

# MINUTES OF A MEETING OF THE FACULTY SENATE

Wednesday, November 12, 1997

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

## 1. REMARKS FROM THE DEAN

Peter C. Stein, Dean of Faculty: "I just have a few items that I'd like to put to you. As they say on the news, 'here are a few of the stories we'll be working on tonight.' The Academic Programs and Policies Committee is working on a proposal, which hopefully will come to you next semester, on the uniform policy for parental leave. What happens to a faculty member who acquires a child? There is not a uniform policy throughout the University, and the Academic Program and Policies Committee is working on that."

"We received a request from the Student Assembly to look into the question of whether or not course evaluations should be made public, and if they should be made public, to what extent they should be made public. It is clear that this is not within the jurisdiction of this body, but perhaps this body would like to debate that and make recommendations to whomever it is that does have jurisdiction over that matter."

"I received on my desk this morning, and I haven't had a chance to look into it, the response of Vice-President Ehrenberg's Transition Committee to the resolution we passed last time with regard to the Transition Report. My intention is to bring that to the Academic Freedom Committee, and Vice-President Ehrenberg is anxious to add your response to that body. And so, the plan at the moment is, that the Academic Freedom Committee will consider it and bring it back to you for recommendations."

"The last item, is the Sexual Harassment Policy, which is proceeding well, and it is my reasonable belief that we will have a Sexual Harassment Policy in place by the end of this semester. That concludes my remarks."

Speaker Pollak: "Thank you Peter. We will move on now to the Question and Answer Session with the Provost."

## 2. QUESTIONS AND ANSWERS WITH THE PROVOST

Don Randel, University Provost: "Since one of the items on your agenda for later on is the report that was produced by a committee that was led by Norm Scott and John Hopcroft, let me just say a few things about that. That report was not intended to be the one and only report ever written about research at Cornell University. It manifestly left out huge domains. It was intended to concentrate on the physical sciences, some related fields, and only a piece of biology and so forth."

"Biology is probably the single biggest enterprise at this University if it is looked at broadly. It is currently the subject of various reviews that are going to lead, in good course, to a consideration of whether there should be a division or not, what the structure of biology should be, and what should the University's approach be to biology. In the future, we hope that there will be similar efforts in the social sciences, the humanities and the arts, and other areas as well."

"The aim here is not, in fact, an effort to decide from the top down, what kind of research university this is. I've said it in this body before and in others, a lot of the neatest things that happen in this University happen precisely because the central administration does not know about them. That should ever be so. At the same time, we are asked to place fairly good size bets on various enterprises over time, and our historical mode for dealing with this is for the President and Provost to sit in their offices and a parade of people line up outside their doors and come in and say, 'I need a million bucks for this,' or 'If you could only give me a half a million in matching funds, I would be able to do that,' and we answer these requests. It seems to me that in this modern age, we ought to make a better effort collectively to form a kind of framework, or at least a background against which to make these decisions. I think that committee report which was produced by some very able and competent people can be part of a process that we can carry on that will not exclude the future possibilities for research, but give us a framework for thinking about how we make institutional investments that are in some cases of increasing size, and difficult to accommodate. I would now be glad to answer your questions about that or any other matter."

Professor Barry Carpenter, Chemistry: "One of the concerns I have about this report is that it tends to institutionalize a certain set of research priorities. And I wonder how frequently reports such as this are going to be coming out, because research priorities certainly do change, and in a modern world, they certainly do change rapidly."

Provost Randel: "I take the point. In part, the report, and I think any such report ought to stimulate discussion about the respects in which it may be plain wrong on its face. It is also true that we do have before us the need from time to time to make major investments that are going to last a good long while. So, should we build a new building that will allow us to do research on advanced materials? Once we take the plunge there, that is a facility that will be with us for another 125 years. To that degree, we are making decisions that will have a relatively long lifetime."

Professor Richard Schuler, Economics and Civil and Environmental Engineering: "I'm not sure if my observation belongs in my comments to you, the Provost, or later on when we discuss the report. But I think I do want to make my observation now because my question has to do with the way the committee was assembled, and therefore the predisposition that they may lead to in the conclusions of the report. While I find no fault with its conclusions about the enabling technologies, the one aspect that I did find somewhat curious was that there was a fair emphasis on interdisciplinary approaches, yet that is coming out of a committee that was composed almost exclusively of natural and physical scientists, with the exception of our esteemed colleague, John Abowd. . . ."

Professor John Abowd, Industrial and Labor Relations: "The token social scientist. . . (laughter)"

Professor Schuler: "The question is then, could this report in its initial structure have been open to more daylight and creative imagination? Although, I have little doubt that it might have inevitably led to the same conclusion."

Provost Randel: "It certainly was not intended, nor was it done in the dark. The people who were on the committee are smart and thoughtful people, and we can have a vigorous debate with them or around that. I think they did a great service to labor over this and start some thinking about this subject. If you look at our recent history, our alternative has been to not talk about these things at all."

"The question on interdisciplinary efforts is much before us. Among the things the committee described were, in fact, things that are very powerfully interdisciplinary, that do cut across these various fields. I am grateful for the labors that they undertook. I think that it is a useful element in the campus dialogue, instead of everyone doing their thing and hoping that it all works out. It is naive to think that we will all come to some great agreement on precisely what the objects and goals are of the fields we are engaged in. I think the discussion is worth having, and if we find fault with some of the discussion, that should stimulate new discussion with more active discussion from more people, rather than simply not having the discussion."

Professor S. Kay Obendorf, Textiles and Apparel: "Could you give us an update on what is happening with the review of Biology and whether there will be some sort of a task force to define research in that area."

Provost Randel: "There are two things that are going on in Biology, a section-by- section set of reviews and a review of the structure of the division. The Dean of the Faculty oversees the apparatus that sees to department-by-department reviews and could say more about that than I. I think the answer to the first part of your question is yes. Between the review of the division and the section by section reviews, those two must feed a discussion that ultimately leads us to what should be the structure of Biology on this campus. Many universities are talking about this and we need to think about this too. But this is going to take us a while."

