

MINUTES OF A MEETING OF THE FACULTY SENATE

Wednesday, October 9, 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 the Faculty: "I was thinking about what I was going to say, since I feel a little bit like the Grim Reaper, always coming to tell you about this problem and that problem. Today is a nice day because I am going to open by telling all of you who don't happen to know about it, about a very wonderful thing that happened to my Department and your colleagues and Cornell today. My long-time friends and colleagues, Dave Lee and Bob Richardson were today awarded the Nobel Prize in Physics as well as Douglas Osherhoff, the graduate student who actually performed the experiment and is now a Professor of Physics at Stanford. I just want to say that it is a wonderful feeling. I feel great. I didn't know about it when I came in this morning and then I heard about it, and I've been smiling all day since I found out. I want to tell you that I've known these people for years. They are wonderful people. I can't imagine nicer people for whom this honor could have happened. They are complete citizens in every sense of the word. They are a joy to be in the same department with and I know that what I'm going to propose now is absolutely contrary to our rules. I realize that this motion requires six co-signers. I also realize that it had to be done seven days in advance, but I hope that you will allow me to extend myself and join me in a motion to extend congratulations to them of best wishes and thanks for enhancing our University and our lives. All in favor please say 'aye.' Thank you very much."

At this point, the microphone short circuited, rendering the recording equipment useless. The rest of the minutes have been reconstructed from various notes and recollections, and are not necessarily accurate.

Dean Stein proceeded to read a letter of October 3, 1996 from Philip Lewis, Dean of the College of Arts and Sciences:

"Dear Peter:

At its meeting yesterday afternoon, the faculty of Arts and Sciences passed a sense-of-the body resolution that urges the university administration to revoke the procedure for handling complaints of sexual harassment that was promulgated last summer and to work with the faculty senate to design a procedure more acceptable to the faculty. The same resolution also urged members of the university faculty to consider whether or not, in light of various objections to the procedure, they should cooperate with its implementation.

I interpret the college faculty's opinion as an expression of strong dissatisfaction on the part of a substantial group of faculty members who have taken an active interest in the sexual harassment procedure. While the vote has no direct bearing on the status of the procedure, one must ask if the procedure is likely to work satisfactorily in the absence of faculty support, or at least acquiescence. Will it, for example, be possible for the Arts College administration to recruit from the faculty ranks counselors who are fully committed to the use of the procedure? The difficulty ahead of us is obvious.

I believe, therefore, that the University Senate should revisit the issue with the votes of our faculty and the faculty of the Law School in mind and should seek the cooperation of the university administration in such an endeavor.

From the debate at our meeting, one might extract several major concerns on the part of those who oppose the current procedure:

1. They would prefer an approach to the design and crafting of the procedure in which faculty members were participants, rather than merely consulted parties.
2. They object to the adjudicatory authority accorded to deans in the current policy and advocate reducing or eliminating it.
3. They consider the description of the investigative process too vague and want the post-investigative

judgment on whether charges should be brought or dropped to be made by a faculty panel.

4. They consider the guarantees of accused faculty members' rights to be insufficient and support strengthening them; similarly, they consider the specification of procedures for hearings at the various levels of investigation, adjudication, and appeal to be insufficient and seek to have them detailed.

5. They criticize the procedure's provisions about record-keeping and access to records and argue for reinforcing access of accused faculty while limiting that of administrative officials.

The critics of the procedure have many other, more specific objections. Perhaps what is needed from the faculty senate or a faculty committee is (1) an account of the concerns that an acceptable procedure for handling complaints against faculty members needs to address and (2) a proposal suggesting how the university should do this. Meanwhile, the status of the current procedure remains somewhat elusive. Perhaps the senate should also consider calling either for a return to the pre-July 1 university-wide procedure or for temporary adherence to the current procedure.

On behalf of the College of Arts and Sciences, let me thank you for your interest in this vexing matter."

The Provost was then introduced for a Question and Answer period.

2. QUESTIONS AND ANSWERS—PROVOST DON RANDEL

Associate Professor Jeremy Rabkin, Government, spoke, questioning the willingness of the administration to adhere to the decisions made by faculty bodies, particularly in regards to the Sexual Harassment Procedures.

The Provost responded that the opinions of the faculty will be taken seriously.

There ensued a discussion with the Provost as to whether or not the current Sexual Harassment Procedures affords due process at all levels of sanctions. Professor Terrence Fine, Electrical Engineering, asked a question regarding the fact that the faculty committee will only consider cases involved with "minor sanctions" and Dean Stein replied that all sanctions short of dismissal are considered minor and that circumstances involving the possibility of dismissal are referred to another committee.

Professor Peter Schwartz, Textiles and Apparel, asked why students in the statutory colleges will now be charged endowed college tuition for all Study Abroad programs.

The Provost replied with a justification to the effect of the following:

The rationale behind charging endowed tuition is to even the playing field for students wanting to study abroad, so that students needing to study in Japan, for instance, would not be penalized for an academic plan that happens to be in an expensive country. Most financial aid is applicable abroad and financial aid packages will be refigured to conform to the higher costs for statutory students. The statutory college tuition is lower than the endowed tuition in the first place because the State chooses to subsidize some of it, but the State does not choose to support our Study Abroad program.

