

Faculty Senate

March 11, 2020

Senators should verbally sign-in by telling Jill Short who you are.

To promote the communication of opposing views and to serve as a free-speech-with-respect model for the rest of the campus, all discussion in the Faculty Senate must be conducted in a civil fashion that is free of any intimidation or personal attacks.

- the University Faculty Committee

Announcements

Elections In April

Dean of Faculty (UF) **Do not have slate**

Faculty Trustee (UF) **Have slate**

University Faculty Committee (5 UF seats) **Have slate.**

Nominations and Elections Committee (3 UF Seats) **Have slate**

Senator-at-Large (5 UF seats, 1 RTE seat) **Have slate**

UF = University Faculty = tenured + tenure track + emeritus/a

Suggestions to deanoffaculty@cornell.edu. Self-Nominations are fine.

College of Veterinary Medicine Request to Use the Professor-of-the-Practice Title

Reason:

To recruit and retain outstanding faculty with significant, high-level experience in veterinary medicine, public health, medicine, or biomedical or other sciences.

College of Veterinary Medicine Request to Use the Professor-of-the-Practice Title

Process

- ★ Write proposal as prescribed by the [enabling legislation](#).
- ★ Proposal posted on Senate Website February 14.
- ★ Proposal approved by Committee on Academic Programs and Policy

Senate discussion and vote at the April Meeting

The Coronavirus Situation

Three important webpages for faculty:

[University Announcements](#)

[Preparing for Alternative Course Delivery](#)

Post comments on the DoF website [here](#).

In addition, there are webpages that are maintained by your college, school, department, Human Resources, the Grad School, etc.

Keep in Mind: The More Vulnerable Groups

	Age Groups					
	< 40	40-49	50-59	60-69	70+	Count
TT Faculty	20%	26%	22%	23%	9%	1592
RTE Faculty	27%	27%	27%	16%	3%	1206
Staff	34%	24%	28%	13%	1%	7485

The Coronavirus Situation

Discussion

Proposed Policy for
Pausing a Tenure Case When a Misconduct
Allegation Targets the Candidate

Academic Freedom Professional Status of the Faculty Committee

February 2020

The Central Question

What should happen if a serious misconduct allegation is made against the candidate before or during their tenure review?

Sample allegation venues:

[Policy 1.2](#) (academic/research misconduct)

[Policy 6.3](#) (consensual relationships)

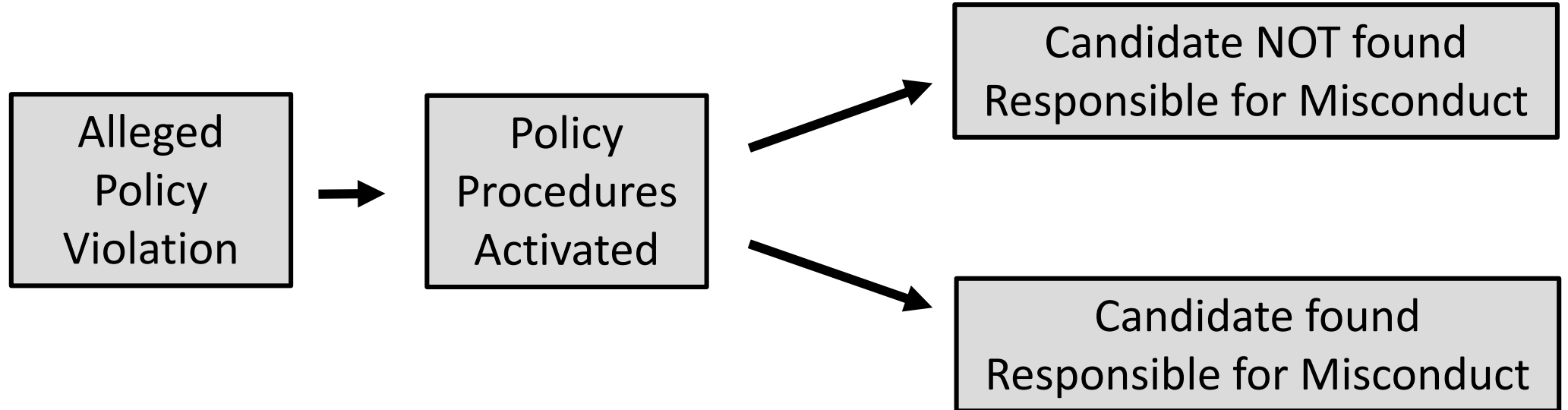
[Policy 6.4](#) (bias, harassment, sexual misconduct)

The allegation can surface in a number of ways:

- a letter solicited as part of the tenure review by the department,
- an unsolicited letter sent to the chair or dean,
- the Title IX Office, Cornell ethics hotline, etc

What Happens When These Sequences Collide?