Professor William Lesser, Agricultural, Resource, and Managerial Economics: "I wanted to ask you about some of the financial ramifications of some recent actions under the administration's priorities. I don't want to get into a general discussion about merits, but just matters of finance and cost savings. These areas being the combining of departments and moving all freshmen housing to North Campus."

"First, in terms of combining departments, the October 23 *Chronicle* quoted President Rawlings as highlighting the creation of the Department of Statistical Science and the likelihood of a University-wide department of Sociology. My question is, are there any identified cost-savings that underlie amalgamations or proposed amalgamations of departments and, if so, how are they to be achieved?"

"In terms of housing, the story in the *Chronicle* indicated that moving the freshmen to North Campus will involve the construction of a new dormitory and substantial renovations of the housing on West Campus. What do we know presently about the costs of those activities? If we don't know, when will we know? How will we go about offsetting the costs of those activities?"

Provost Randel: "On the first part of your question, there is no fixed target about what should or ought to be saved by combining departments. My own view of that is that that discussion is and should be driven, in the first instance, by purely intellectual aims. As you know, in Agriculture and some other quarters, the relevant colleges have created service centers that serve whole buildings and multiple departments. I think those are models that can be pursued throughout the University and we can save money by that method. But the question of a Department of Sociology or the virtual Department of Statistics, is not driven by economics, in the sense of dollars and cents. It is driven by a need to be more effective intellectually and academically in those areas. Sociology is a good example. We don't know quite how that will turn out just yet, but in point of fact, we can be a much more powerful University in the field of Sociology if we bring those relevant groups together. Statistics is a perfect case. We have labored over that for thirty years and lost some brilliant statisticians in the process because we could never get our act together in statistics. I hope that we have done that now. I don't think it is going to save us money. There is some potential that it is going to generate new revenues through a professional masters program for people who go into fields that have a demand for those kinds of techniques."

"On the housing question, student housing has associated with it a revenue stream: it runs as an enterprise; it is no drain on the general purpose fund; and in fact, it pays overhead to that fund and helps that fund maintain central services. This project is very substantial and will cost tens of millions of dollars, and it is our goal to do all of that within the enterprise of Housing and Dining as currently constituted. How can we do that? Housing, as I said, does have a revenue stream associated with it, namely, in student room charges. Landlords all over town have demonstrated that they can make money on that. We have no wish to make money; we wish to do some things better than some landlords do. The way we can achieve what we want to achieve is access to a lower cost of money than the average landlord has. We can borrow money, amortize that over a period of time through the income stream that derives from housing students, and because we have access to money at little or no cost, rather than having to go to the bank to borrow at 7-9%, we believe that we can achieve what we want to achieve through the enterprise of housing without making any draw on institutional funds of other kinds. It has to be said that alumni have expressed considerable interest in this and we may see some gifts as a result, but there will be no fund raising effort to support this."

Professor Leonard Lion, Civil and Environmental Engineering: "As you know, later today, this body is going to be discussing the merits of creating a committee to advise the Provost on tenure decisions. As I read the wording of the proposed legislation, I infer that there is a concern that the decisions made are based on economics or other criteria besides the merit of the faculty. Is that a legitimate concern? If the answer to that is no, then it has been suggested that the Provost's office has a problem with the type of candidates that are being brought forward for tenure, and that in the process of selecting those candidates it would be appropriate to discuss those concerns with the deans and departments. Has there been any action to initiate that sort of discussion?"

Provost Randel: "Going back to the first part of your question, I can honestly say that economics have never been a part of my thinking about whether any individual case should be granted tenure or not, nor do I think that economics should play a role in decisions of that sort. I was one of the first proponents of a system in which the faculty would represent its own high standards. One of the arguments that I advanced for that was that although I do not doubt my own ability to separate decisions of finance and academics, I could understand the argument that you don't want the person who counts the money to be the person who makes the decisions, and that the decisions should be made in an environment where only quality matters. I would take some pleasure in seeing the faculty, under the leadership of its deans, exercise that responsibility, bearing in mind that always that authority ultimately resides with the President, but bearing in mind also that a committee of distinguished members of the faculty would be unlikely to ever encounter any resistance from the President or the Provost on these matters."

"This has been discussed at very considerable length in this body, and when the first couple of efforts went down, I lapsed into the belief that maybe it wasn't going to be worth the effort, I think that what we have now will continue to work just fine if there is some reluctance on the part of the faculty to bring such a thing into being. In that regard, neither I nor my colleagues in the central administration, have a desire to turn down tenure cases. We have only a desire to see one

wonderful case after another and we can gleefully recommend them to the Trustees. In that regard I have talked with deans about this on a regular basis and have said, we have to respect, to be sure, the different traditions in the different colleges, but if the departments and deans do their jobs, the state will wither away and not have much to do. The state will be there to be sure, but it won't have much to do. My only wish is to see departments and colleges do their jobs thoroughly and well, and I don't want to sit there and say 'no' a bunch of times. If the faculty would like to participate in that overview, I would be glad to have their participation. If not, I think we can do alright and the departments and deans can accept their responsibilities as well. Against that background, we have to recognize that the rate at which we tenure people has been climbing over the thirty years or so that I know about personally. We do have the highest tenure rate of any University with which we compete. I think that is true barring none, but it does depend on how you look at the list. That may be okay, but it may not be."

### **3. APPROVAL OF MINUTES FROM MAY 14, SEPTEMBER, 10 AND OCTOBER 8 MEETINGS**

Speaker Pollak: "There are three sets of minutes on the agenda for approval, they have all been posted on the web. These are minutes for the meetings of May 14, September 10, and October 8. As a group, are there any questions, comments, or corrections about these minutes? Seeing none, I will cast the unanimous ballot approving them.

"We will now move on to a report from the Nominations and Elections Committee."

### **4. REPORT FORM THE COMMITTEE ON NOMINATIONS AND ELECTIONS**

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "I have two items to share with you today. The first is a slate of candidates for the UFC. As you know, Gordon Campbell died recently and Fred Ahl has resigned from this committee. We need to elect two new members to this committee, and the following have agreed to run:

Donald Farley, Engr.