Professor Schwartz replied with a statistic showing that a minority of Cornell students will have the tuition difference made up by additional financial aid because only a minority of students are eligible to receive financial aid.

The Provost answered this by clarifying that while only a minority of the students receive grant aid, approximately half of all students receive some form of financial aid. The question remains, in any case, should one deny study abroad to even the minority of students who receive grant aid.

Professor Elizabeth Earle, Plant Breeding and Biometry, asked how the billing would work for Project 2000: who would be expected to pay for it and when.

The Provost explained that the billing process will be such that colleges will not have to pay the bills for reconfiguration until achievable savings targets have been identified. The billing will be unevenly divided because administrative costs are

unevenly spread throughout the University.

The Speaker introduced Associate Dean and Secretary of the Faculty, Robert Lucey, E.V. Baker Professor of Agriculture, for a report from the Nominations and Elections Committee.

3. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE

Professor Lucey showed a transparency containing a report of proposed committee members for a committee dealing with retirement issues. They included: Peter Auer, Engineering; William Fry, CALS; W. Keith Kennedy, CALS; Pamela Ludford, CALS; Al Silverman, A&S; and Stephanie Vaughan, A&S.

Professor Kay Obendorf, Textiles and Apparel, raised the point that the list was missing faculty representation from the College of Human Ecology. This was particularly distressing because Human Ecology is a college whose faculty have extensive knowledge of the lifecourse and of retirement issues.

Vice President Ronald Ehrenberg acknowledged this need and agreed to accept a member from Human Ecology when one was nominated.

Professor Lucey also reported on members for the Faculty Advisory Board on Information Technologies (FABIT) consisting of Daryl Bem (A&S), John Guckenheimer (A&S), and George Jakubson (ILR); and the Community Committee on Incinerator Project, for which David Allee (CALS) was put forth.

The body approved the list of members for all three committees.

4. PROPOSALS FOR REVIEW OF TENURE DECISIONS

Dean Stein presented the Tenure Option Tree overhead and detailed the voting procedure. He then called on Professor Peter Schwartz, to discuss Option 6b.

Associate Professor Alan K. McAdams, JGSM, announced his amendment to option 6b, which had been submitted in a timely fashion, and presented it for unanimous consent. Unanimous consent was not granted, but after a brief debate, the amendment was adopted by the body.

During a debate on the relative merits of Options 6a and 6b, the following Senate members spoke:

Professor Kay Obendorf, Textiles and Apparel

Professor Alan McAdams, JGSM

Professor Peter Schwartz, Textiles and Apparel

Associate Professor Timothy Fahey, Natural Resources

Associate Professor Risa Lieberwitz, ILR

Professor Terrence Fine, Electrical Engineering

Professor Kenneth Strike, Education

Associate Professor Kathleen M. Rasmussen, Nutritional Sciences

After debate, the vote was taken and Option 6b ([Appendix A](#), attached) defeated Option 6a.

Professor Emeritus Donald F. Holcomb, Physics, presented Option 3, using a transparency with the following text:

&endash;Faculty advisory committee replaces Provost's team of advisory administrators

&endash;In contrast to Options 6a and 6b, this is NOT an appeals mechanism&endash;all tenure actions by Deans (+ and -)

would flow through Tenure Advisory Committee

–The committee would NOT be a second ad hoc committee. It reviews the quality, completeness, and consistency of the dossier, not candidate's credentials

–Committee member distribution based on character of field of study, rather than organizational home (e.g. Grad School area rather than department or college)

–Consistent with similar machinery at most universities and first rank colleges

A debate ensued on the relative merits of Option 3 versus Option 6b. The following faculty members spoke:

Professor Richard E. Schuler, Economics and Civil and Environmental Engineering

Professor Sally McConnell-Ginet, Linguistics

Professor Frank C. Keil, Psychology

Associate Dean Brian Chabot, CALS

Professor Locksley Edmondson, Africana Studies and Research Center

Associate Professor Elaine Wethington, Human Development and Family Studies

Associate Professor Walter R. Mebane, Government

Professor Terrence L. Fine, Electrical Engineering

Professor Gary A. Rendsburg, Near Eastern Studies

Professor Frank C. Keil, Psychology

Associate Professor Risa Lieberwitz, ILR

Associate Professor Vincent Mulcahy, Architecture

Professor Kenneth A. Strike, Education

Associate Professor Jeffrey G. Scott, Entomology

Professor John M. Abowd, ILR

Professor Reeve Parker, English

Professor Emeritus Donald Holcomb, Physics

Walter Cohen, Dean of Graduate School

The meeting was adjourned after discussion without the final vote between Options 6b and 3 and a meeting was scheduled for the following Wednesday.

Adjourned: 6 p.m.

Respectfully submitted

Robert Lucey, Associate Dean and Secretary of the University Faculty