The misconduct policy sequence:



The tenure review sequence:



Basic Idea Behind the Proposed Policy

To preserve the integrity of both the misconduct adjudication and the tenure review, it may be necessary to “**pause**” the latter while the former plays out. Two outcomes assuming the candidate is not dismissed:

1. Candidate is not responsible for any alleged misconduct.

Tenure review resumes at the pause point w/o reference to allegations.

2. Candidate is responsible for some alleged misconduct.

Tenure review restarts with a *misconduct summary* in the dossier.

The Policy Talks About These Things

The Pause Panel

The **Pause Panel** consists of the candidate's chair and dean together with the provost and the dean of faculty.

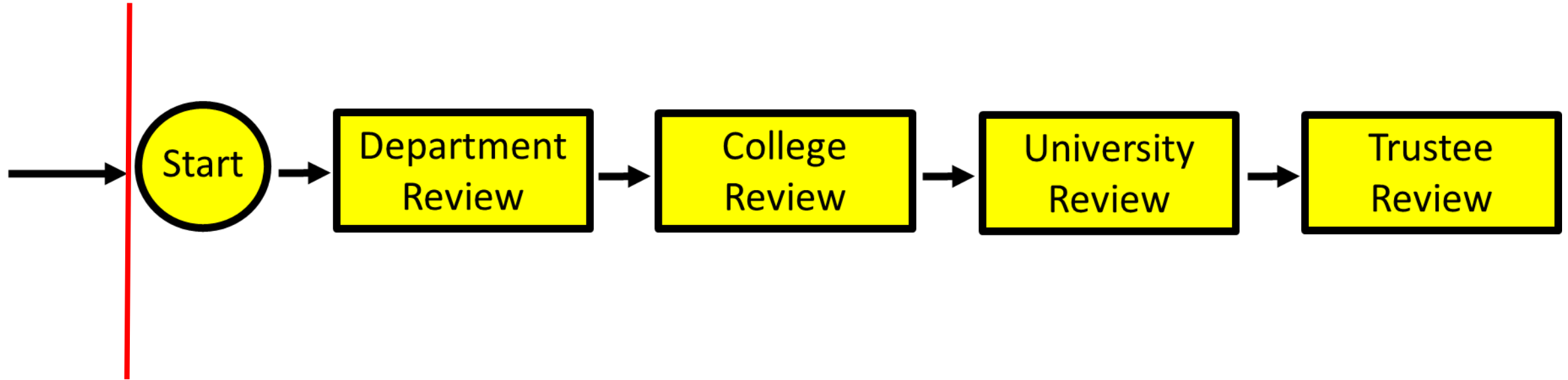
The Pause Panel decides if a case is to be delayed/paused or not.

The Pause Panel has access to the final report of the misconduct investigation.

The Pause Panel produces a privacy-respecting **Misconduct Summary** that is added to the dossier if the candidate is found responsible for the alleged misconduct.