Sidney Leibovich, Engr.

Vicki Meyers-Wallen, Vet.

Peter Schwartz, H.E.

"You will receive a ballot in the very near future. Please cast your ballot and send it back, and we hope to have that committee complete very soon.

"The Nominations and Elections Committee has made a number of appointments for which we seek your approval:

#### **Committee on Academic Programs and Policies**

Carolyn Eberhard, CALS

#### **Ombudsman Search Committee**

Joseph Calvo, CALS

#### **Research Council**

Steven Ealick, CALS

#### **Statler Club**

Michael Duncan, Engr.

Peter Stein, A&S

## **Project 2000 Advisory Committee**

J. Robert Cooke, CALS

### **Budget Planning Committee**

Martin Hatch, A&S

Jonathan Ngate, A&S

### **Campus Planning Committee**

Tom Weiler, CALS

### **Campus Store Administrative Board**

Howard Evans, Vet.

### **Committee on Committees**

Pamela Tolbert, ILR

### **Dining Services**

Joe Regenstein, CALS

### **Financial Aid Review**

Vincent Lynch, ROTC

### **Transportation Hearing and Appeals Board**

Richard Ripple, CALS

### **Health Services**

Michael Latham, CALS

Elizabeth Sanders, A&S

Sang J. Shin, Vet.

Mary Tabacchi, Hotel

### **University Hearing Board**

Bruce Andreson, CALS

Tadhg Begley, A&S

Kent Goetz, A&S

Laura Meixner, A&S

Birgit Speh, A&S

Betsy Stevens, Hotel

### **Minority/Third World Affairs**

Biodun Jeyifo, A&S

Beena Khurana, A&S

We canvassed the faculty and most of the people serving on these committees either volunteered or were volunteered to serve on these committees. Are there any questions?"

Speaker Pollak: "Are there any questions or comments on the nominations? Seeing none, they are approved. We are going to move on to a discussion of Option 3. We will start off with a little bit of the context from Dean Stein. When we move on, Professor Walcott will tell us about the option. The discussion will alternate between the pros and cons, so I ask you to pick your side and let me know clearly when I call on you what side you are on. We will call for a vote, by roll call, at around 5:30."

## **5. DISCUSSION AND VOTE ON A MOTION FROM THE COMMITTEE ON OPTION 3 TO ESTABLISH A FACULTY COMMITTEE TO ADVISE THE PROVOST ON ALL TENURE DECISIONS**

Dean Stein: "This would be the third context of this option that I've presented. I don't think you need any more context."

Professor Charles Walcott, Neurobiology and Behavior: "You will remember that we brought this motion before you at our last gathering and there were a number of comments made about it. The committee met and considered these various comments and made a certain number of changes. I'd like to take just a few minutes to go through this. First off, with respect to the selection of the committee, it was recommended that something about diversity be added, so we added, as requested, 'with due regard to race, gender, and ethnicity.' Although the language endeavored to include all aspects of the University, we excluded the one tenure-granting center, so we added 'tenure-granting centers' in the list of units. There were a number of comments about the need for this or whether it made any sense or not. I'm not going to say much about that at the moment, except to point out that what we are suggesting is a faculty advisory group to the Provost who will consider these cases and offer their counsel and advice to the Provost, but that will not in any way dilute his authority in this matter. It is clear that unlike the situation some years ago, the Provost and the University are committed to looking at this whole matter of tenure and making appointments. So, it seems to the members of the committee, if the Provost is going to make a decision, advice from a broadly constituted faculty committee is likely to be more representative of faculty opinion than is advice from the gang of three. Which is, after all, an informal arrangement which this Provost has chosen and might not survive through the next Provost."

"There was some concern about the conflict of interest of the Dean of the Faculty in these matters. I think it is important to point out that his role in this committee is administrative and supervisory. His job is to ensure that the committee is doing what it should be doing and not something else and that the committee is paying attention to how its meetings are organized and its decisions are made. The Dean of the Faculty does not participate in the discussions."

"The issue of election of the faculty to this committee is really one of representation. The feeling is that if this committee is elected by the entire University, there would tend to be a preponderance of people from Arts and Sciences and perhaps CALS. It is our intention that there should be a broad representation throughout the University from the various colleges and centers, and extension, and we feel that that can only be achieved by having the colleges elect representatives and then have five slots available which can be allocated by the Nominations and Elections Committee to address these concerns."

"On the issue of conflict of interest, we changed that around so it now reads, 'previous involvement or conflict of interest,' and we made it imperative, rather than permissive that anyone with any relationship must declare that relationship. We didn't feel that it was possible to exclude members of the faculty, particularly from colleges where the entire faculty votes on issues of tenure and promotion. That, in a sense, would disenfranchise the entire polity of that college. It is preferable to let them participate in this prior relationship, whatever it might be."

"There was a wording clarification that we would judge the strength of the candidate, not the strength of the file, or its weight in pounds. There was a question of what a positive departmental vote might be, and we weaseled on that and changed it to a positive recommendation from the department. There was some concern about the different college missions and I think that is a very legitimate concern; and so we added 'to the responsibilities of the position or the

mission of the college,' to make it absolutely explicit that the committee is to consider not only the person, but what their job is supposed to be.

"Some people gave a great vote of confidence to the 'gang of three'. I already spoken about that; it is a totally informal arrangement and subject to change at the Provost's discretion. Finally, I would like to summarize by saying that I think this is a suggestion for how we ought to proceed. It is, after all, only for a year. We will try it for a year. After that time, if it failed, we can throw it out. If it was a success, we could give it another year or five, or whatever. So, I don't think it is going to be an enormous gamble in that sense. Furthermore, a survey of our peer institutions as Dean Stein mentioned, something like seven out of eight of our peer institutions, have some mechanism of this sort at the University-wide level. It surely cannot be totally evil or it seems to have worked for them. Finally, I think most of you have received a memo from the Law School, and there are a number of things there that are worthy of discussion."

Speaker Pollak: "OK, we will start the discussion with an opposing view."

