and it is meant to account for the tens of thousands of dollars rather than concerns that have been raised. I see, that in the most recent issue of the proposal, there was added a clause suggesting that the Provost will supply support for the Dean, who will be charged with carrying out these reviews. My amendment is to add to the end of that paragraph (the paragraph marked number 2 on page 2 of the proposal) the following sentence: 'will be carried out with support from the Provost, if requested.' If you look at the bolded portion that was added to that paragraph, you can just replicate that in the amended sentence the beginning of the sentence being, 'departmental reviews will be carried out', and then add the previous. I was glad to hear President Rawlings say that the financial cost yearly of these reviews was really quite low, and that leads me to think that no one should object to adding this small measure of support for departmental expenses in the process of reviews."

A vote was taken whether to allow the amendment to continue and it was approved.

Professor Ahl: "I see the intention of the amendment but I'd like to oppose it for the following reason. I think that the jam that we're getting ourselves into now is that there are far too many specific details spelled out in the package that is in

front of us. As I've been listening to both sides here, from people who want systematic, regular reviews, and those who have been reviewed up the wazoo and don't wish to hear any more about it. It seems to me we would do better to look at this motion and come back with something that says that the Senate recommends that all programs should be reviewed on a regular, standardized basis, period. And then that some suggestions have been made. But that doesn't have to be part of the motion. So, I would oppose this on the grounds that this is dealing with something that falls into the penumbrae areas of this proposal that aren't really at the heart of what I, at least, understand is the intent of the motion on the floor."

The question was moved.

The vote was taken, and the amendment was defeated.

Professor Abowd: "I call the order of the day. We've had a twenty-minute allocation of debate for this and we've been on it for forty minutes. We've extended debate once."

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering: "I don't think that that's a legitimate, binding assignment of time. The body can make this decision with a two-thirds majority."

Speaker: "Those are suggested times, not hard and fast, but we do have a point here, so we will carry on, but I must remind you that we have quite an issue before us, coming up, so we have to keep that in mind. We will go for a moment or two more."

Dean Daryl Lund, College of Agricultural and Life Sciences: "I'm not a member of the Senate, but I presume we can speak at the Senate meeting? I am a faculty member with a discipline, but I tend to be undisciplined. In this case, I just wanted to point out a couple of things if this body adopts a framework. Appropriately so, we in the College of Agricultural and Life Sciences will continue with reviews, Jeff, ad infinitum or ad nauseam, whichever is the case, because they are an important component, in my opinion, of evaluations, and of feedback that we need to have. I appreciate the comments with regard to not having Cornellians specifically encouraged to participate in those reviews. But a couple of other things. On the second page of the main text here, on the bottom of that first paragraph it says: 'Both the reviews of individual units organized by college deans and the broader evaluations under the direction of the FCPR will in some cases lead to the reallocation of resources.' I understand that, the question I had really has to do, as we consider now the specifics of this, is that in the definition of the FCPR, there is no requirement for them to do any evaluations. So I didn't know whether that meant that the FCPR is going to tell other people to do other evaluations, which would come into the Dean. It seems to me that it needs a little bit of clarification there. The other question or comment that I have only for future consideration would also be on the next page, under the fifth paragraph. The very last sentence says: 'The committee will be asked to evaluate the department's principal activities to compare it with leading departments in other universities, to assess its trajectory, and to recommend whatever changes the committee believes are appropriate, under the assumption of constant resources.' It seems to me that the last comment ought to be deleted."

Associate Professor Marianne Krasny, Natural Resources: "I'm undecided about this program review issue, but I guess that one of the things that might help me clarify—the reason that I'm undecided is that while I can see the benefits of a review, there are a lot of other similar activities that we're asked to be engaged in, like program planning, that we're now engaged in, and it would help me out if I felt that the administration were giving some thought as to how program reviews fit in with these similar activities. While each of these has benefits and disadvantages, I think we have to look at them in conjunction with each other. I don't know if anyone has thought of that issue."

Dean Stein: "I've thought about that issue a lot. I'm one of the drafters on this committee and I think that half of the time on that committee was spent talking about that issue. We were faculty members on that committee, not administrators, and we're very conscious of the extra load. We're also conscious of the variety of reviews that go on and the belief in that committee was that we did not want to have another layer of review. What we kept thinking is that what one should do was to build on or make it a part of the other mandated reviews that go on. We didn't exactly quite know how to do it, but that was the spirit in which this was written. There should not be an additional load to it."

Professor Krasny: "I wasn't just talking about other reviews. More like program planning—and;"

Dean Stein: "All of the other stuff that tends to work in this direction. The critical remark that I want to underscore is the

one that Professor Norton just made. The organizing board of this group is made up of ordinary faculty. The FCPR is elected to do that. They are responsible to you. It seems clear to me that that group will be motivated to, in fact, design a structure which has very much the ability to keep in mind the preciousness of faculty time and not ask them to do additional, meaningless things. It was too hard to do that in detail for each of the departments because there is a lot of different sorts of stuff that goes on, but if that committee doesn't do that, they are responsible to you. You can order them through the Senate to do something, you could tell the Nominations and Elections Committee that you want them to nominate people on that committee who are, in fact, sensitive to those concerns."