The Misconduct Summary

Delay vs. Pause

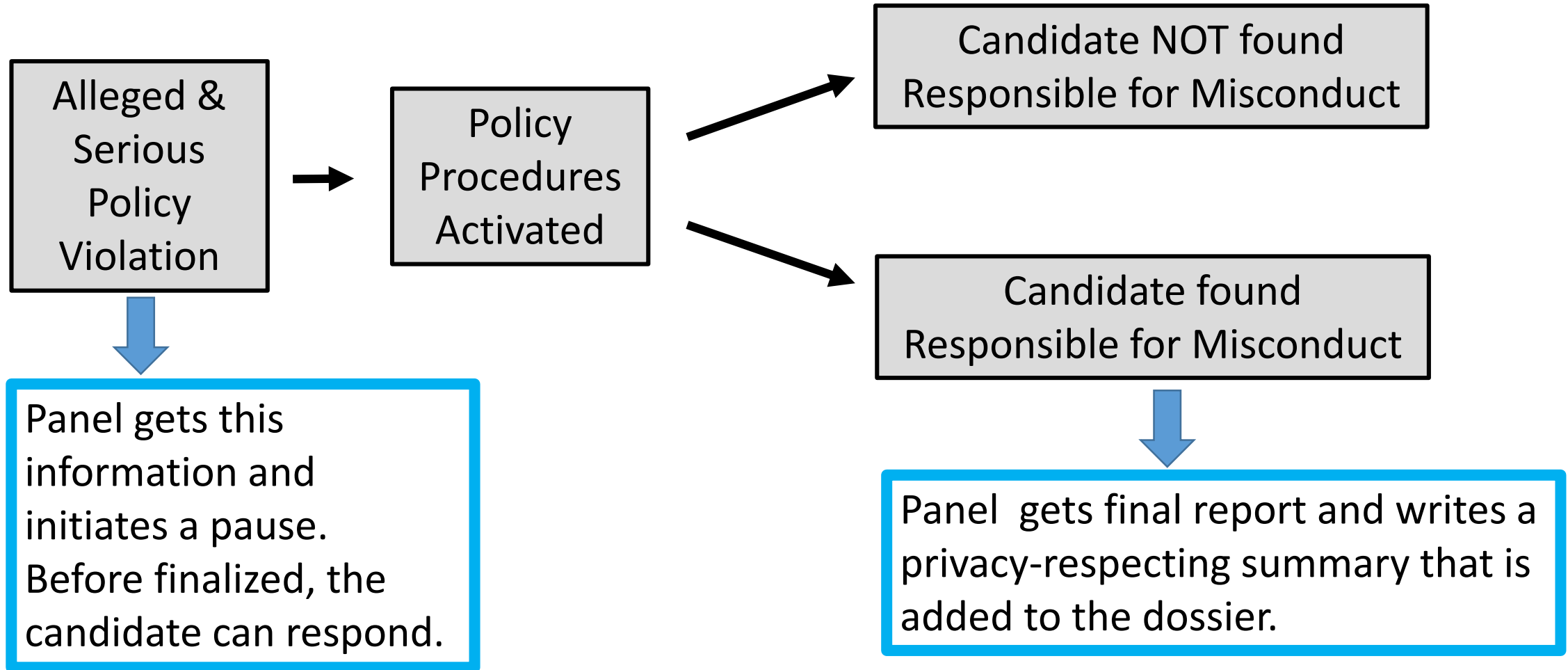


A tenure review is **delayed** if the processing of the allegation is still going on at the normal start time.

A tenure review is **paused** if an allegation arises after the start of the tenure review.

The Pause Panel & The Misconduct Proceedings

(Chair Dean, Provost, DoF)



The “Found Not Responsible” Scenario



The review resumes at the pause point.

Reference to the allegations is not allowed UNLESS the candidate gives permission.

The candidate can augment the dossier with a statement about any aspect of the allegations.