Professor Ann T. Lemley, Textiles and Apparel: "I wasn't going to speak today, but I heard the same statement this meeting that I heard at the last meeting, that we have an 80% tenure rate. I think we are mixing apples and oranges here. Enough of us know our math well-enough to know that our percent tenured is not the same as our tenure rate. I went back and looked at my own unit, we have had a 25% tenure rate in our last four tenure decisions, although 75% of our faculty is tenured. We have also lost 12% of our professorial lines because of state cutbacks. We haven't had many retirements recently. We have a significant baby boom population in our department. I don't think we ought to equate percent tenured at Cornell with our standards that we have been applying at tenure. We also were counseled several years ago by the Provost to look closely at reappointment time. I know in my own appointment and on an ad hoc committee that I served on, that people have been counseled out at reappointment time. We have not looked at the numbers carefully and we have thrown it around incorrectly when we speak about tenure rate and percent tenured. We may want to look at the demographics of our faculty and I think that the cuts we have had at Cornell have had a significant effect on that, particularly on the state side that some of our so-called peers may not have had. I am opposed to the proposal, I think that if there are any problems they ought to be handled at the bottom. I think this University is woefully inadequate in training and working with and developing department chairs. I think you're lucky if you have a good mentor as your previous chair. If we have some problems, we can work very well working at the college and department level for raising standards. I think proof that the system has worked is that the Provost has put us all on our toes with respect to tenure. I think we are putting together better packages, ad hoc committees are asking better questions, and I think basically the system has worked. It has been a very positive step forward. I very much appreciate the letter from the Law School. Only the lawyers could tell us that we are trying to do two different things at the same time."

Speaker Pollak: "Now a speaker in favor?"

Professor Sally McConnell-Ginet, Linguistics: "It seems to me that what the Law School memo is telling us is that we can't be pursuing both fairness and rigor in tenure decisions. It seems to me that issues of fairness are by no means inconsistent with applying standards rigorously. In fact, it is more important to safeguard fairness the more rigorous that one is trying to make judgment. There is all sorts of empirical evidence that the real superstar geniuses will have no problems, the real losers will not get through. It is precisely in the middle that we need to be the most fair. I feel that one of the most important things we could do is participate in the tenure process. In order to play our role fully and responsibly, we have to be willing not to kick this over to the gang of three or four, but to institutionalize faculty involvement at the University level. I don't think that we are trying to do two incompatible things, but this proposal really is addressing two important things which we as the faculty should really be involved with."

Speaker Pollak: "Is there a speaker opposed?"

Associate Professor David Wippman, Law School: "I regret that our memo was not sent to you earlier. It took us some time to consult members of the faculty in the Law School and to be confident that there was in fact a consensus position. We have determined that and you'll see that the position in the memorandum is in opposition. I won't repeat the arguments in the memo. I am a little concerned based on the comments just heard, that it was misinterpreted slightly. We did not mean to suggest that the University cannot pursue fairness and high standards at the same time. When we talked about predictability of impact, what we meant was, we never really understood what the problem was that this proposal was designed to address. Based on some of the comments that I heard at previous meetings, some people seem to think that

the problem was too high a tenure rate, which I have questions about as another member of the Senate does. For those that think the problem is too high a tenure rate, the solution seems to be tightening up of standards, and some people think that this committee will do that. At the same time, there seem to be procedural and other aspects of this proposal that lean in the other direction. I know that in the past, this body as you all know, voted to create an appeals procedure for negative decisions with respect to tenure. So, I am really not sure what this body is likely to do and I am reluctant to support a proposal that has unpredictable results. I am not sure if this will result in a tightening or a loosening of these standards, or whether it will do something more episodic, if in some cases it will tighten and in others it will loosen. Another concern that we had was really with respect to the incentives of the committee. It was also suggested at a prior meeting that perhaps it is the case that opposition to the motion meant that we had a lack of confidence in other members of the University. Instead, it is a vote of confidence in the Provost. We think he has been doing a good job, or at least, we see no evidence to the contrary. We think he has professional incentives to ensure that tenure decisions at the University are done carefully and fairly. We are not confident that an ever-changing group of fifteen people who do not have the same experience in reviewing tenure decisions across the University as the Provost has will be able to do the same kind of balanced decision making for those reasons and the other reasons mentioned in our memorandum."

Professor Richard Galik, Physics: "I'd like to say a couple of things about the points just raised. It was said that this committee will not be able to make decisions; it is not the purpose of this committee to make decisions, but to give advice. We all agree that the Provost has access to more information than he can commandeer. He spoke of non-predictability; one thing that is very predictable is this will involve the entire faculty as a university unit in having input into decisions on matters that are extremely critical to matters of survival for the entire faculty. In talking about non-predictability, something we should also talk about is whether you are for or against this proposal, you should not hold these views on the basis of present personalities. The person who is Provost, or the people who are the informal advisers to the Provost, will change in the future and future personalities are very unpredictable."

Professor Terrence Fine, Electrical Engineering: "The vacuum pressure was too great (laughter). What I'm hearing today is a little bit different and that concerns me. I've heard it from the Provost who talked about distinguished faculty advising, I heard it from Professor McConnell-Ginet, who talked about institutionalizing faculty advising. The bedrock of tenure decisions are the decisions of the department and the college, and every effort has to be made to make those right. That is where our institutionalization is, that is the way our faculty are, that is the way it ought to be respected. If another committee coming in at the top, is to be viewed in this light, to put the much larger group of faculty at the department and college level in the shadows, then that is not a good thing. We already have institutionalized advising and distinguished faculty at the department and college level, and as I said at the last meeting, that voice is being muffled by this process. The more voices you have, the less you have to listen to any of them. It allows you to pick and choose. The voices we ought to be listening to are the ones at the lower level.

"I'd actually like to come back to a question my colleague Len Lion raised to the Provost that I didn't hear an adequate response to, which was: If there is a perceived problem, what have we done at the department and college level to address that problem? I'm sure that there are problems out there that occur at random and there has to be a big enough group. Address the problems at the department and college level. Failing that, then worry about fifteen people sitting at the top. But, I'd like to see what has been done in terms of the way we make decisions at the department and college level before I have to worry about whether that failed, and now I need another group of distinguished faculty sitting at the top. I think this is misguided or at the very least, premature.