Professor Kenneth A. Strike, Education: "I don't really feel that through my career here I have been reviewed up the wazoo. I guess I have one observation, and I'm not sure of how to put this and then I have a question for Dean Stein. Several people have suggested that one ought to support this on the grounds of the support of rational inquiry. It is not always the case that reviews always lead to rational inquiry. Particularly when one is reporting up the chain of command and when one is told that resource allocation may be affected by this. What reviews may produce is a process of self-justification. And, in fact, in departments who are inclined to be introspective and to give some conscientious thought to their programs, as mine, I think, tends to be, when we have a review across the table, the consequence is that we stop doing that and we start a process of self-justification. We've actually done something recently. Of course, I wasn't doing that. The observation is that reviews up the chain of command do not necessarily produce a kind of process of departmental self-reflection. The question for Dean Stein is that I am not quite convinced that the language about piggy-backing on future efforts and the like would really substantially lessen the work of what is, essentially, a new review. I'm curious as to why there was not consideration of some language in the document for substitutions of when there were similar reviews being conducted in the same time period. It strikes me that the Cooperative State Research, Education and Extension Services (CSREES) reviews are sufficiently similar to this in their intent and structure that we might not only have the desire to piggy-back on them, but to simply say, 'Here. Read that.' Why not?"

Speaker: "We've got hands going up everywhere and we really don't appear to be coming to any kind of resolution on this. I assume that if I ask you if there is strong objection to calling the question, I would get..."

The question was called and seconded.

A vote on the motion was taken with a count of 43 to 30 in favor. The resolution and proposal as amended was adopted ([Attachment 1](#)).

A request was made for the comparison between the number of votes and the number of those present.

6. PROPOSALS FOR REVIEW OF TENURE DECISIONS

Speaker: "We do have another issue to address and that is the review of tenure decisions. The way that we're going to approach this is that we're going to have people come down to address Options 6a and 6b and then you will vote on those options. The winner will then compete against Option 3 and we will have a quick discussion on that. The winner will either then be approved or rejected. And then we will vote on Option 7 and that will either be approved or rejected."

Professor Lesser: "Don't we get a basic chance to discuss the overall concept before we move to considering particular options."

Speaker: "I was instructed that you weren't."

Dean Stein: "Just to speak on the procedure. This was the procedure that I sent you all by e-mail saying that that's what we were going to do and I asked for comments or objections. I didn't get any. This is a procedure as if Option 3 had been introduced, Option 6a was introduced as a substitute motion, and Option 6b was introduced as a substitute motion for that. That's the situation that we find ourselves in at this point. I mean, if you want, he'll recognize someone to move Option 3 and then someone to move Option 6a and then someone to move Option 6b."

Professor Lesser: "Can't we just discuss the basic concept before?"

Dean Stein: "No. Because we do things by motions. People make motions and that's the way we proceed."

Speaker: "Let's not debate this here on the floor. We do have a motion from the committee and so we will discuss that. What I would like to do is to recognize one or two people and then I will call on those who are going to tell you about the particulars of those."

Professor Mebane: "Time, being clearly insufficient to consider this, I move for further discussion to go to the next meeting."

Speaker: "You're moving for postponement until the next meeting?"

The motion was seconded.

Discussion of the motion commenced.

Dean Stein: "I want to just point out that we have ten minutes here. We can hear people debate on it. Our time is, in fact, valuable and we've given this time to it, and if you don't want to meet twice a month we should go through this agenda and spend our time doing it. I mean, we're clearly not going to come to the end of this chain by six o'clock, but it seems to me that we could use our time effectively."

An unidentified speaker voiced support for Dean Stein's plan.

A vote for postponement was taken and failed.

Speaker: "Kathleen Rasmussen will come down and discuss for you 6a."

Associate Professor Kathleen M. Rasmussen, Nutritional Sciences: "I can't guarantee that you can all hear me so I will try and speak as loudly as I can. For Option 6, we created a proposal and realized that there was another way to do it, so we are presenting 6a, and then you will have a chance to look at 6b. The idea of 6a is that an appeals committee will be formed to advise the Provost when he or she proposes to deny tenure to someone who has received positive reviews previously. The procedures that we're proposing to use are analogous to those currently at use in the colleges. That is to say, there will be a committee jointly appointed by the candidate and the Provost. This, importantly, is a review of process, not merit. The rationale for this is that it addresses the concern that we heard the faculty express of what to do about the person who, really, previously had had no negative review. We want to protect the candidate's rights to a fair review. In particular, we said in our rationale that this would be a candidate who felt that he or she had been 'hindered in meeting the department standards', where 'there were violations in procedure during the tenure review; the evaluation was influenced by unlawful discrimination or factors unrelated to the performance of the candidate', or finally, that the decision of the Provost was arbitrary and capricious. This is language that comes from prior documents that this body has considered. The procedure that we're proposing would provide input to the Provost but the Provost would retain the power that he currently has to advise the President and the Board of Trustees as to the decision that ought to be made. An advantage to this faculty is that it requires minimal additional investment of time because it applies only to a small proportion of cases, estimated to be less than ten percent of those that are considered each year. Forty cases have been considered annually, so that's about four cases where the Provost is saying no where there have previously been yeses."