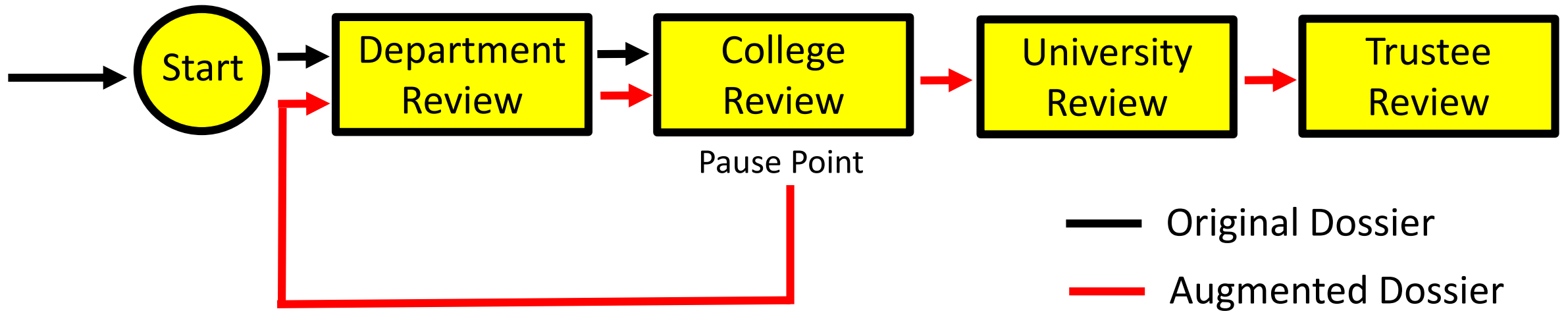
The “Found Responsible” Scenario



The review restarts from the beginning with the augmented dossier regardless of the pause point.

The candidate can augment the dossier with a statement about any aspect of the allegations.

A “Found Responsible” Example



If the pause point is at the college level, then the department will have to revisit the case with the dossier augmented with the misconduct summary. “Revisit” does not necessarily mean “start from scratch.” E.g., probably no need to re-assess the external letters.

Rationale for restarting: evaluators at the department, college, and university levels must “see” the same dossier.

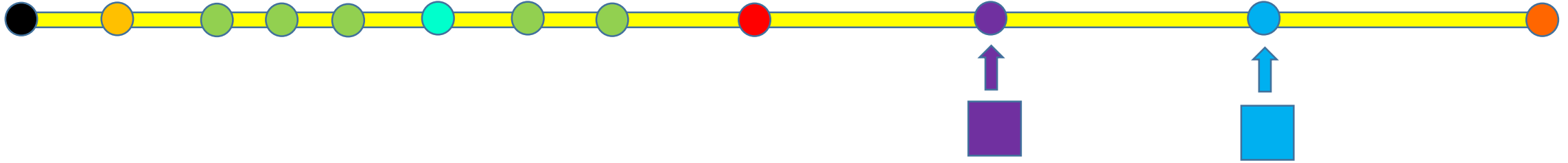
When You Think About a Pause Policy Think About these Things...

1. What makes an allegation serious enough to warrant a pause?
2. How well does the pause policy deal with confidentiality issues?
3. How will a pause affect the TT voters?
4. How will a pause affect the candidate's reputation?
5. Is the pause policy consistent with "innocent until proven guilty"?

The Tenure Track Project

C. Van Loan

The Tenure Track Project



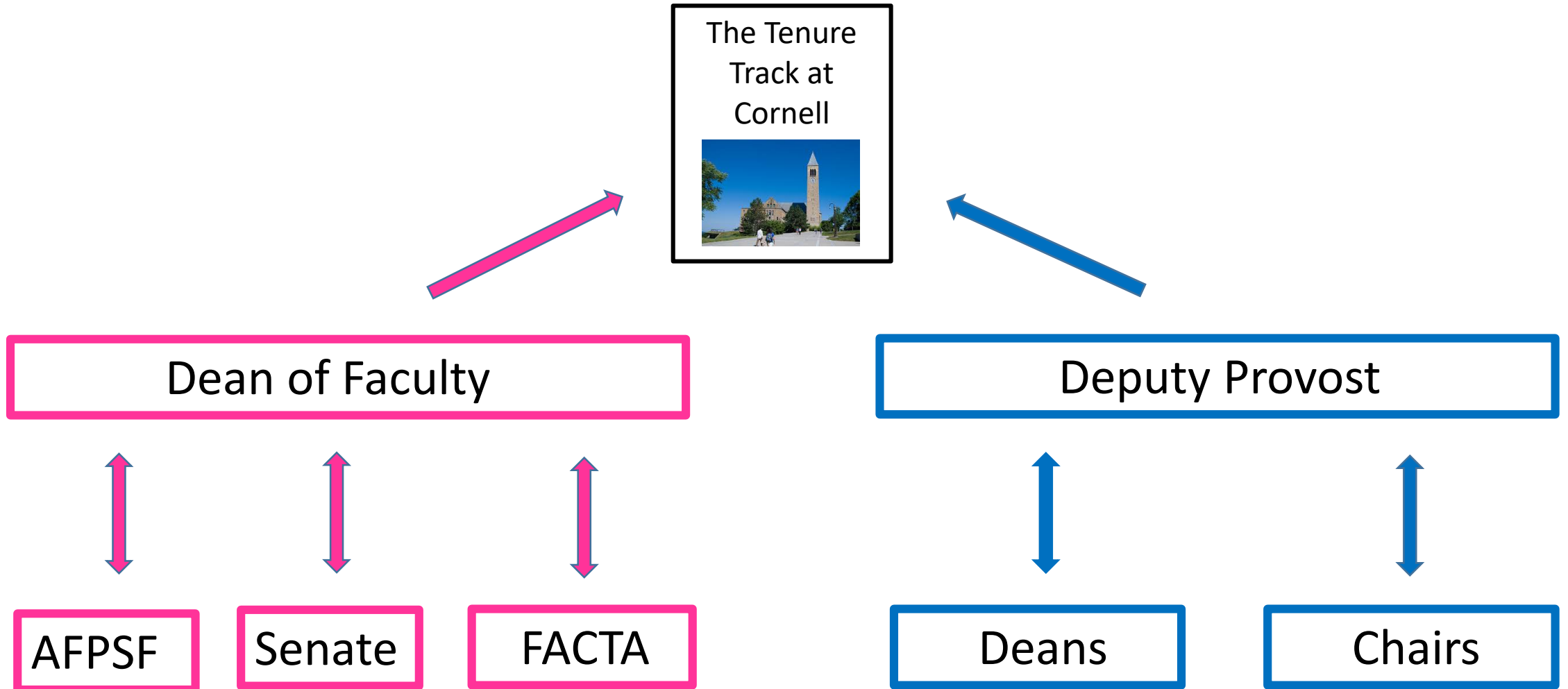
- Recruitment
- Orientation
- Annual Review
- Department Three-Year Review
- Department Review
- College & Ad Hoc Committee Review
- Provost & FACTA Review
- Trustee Approval