"The other thing that I'd like to say is about the proposal itself, and this is really not that serious. It struck me a little bit as if it were the late-night Ginsu-knife defense. They say, 'maybe you don't want a Ginsu knife that will cut tomatoes, but maybe you do want one that can cut tin cans.' This proposal will unify the faculty, it will do various other things. I mainly want to know if it cuts tomatoes. It may be nice if it does those other things, but I don't even want to pay attention to it if it doesn't cut tomatoes."

Professor Schuler: "First, I have a question. How was the Law School's memo distributed? I ask because I did not receive a copy of it as of 4:00 today before I came to the meeting. I find it offensive as a matter of process to have some members of this body receive a negative set of discussion when I didn't receive it."

Speaker Pollak: "Peter, do you want to address this?"

Dean Stein: "Yes, let me just make a comment to the whole body. I have no idea how the Law School memo was distributed. But, my office is happy to distribute any thing from a senator to the entire Senate body. So, if anyone ever wants to distribute an argument or a paper or something, they should merely e-mail it to my office, or bring a hard copy to my office, and we would be happy to make sure that all the members of the Senate get a copy of it. That was not done in this case. I'm not complaining, but I'm just saying that as an aside."

Professor Wippman: "I'd be happy to answer your question. Certainly in the future, I'll take advantage of Dean Stein's suggestion. The way we distributed it was I printed the list of the Faculty Senate from off of the web, I gave it to my secretary and asked her to send a letter to everyone who was on the list. If for some reason you didn't get it, I can't explain it, and I'm sorry that you didn't get."

Professor Schuler: "I just spoke with Professor Obendorf. We are both Faculty Trustees, and as such are voting members *ex officio* of this body, but somehow, you failed to pick that up."

Speaker Pollak: "May I ask a question? Has any other Senator not received this?" (approximately 7-10 Senators raised their hands).

Professor Schuler: "So, it does certainly suggest that a process revision be made to ensure that it does go through the Dean of the Faculty's office to ensure that voting members receive this information in a timely fashion. If I may, I just want to make reluctant, but positive arguments for voting in favor of this proposition. From all the reasons espoused by Professor Fine and many others. I am leery of having the departments, who should have the prime responsibility for making these judgments, feel that they can abdicate their responsibility and pass it up the line. I am in favor of every effort to put as much training and pressure at the threshold level. Having said that, we are also well aware of the problems that arise when we have a negative vote at the Provost level. That is why I was strongly in favor of the proposal to put in place the review committee that came up to vote last spring. We defeated that motion, so I am reluctantly in favor of this motion. I think it stands on a profound principle, namely that in the end, I would like to see a broadly constituted group of faculty responsible for making the final advisory decision on these issues than some ad hoc group, even though the final responsibility ultimately does rest with the Provost and President. Nonetheless, I think there will be a broader level of 'we the faculty,' well constituted, with the varying missions of the colleges and units in mind. I will be far more confident that that is preferable to what we have now."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I just asked Seymour if I could speak for both senators from the Johnson School. He has given me that permission. We agree very strongly with the memo from the Law School. We do believe that this group does make decisions; they decide the direction of their advice. I heard Dick Schuler saying the same thing. One of the big problems is that this committee would be a changing group of people; you will have one group of four, another group of four, another group of four. You will not have the learning that comes from the current group, which must come to grips with all of these decisions. I think it would be unfair to ask a particular group of four faculty to do that. The biggest problem I see is that each group of four, as the Law School suggests, bears no professional consequences for the quality of this decision. They move on. They are a group of faculty members in their own field, and they are not ultimately responsible for their decisions. It is very hard for a randomly selected group to be sufficiently knowledgeable about the concerns and norms about each specialized discipline. I think this is something that you learn as you are responsible for it, and you must stand behind your decisions and I think that is what the gang of four must do and does do."

Professor Gordon Teskey, English: "The departments are undoubtedly the bedrock of decisions in tenure cases. So, what does this proposal provide? It is not going to affect very strong cases and I don't think it is really going to affect average ones. It is only going to affect marginal and egregious cases. The second thing that I think it is about is confidence. To my way of thinking, the proposal need not make any change in the rate of tenure. The same number of people may receive tenure, but I think there will be greater confidence in the decision if it is made at the upper levels by the faculty. When a particularly doubtful decision goes by, one about which there has been a negative decision by an ad hoc committee and the like, and is nevertheless recommended and approved by the Provost, there is going to be less confidence in the value and intelligence of that decision than there will be if it is approved after being evaluated by a group of fifteen faculty members. We may wonder how their deliberations resulted in a positive decision, but we will feel more confident in the Provost's decision. So I think the issue is not a tightening of standards or a lowering of standards, it is just that we have confidence in the decisions made at the University level."

"As to the point about the departments, I agree with Professor Fine that the departments are the bedrock of the tenure decision process and I don't think that anyone could disagree with that. It is important to remember that the work of this committee is not to make specialized judgments of other fields independently of the witnesses and evidence that has come up to them. That is, they will be reading the letters of outside reference, they will be reading the documents that have been passed along. They will not be evaluating the candidate, but rather reviewing the quality of decisions already made."

Assistant Professor Anna Marie Smith, Government: "I am in my fifth year of service in a tenure-track appointment, and therefore it is my career that is being experimented with. We are discussing a pilot program, experimental in nature, that will create concerns for virtually every one of my colleagues in this situation. Secondly, it is not plausible to me that a University-wide committee, with constantly shifting personnel will be able to inform themselves as to the specific mission of the college, department, and unit. I would like to draw your attention to a problematic statement for me on page two, it states, 'The committee will also take into consideration the academic standing of the candidate's outside reviewers. . .' I'm not saying that the existing situation gives me a great deal of confidence. I'm just saying that I'm not sure how the existing system would solve the problem that I see, namely that some candidates from our department would be using outside reviewers from campuses and institutions that may not be respected adequately by people who are not familiar with the specialties in our discipline. I think that is extremely problematic and I don't have enough confidence in this proposed body that they will be able to gain that kind of information quickly enough in each case. Terry Fine's remarks about replacing the voices at the college and department level also give me concern.