Speaker: "Why don't we get 6b done because these are two competitive ones. Is that agreeable?"

Professor Peter Schwartz, Textiles and Apparel: "I could actually use Kathy's overheads because much of the rationale for proposal 6b is the same as 6a and that is to provide some equity to a candidate for whom the first negative decision is at the Provost level, in order to provide an equity that is similar to the recourse that the candidate has for a negative decision at a lower level. The major difference between the two proposals, 6a and 6b, is that Option 6b would call for the review to be both on procedural issues and substantive issues. The substantive issues were added because the Provost review committee considers substantive issues as they are advising the Provost and we felt that it would be important for this review committee to have an independent committee that would advise the Provost on the substantive issues of the tenure package. We propose a slightly different construction of the committee to take into account the fact that the issues that the committee would take into account are substantive as well as procedural. We also take into account the fact that this committee is a creature of the Provost and not a faculty committee. For that, then, the difference would be that the committee would be selected by the Provost and the University Advisory Board. In addition, because the issue is going to be substantive, and because of the range of disciplines, and the nature of the University, especially the land-grant mission,

and basic versus applied research, we propose in option 6b to have the five persons appointed in such a way that three come from the division, statutory or endowed, of the candidate whom the Provost has decided to recommend negative tenure. The other two would come from the other division. The chair of that committee would be chosen by the committee. In no way does this option do away with the Provost's obligation to recommend to the President whether the candidate should be granted tenure. It does not interfere with the current Provost's Advisory Committee in any way. Thank you."

Speaker: "Are there questions on 6a and 6b?"

Associate Professor Kathryn March, Anthropology: "The composition of the committee is spelled out in detail for 6b, but not 6a, and I wondered if it was the same procedure for choosing the committee?"

Professor Rasmussen: "No. It's a different procedure. This is a committee, in 6a, that is appointed jointly by the candidate and the Provost. It is not necessarily drawn from the members of the University Appeals Board. So it is analogous to the procedures used at the lower levels."

Professor David J. Gries, Computer Science: "These two proposals are so similar that I would essentially think of them as the same. I thought, when I first heard about Option 6a, that it would be much more preliminary than this is. In both of these cases, for the committee to be appointed, the candidate has to know about the preliminary decision, and then he has to appeal. I was thinking, a much better way would be to have the Provost come to a preliminary decision, tell the faculty, appoint a committee of faculty members to review his preliminary decision, without the candidate knowing about it, just to give the Provost more information. I think that that would be a much better alternative to Option 6a, which is too close to 6b."

Speaker: "Recall in the voting process that neither of these may survive if you don't appreciate the particulars. We're not looking to change them."

Professor Lesser: "Before we go to the voting, I just wondered if I could kindly ask a more basic question about the underlying authority. I had hoped to asked Provost Randel, but he's not here, and regrettably, President Rawlings has left, so perhaps I could address this to Dean Stein? In our last meeting of last year, on the fifteenth of May, Provost Randel stated: (and I quote from the minutes) 'The University Bylaws state that the President recommends to the Board of Trustees with a motion for tenure of faculty.' That authority, here noted, that the faculty does not have the authority to amend the Bylaws, would appear to underlie the process that we are now essentially endorsing. I have a copy here of the January 1996 Bylaws. I've read them a dozen times, and I'm afraid that I don't see where it says in there that, indeed, the President has that authority and responsibility. And I pay particular attention to Article 5, titled 'President' and Article 16, referred to as 'Appointments and Tenure.' It does say that the Board elects those to indefinite tenure, and the President appoints those offices. But I don't see where it says that the President recommends. I sent several e-mail messages to Provost Randel, but I regret that he did not reply to them. Maybe Dean Stein could help identify the proper section of the Bylaws."

Speaker: "Before he does, I think that we're beyond our time. We'll take his response to this and then we'll adjourn the meeting because we're beyond our six o'clock limit."

Dean Stein: "No. I cannot help you. I have not done the exhaustive search that you have and I have no idea whether that authority is specifically given to the Provost and the President. I do know that the Board of Trustees has the authority and it has been conventional, as long as I have been here, for the recommendations to the Board of Trustees to be transmitted to it by the President and Provost."

The meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Robert F. Lucey, Associate Dean and Secretary of the University Faculty