The idea is to look at all the protocols and procedures and bring them to a new level of clarity and consistency.

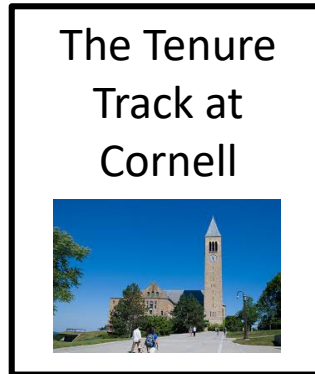
Reasons:

- minimize candidate angst
- minimize chair angst
- set the stage for the reform of how we handle appeals.

Ownership of the TT is Shared & Decentralized



Today's Update is About One Part of This



Dean of Faculty



AFPSF

Produced an FAQ that covers 70+ topics related to the tenure track.

AFPSF =
the Committee on Academic Freedom and the Professional Status of the Faculty

A Senate Committee whose charge involves thinking about the tenure track.

The FAQ Table of Contents

<u>A</u>	Recruitment
<u>B</u>	The Probationary Period
<u>C</u>	Launching the Tenure Review
<u>D</u>	External Reviewer Selection
<u>E</u>	Letters from Students on Teaching and Advising
<u>F</u>	Department-Level Deliberations
<u>G</u>	College-Level Deliberations
<u>H</u>	University-Level Deliberations

The FAQ format promotes focused discussion and can be easily reshaped into improved, easy-to-use documentation for chairs and candidates.

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C. Launching the Tenure Review

<u>C1</u>	When is a tenure review normally initiated?
<u>C2</u>	What about staging an early review?
<u>C3</u>	What about delaying the review?
<u>C4</u>	What about discouraging the review?
<u>C5</u>	What about switching to an RTE track?
<u>C6</u>	What are the candidate's responsibilities at the start of the review?
<u>C7</u>	What should the CV look like?
<u>C8</u>	What are the attributes of a good research statement?
<u>C9</u>	What are the attributes of a good teaching statement?
<u>C10</u>	How should service contributions be documented?
<u>C11</u>	How should a commitment to diversity and inclusion be documented?
<u>C12</u>	What about updating the dossier after the review has been launched?

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C8. What Are Some Guidelines for Writing a Good Research Statement?

The basic idea is to write in plain English showing that your work has direction and that you have thought about its connection to the “big picture” in your field. That is, you should

- write for non-experts.
- highlight your most important work and its relationship to the major research themes in your field.
- tell a story that reveals a positive trajectory and which makes “future plans” plausible.