"Finally, I think that the remark about the training of chairs really has to be listened to here. I am aware of junior faculty who have received utterly contradictory advice with respect to their preparation for tenure review from different department chairs in their own department. Something has to be done about this."

Dean Stein: "I vowed not to speak, but who can maintain their vows? (laughter) I want to correct something that Professor McAdams said in describing this proposal as to what this group of four is. The notion here is that there are some fraction of the tenure decisions that come through, I love this phrase, I learned this from a real estate agent, 'drop dead gorgeous.' The 'drop dead gorgeous' cases would not have to involve a meeting of all fifteen members. So, the idea was that one takes a randomly selected group, and if all four agree that this is a 'drop dead gorgeous' case then it will bypass the committee. But, if anyone of them registers a question, then it goes to the full committee. This is not a group that is the final judge, this is a group that judges at a very high threshold.

"The second thing that disturbs me in what a lot of people to say, and I find it difficult to put into perspective, is this lack of confidence in the faculty. Charlie Walcott referred to something that I told him before, that I was sitting around at my word processor, fussing around with faculty salaries again, and one of the issues is what a peer comparison group is. In various ways, I tried to devise peer comparison groups to compare ourselves with regarding salaries. Last night, I was just looking at one on a spreadsheet as I was calculating salaries, and realized that this group of eight, do this in roughly the same way as this 'Option 3' is proposing. They all make tenure decisions, and they are all subject to the same kind of vagaries that we are discussing here. Some people describe these people as though they are in first grade and are not aware of the subtleties. They look at a physicist and say, 'two books, have you written two books? No? Well, then we'll vote it down.'

"I spoke to Dave Jackson, a distinguished Emeritus Physicist from the University of California, Berkeley, last night about faculty salaries. He served on a committee like this, and I asked him, 'Do you have any trouble judging people from the law school?' He said, 'No, I just don't see a problem.' I really don't understand why people keep raising this issue of why the Provost, for whom I have great admiration and respect, and for the 'gang of three' for whom I have *boundless* admiration and respect . . . (laughter)"

Provost Randel: "Objection!" (laughter)

Dean Stein: "I don't see why the people that oppose this think that senior people selected by their colleges will suddenly lose all of their perspective, all of their maturity, all of their ability to understand the subtleties of academia while the Provost and his 'gang of three' are able to maintain it. I have more confidence in my faculty colleagues to be able to make these kinds of decisions than other people do. Frankly, it disturbs me that people are willing to say that they trust the Provost and the 'gang of three' to make these decisions, but cannot predict what faculty members will do."

Professor McAdams: "Point of Order. My name was used and I would like to say that I am fully aware of any sensible thing that the Dean has just said, and I was aware of it when I made my comments and I am aware of it now."

Speaker Pollak: "We are approaching the end of our time for this issue and we have two options: we can either delay the discussion or call for a vote. Are there any objections to taking a vote on this issue right now? Seeing none, we will call the roll for the vote.

The motion passed by a vote of 48-38, with one abstention (below).

## **6. DISCUSSION OF REPORT ON RESEARCH FUTURES TASK FORCE**

Dean Stein: "Unfortunately, we don't have a resolution to present to you because it is complicated. We discussed it in the UFC and the hope is that from the discussion that ensues after this, we will be able to formulate a resolution that we'll send to you. You have all received the report. The Provost discussed it earlier. The Vice-President for Research and the Dean of the College of Engineering put together a committee at the beginning of the summer that was going to discuss priorities in research in Engineering, the Natural Sciences, and some parts of Biology. It says in the report, that the Faculty Senate appointed half of the members of the committee. That actually is not true; it appointed something like 1/3 of the members. There is nothing really more to say about it, except my belief that it may well be that this report represents a more substantial change in the way that we do business at Cornell than the last resolution that we just passed. I think you will want to listen to this very seriously and very carefully and we will bring back to you in December, some kind of a motion that will attempt to address what you think about this new way of doing business. With that, I am pleased to introduce to you, my colleague from the Physics Department, Persis Drell, who is a member of that committee, appointed by the Nominations and Elections Committee."

Professor Persis Drell, Physics: "The Research Futures Committee was created in June. We had our first meeting on June 10 and we were told to report to the President and Provost by August 18. We didn't quite make that deadline,. The report was completed by mid-September and that report was published in the *Cornell Chronicle* and is available on the web. The charge to the committee was to outline research goals for Cornell, to suggest research priorities, and to suggest a research strategy for allocating limited Cornell resources. In the original appointment letter, which I went back to in preparation for this meeting, we were also asked to address ways to support emerging fields while reducing support to existing fields; the report did not address that. In fact, we did not address that explicitly. The report was specifically targeted at the physical and natural sciences.

"The report from such a task force could be a visionary document that charts new courses for research at a university. It could do damage if it is poorly written, by causing upheaval and divisiveness in the university community, and it can be useful by stating the obvious, by providing a blessing for people to do what they knew they sort of needed to do anyway and really leaving the tough decisions for the smaller, more focused groups. My personal feeling is that this report falls in the latter category. I don't feel that it is visionary, because we didn't do enough homework for it to be visionary. We didn't do this over a long enough period of time. Some members here may disagree with me, but I don't think we spent enough time grappling with the really tough issues that I feel need to be grappled with. Hopefully it is not divisive or harmful.

"What does the report say? Well, you can read the report, but I will tell you what it says or what I hope it says. There are different investment strategies that are appropriate for different areas of research. We called out three large areas that we thought required different strategies and tried to define what strategies we thought were basic research, something we called strategic enabling research, and then the third category was interdisciplinary research.