The Faculty Handbook Frequently Does Not Provide Enough Detail

E.g.

For this purpose, and with the assistance of the candidate, a complete vita and list of publications are assembled, together with copies of the most relevant of the publications. **Typically the candidate is asked to submit statements of goals and achievements in research**, teaching, advising and extension/service...

Sometimes the college docs compensate for this and sometimes they do not.

University-Level Rules Vary in Terms of What they Leave to the Colleges and Depts

E.g. 1

The TT faculty in the department are required to vote on the case.
(Leaves details to the colleges and departments)

E.g. 2

The TT faculty in the department are required to vote on the case
by secret ballot and the tally must be shared with the voters.
(Leaves fewer details to the colleges and departments)

Likely AFPSF Recommendations to Senate

It thinks that we need University-level Rules in these areas:

1. The External Reviewer Selection Process
2. The No-Contact list
3. The Visibility of the Chair's Summation Letter to Dean
4. The Visibility of College TT Docs

1. The External Reviewer List Selection Process

- The candidate list and a preliminary department list are independently created with the charge being “produce the list that you would like to be used.” Both lists go into the dossier.
- The department then uses the two lists to produce a final list with rules about using some minimum number of candidate names.
- The dossier indicates which of the reviewers are candidate-chosen, department-chosen, or both.

Less “gaming”

Forces the candidate to think about the radius of their impact.

2. The No-Contact List

The candidate can place in the dossier a no-contact list with a brief explanation next to each name.

The department can request a letter from a no-contact individual but then it must produce a justification that becomes part of the dossier.

3. Visibility of the Chair's Summation Letter to the Dean

A 2-Letter Plan:

The **summation letter** captures the collective wisdom of the TT voters on the case. They should see it and provide feedback.

The **private letter** gives the backstory (if any) and is confidential.

4. The Colleges Should Put Their TT Docs Online

- **It helps demystify the process.** Having rules about who has access to the tenure procedure documents is inconsistent with how we handle other procedures
- **It minimizes the chance for procedural missteps.** Chairs are busy and need to be surrounded by colleagues and staff who have unrestricted and easy access to the rules.
- **It fosters clarity** because the document-writers know that they are writing for a broad audience and not just a small, cloistered group of policy-savvy individuals.

4. The Colleges Should Put Their TT Docs Online

- **It guarantees that all the players are on the same page for a particular process** because the “online version” is synonymous with “current version”.
- **It creates an opportunity for the colleges to learn from one another.** This is about the development of practical “best practices” and about how distant academic units assess research, teaching, and external engagement.

Department-College-University: Choosing the Right Level of Decentralization

For a given TT protocol or procedure, should the University show up with **Rules** or **Bully Pulpit** or **Best Practices** or **Nothing**?

How do we approach this 4-way dilemma?

End Game

Obtain Feedback on the FAQ topics

Concrete AFPSF proposals for new text in the Faculty Handbook and supporting “best practice” docs.

Proceed to get approvals from Senate, Chairs, Deans, and Provost.

Quorum Check

Consent Items

NEXT:

Do we have a motion to discuss the fossil fuel divestment resolution?

The Fossil Fuel Divestment Resolution

Professor Bob Howarth

Sponsors:

Nick Admussen, Buz Barstow, Bob Howarth, Andre Kessler
Risa L. Lieberwitz, Joanie Mackowski, Judith Peraino, Jonathan Russell-
Anelli, Courtney Roby, Chris B. Schaffer, Suman Seth, Michael Tomlan,
Robert Travers

Timeline

The goal is for each assembly to pass this resolution before the March 19-20 Trustee meeting:

The Employee Assembly (Passed)

The Graduate and Professional Student Assembly (Passed)

The University Assembly (Passed)

The Faculty Senate (vote on March 11)

The Student Assembly (vote on March 12)

The Whereas's In Brief

- W1** Global warming and climate disruption have accelerated since the 2015 Paris Accord;
- W2** Fossil fuel use is threatening the survival of every society, and yet the fossil fuel companies continue efforts to mine and drill for new resources;
- W3** Cornell has been a world leader in sustainability, and is now falling behind other universities worldwide, which are divesting in increasing numbers;
- W4** The Trustees in 2016 established [ground rules](#) for divestment;
- W5** The Divestment resolution satisfies the Trustees' ground rules, including moral reprehensibility and harm so grave that is inconsistent with the values and principles of the University, as shown by the supporting [White Paper](#);

Therefore...