"For basic research, we thought that it was imperative that a great university excel in some areas of basic research. It doesn't have to excel in all areas of basic research. The appropriate strategy we felt was to hire and support superb faculty and let them make strategic choices on what areas to pursue. The scale of effort in basic research is often at the department level or smaller. One example of a department that has hired well is the Astronomy Department. It is not active in all areas of Astronomy; it doesn't try to do all areas of Astronomy; it has chosen some small strategic areas of Astronomy; and the areas that it has chosen, it does extremely well and is very well ranked. The process for investing in basic research works well and we didn't recommend that it be changed.

"The strategic enabling areas are areas that we thought a University must be excellent in to remain top-ranked. They are

characterized by their breadth of impact over many fields throughout the University and the three strategic enabling areas that were defined by this committee were Biology, Information Science, and Material Science. Picking those three areas, as was pointed out by many of my colleagues, was obvious. They are the three obvious areas that pretty much anyone would have chosen for a great research University. Most universities across the country see those as fields in which it must invest in its future. The real issues that we had to address were how to make Cornell uniquely strong in those areas where every research university is investing for its future. The discussion of what strategy is appropriate for Cornell to use in those three strategic enabling areas took most of our time and occupies most of our text in the report. I'll talk about that more in a minute.

"To be complete, there was a third broad area for classification of research that we called 'interdisciplinary'. It is distinguished from the three strategic enabling areas in that it has less broad an impact. Again, a great research university should excel in some interdisciplinary activities, but it does not have to excel in all interdisciplinary areas. The report, as I went back to look at it, was not as clear in a strategy that we should take in approaching the interdisciplinary areas. Basically, as in the first instance, we said that the University should try to support faculty initiatives in that area, but not try to create it.

"The real focus of the committee's report, after identifying the three strategic enabling areas where we felt Cornell has to be strong in order to be competitive, was to determine the best strategy to achieve that goal. You have to keep in mind some very important facts. First, Cornell has invested very, very heavily in those fields. Well over half of the science faculty in this University are involved in those areas. The problem is that those resources are dispersed over many departments and all colleges in this University. The concern is that the model of making strategic decisions at the department level does not have a broad enough vision and that somehow broader administrative units need to be involved in order to be effective. We felt that Cornell needs to focus in these broad areas. We don't need to try to do everything in them, but we need to develop a strategy University-wide to enhance the effectiveness of the existing research commitments.

"The committee felt that Cornell faculty need to identify focus areas within Biological Sciences, Material Sciences, and Information Sciences that would take advantage of what we felt was the real breadth of resources here at Cornell that we felt was unique to Cornell. The report over and over again says that the identification of focus areas should be faculty-driven. One needs to coordinate efforts across colleges and across departments. Basically, the model strategy that works for something like Astronomy is not going to work for a field as diverse as Biology or Material Science. The report calls out some suggestions of specific areas that it felt if Cornell chose to focus in, could be very strong. These were meant to be suggestions and no more than that. There was also a suggestion of an internal review board as a mechanism to provide coherent overviews and coordinate efforts across campus, to help the administration, the deans, and the departments, in making choices in how to focus resources in these areas. We kept using this word resources, we've discussed what resources mean. It is some amount of money. We never knew how much money that is available from the Vice-President for Research and from the Provost. The real resource that we are talking about was faculty minds.

"The committee did not deal with many of the nitty-gritty issues that need to be dealt with in order to make this work. They probably need to be dealt with by a smaller, harder-working committee than we were. You need to discuss how to reallocate resources to make this happen. Where do they come from? How much are we reallocating with the strategic enabling areas? How much are we reallocating within all of the Physical and Biological Sciences? Where is it appropriate to reduce support? How many new resources have to be found? How do we successfully integrate resources across colleges? I think it is a mistake to interpret this report simply as 'take resources from everywhere else and put them in these three strategic enabling areas without a plan of how to do that.' That is certainly not the tone of the committee's discussions. Once a plan is in place, then we'll have to determine the tough resource allocations. That is my take on the report."

Speaker Pollak: "Are there any comments or questions?"

Professor Schuler: "In your discussions, was there any dialogue with the Medical School, since it is undertaking a major research initiative?"

Professor Frank Keil, William R. Kenan, Jr. Professor of Psychology: "We certainly did talk about the Medical School and our desire to have collaborations with them. It is a complicated issue and there are a lot of things going on, so I can't go into all of the details here. Some of us worked on that at length. We mentioned the medical school in the report, but it is not trivial to develop those collaborations."

Dean Stein: "I have a feeling that we are all exhausted by the drama of the last vote. This is really important and I think that the time got compressed. Persis, I hope that you can come back next time. I think we are going to need a longer broader discussion when people have had more time to think about this."

## 7. GOOD AND WELFARE

Professor McAdams: "I want to talk about a strategic enabling technology. It would be based on your own personal resources. I put up here something that I thought would sell like hot cakes, I gave you two colors of paper, yellow and red. We are offering you the opportunity to join a Cornell community based cooperative to get a wireless version of ethernet out into the whole of Tompkins County. This would give you two megabits on your desktop. We will be having an organizational meeting on November 18 at 4:30 p.m., Upson B-17. We'll be working with CAI wireless; they are one of the leading wireless organizations in the country. We would have hybrid modems which are superb. We think this is a way that we can reach a number of people who will not be in the range of any other high speed access to their homes."

"There is a lot of talk about ADSL. There is a small trial underway right now. I happen to be a part of that trial, and it is wonderful. But it looks like it is going to take a while before that can be built out to other places. There has been talk about rebuilding Time Warner's system. That may happen soon; a minimum of 9-10 months. If you want to have 2 million bits to your desktop now, please join us. It isn't cheap, it is not a giveaway, it is a cooperative. If we have 100 people who decide to sign-up in the whole county, and we are limiting this to Cornell people, the transmission cost would be \$50/month and the cost would be \$22 otherwise, plus startup costs, including getting it installed, getting an antenna, and an initial piece on the modem. If we get 200 people, that transmission cost would drop to \$25, plus the \$22, that will be \$45 [sic] and you do still have to maintain your dial-up return. You still have a shot at the red or yellow paper as you go out."

The Speaker asked for a motion to adjourn.

The meeting was adjourned at 5:47 p.m.

Respectfully Submitted,

Kathleen Rasmussen, Associate Dean and Secretary of the University Faculty

## Appendix A

### **MOTION FROM THE COMMITTEE ON OPTION 3 TO ESTABLISH A FACULTY COMMITTEE TO ADVISE THE PROVOST ON ALL TENURE DECISIONS**

At the May 14, 1997 meeting of the Faculty Senate, a resolution was adopted that called for the formation of a committee (known as "Option 3") to develop a proposal for a standing faculty committee to advise the Provost on all tenure decisions, and report back to the Senate this fall. The report and motion follow.

#### Members of the Option 3 Committee

Peter Chi, Policy Analysis/Mgmt., H.E.

Nelly Farnum, Anatomy, Vet.

Sidney Leibovich, Mech/Aero Engr., Engr.

William Lesser, ARME, CALS

Christopher Minkowski, Asian Studies, A&S

Barry Perlus, Art, AAP

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BE IT RESOLVED, that a committee of the faculty be established to advise the Provost on all proposed promotions to and appointments with tenure as well as proposed denials of tenure by a dean after a positive recommendation from the department.

**Composition of the Committee:**

The committee will be composed of fifteen tenured faculty members, one elected by the professorial faculty in each college and five nominated by the University Faculty Nominations and Elections Committee and appointed by the Faculty Senate. The five faculty nominated will be selected in such a way as to achieve appropriate balance among the various schools, colleges, tenure-granting centers, disciplines, and job functions (including extension) to make the committee of fifteen representative of the diversity of the faculty of the University with due regard to race, gender and ethnicity. Members will serve for two years. Terms will be staggered so as to replace half of the members each year. Vacancies caused by the resignation of a college representative will be filled by a vote of the college faculty or by an elected college committee, or by the Nominations and Elections Committee for a non-college representative. No member of the committee will serve for more than 3 consecutive years. The dean of the faculty will be a non-voting, administrative chair of the committee. The chair will strictly refrain from taking part in the committee's decision making. The role of the chair will be limited to facilitating timely decision making and ensuring that the committee adheres to its charge and mandated procedures.

**Procedures:**

The committee will determine whether the evidence in the tenure file shows that the candidate has demonstrated excellence in scholarship, teaching and public service at a level warranting appointment to tenure at Cornell. In particular, the committee will consider the evaluations made by the candidate's peers and students, as well as those of outside reviewers and the ad hoc committee. The committee will also take into consideration the academic standing of the candidate's outside reviewers, as well as any special considerations that might pertain in the case of those candidates with appointments in professional schools, performing arts or extension programs. In coming to its conclusions, the committee will limit itself to assessing the strength of the candidate as summarized by prior substantive reviews. The committee will not solicit additional reviews; its judgment will be based on the information in the candidate's file. University financial and other non-academic considerations will play no role in the committee's deliberations. The committee should ensure that tenure appointments are consistent with Cornell's high standards, but that no faculty member is turned down for tenure wrongfully, capriciously, or without reference to the responsibilities of the position or the mission of the college.

Each file will be read by four members of the committee chosen at random. Each member will independently prepare a very brief written evaluation of the case not to exceed one page in length. If all four members are positive with no concerns or reservations, a positive recommendation will be sent to the Provost with copies of the four reviews. Copies will also be circulated to the 11 other members of the full committee.

If any one of the four has reservations, each member of the full committee will write a brief, preliminary evaluation which in no case can exceed one page in length. After these have been circulated, the full committee will meet for discussion and a vote. The committee's decision, including the vote tally and the final individual evaluations, revised on the basis of the discussion as each committee member sees fit, will be sent to the Provost. Committee members who are unable to attend a particular meeting may cast an absentee vote as long as they submit an evaluation. The committee will make its recommendations within four to six weeks of receiving a file.

If the Provost rejects the committee's recommendation a statement justifying that decision will be sent to the committee.

**Previous Involvement or Conflict of Interest:**

If any member of the committee has voted or otherwise participated in the tenure decision at an earlier stage or has any relationship with the candidate that might significantly affect his or her opinion, the nature of this potential source of bias must be described in the member's written evaluation of the candidate. A member who has a relationship that falls under the nepotism policy (Faculty Handbook, p. 86), will recuse him or herself from the case.

### **Report to the Faculty Senate:**

The committee will report the number of cases considered and the number of positive and negative recommendations annually to the Faculty Senate. In addition, if the Provost's action on any case differs from the committee's recommendation, that will be reported to the senate in a timely fashion.

After its first full year of operation, the Faculty Senate will re-evaluate the effectiveness and the procedures of this committee.

### **Rationale:**

The recommendation of colleagues to tenure is one of the weightiest responsibilities of the faculty. The proposal is intended to involve a broader and more diverse group of the faculty at the highest level of decision in the tenure process. We believe the proposal will help to ensure that high standards of academic achievement and of fairness are met and that administrative or financial constraints do not compromise these standards.

The President has delegated to the Provost the authority to make final decisions on tenure cases to be recommended to the Board of Trustees. Currently the Provost seeks advice on these cases from three senior administrators. We propose that the responsibility for advising the Provost on tenure decisions be transferred from this group to the larger, more formal, and more representative faculty committee described in the motion. This transfer will not increase the layers of review, rather it will replace an administrative with a faculty review. For various reasons, among which are increasingly severe financial constraints, the Provost has decided that he should exercise greater vigilance than he has in the past in approving tenure appointments. In these new circumstances, the faculty must be vigilant in preserving fairness to the candidates, in keeping academic and non-academic considerations apart, and in preserving high standards of achievement.

Some faculty have expressed concern that the time commitment for service on such a committee would be too great. We estimate roughly half the cases are likely to be considered by the committee as a whole. The total workload, predominantly reading folders, would be about 40 hours per year for each member of the committee.

Finally, with 15 committee members serving two year terms, a significant fraction of the senior faculty are likely to be involved in this university wide process over time. By considering tenure cases from throughout the university, faculty are likely to have a better understanding of the diversity of their faculty colleagues. This is likely to help unify the faculty.

10/21/97