Be it resolved, that Cornell divest from all investments in coal, oil, and natural gas in an orderly manner and as rapidly as possible.

NEXT:

Do we have a motion to vote on the adoption of the fossil fuel resolution?

Call For a Vote

I support the adoption of the [Fossil Fuel Divestment Resolution](#)

.

Yes

No

Abstain

NEXT

Do we have a motion to discuss the withdrawal of the Superdepartment resolution?

Motion to Rescind the Superdepartment Resolution

C. Van Loan

Sponsor: The University Faculty Committee

Superdepartment Resolution

Recall that [this UFC-sponsored resolution](#) was one of three “social science” resolutions posed at the February meeting.

It was tabled so that with additional review, the Senate could stage a more informed vote at the March meeting.

Given the [Provost's Feb 27 Announcement](#) , the UFC wishes to rescind the resolution. (Requires a 2/3 vote.)

If there is to be further Senate action on this topic then it should be framed by the affected parties.

Do we have a motion to vote on the withdrawal of the superdepartment resolution?

Call For a Vote

I support the motion to withdraw the Superdepartment resolution.

Yes

No

Abstain

Do we have a motion to discuss the superdepartment resolution?

Superdepartment Resolution

Be it resolved that the Faculty Senate endorses the Committee recommendation to pursue the creation of “super-departments” in Economics, Psychology, and Sociology;

Be it further resolved that there is strong agreement with the Committee’s wish, as noted in the Final Report, that there be “additional conversations among the respective units in the Spring 2020 semester, a commitment of resources to facilitate the re-organization, and continued attention to the issue of co-location.”

Do we have a motion to vote on the superdepartment resolution?

Call For a Vote

I support the adoption Superdepartment resolution.

Yes

No

Abstain

NEXT

Do we have a motion to discuss the grade-change protocol resolution?

Resolution to Clarify Grade-Change Protocols

Professor David Delchamps

A Revised UFC Proposal

The Proposed Policy on Retro-W's

When there are Extenuating Circumstances:

When such a transcript change is necessitated by circumstances involving **Cornell Health**, the Office of Institutional Equity and **Title IX**, or the Office of **University Counsel**, the student's privacy interest limits the information that college officials may share with the instructor. In such cases, the **college associate dean** for academic affairs (or equivalent position) will inform the instructor of the impending transcript change before it is made and explain to the instructor that the action was warranted due to a matter involving one of the three offices named above, and that university protocols, including appropriate consultation, were followed.

The Proposed Policy on Retro-W's

When There are Less Than Extenuating Circumstances:

In cases not involving these three offices, where a retroactive transcript change is under consideration, the college **associate dean for academic affairs (or equivalent) **must inform the instructor of the reasons for making the change and obtain the instructor's approval before making it.****

Are there any amendments?

Recall our resolution of Nov. 13, 2019:

[Home](#) > [Faculty Senate](#) > [Actions and Archives](#) > [Resolution Archive](#) > [Resolution 139](#)

- ...Whereas the University has been changing course grades without notifying the instructor of record and, thus, without the consent of the instructor...Whereas faculty determination of course grades is a fundamental right of the faculty as stated in the Faculty Handbook, Whereas grading policy is a fundamental part of the educational policy of the University...
- **Resolved, that the University administration work with the Faculty Senate to incorporate such changes into the University grading policy.**
- At that discussion, we asked for more information about administrative-led grade-changes to guide us in proposing changes to University grading policy. We learned that roughly 5 cases per semester involve Title IX, University Counsel, or Cornell Health, and that in these cases grades are changed without the consent of the instructor.
- **Our faculty's concern is if the resolution passes, because the involved faculty are unlikely to report such incidents to us, we will not know the continuing scope and scale of the problems.**

Proposed Amendment: Aggregate Reporting Requirement

The amendment to the **Resolution to Clarify Grade-Change Protocols** is to augment the be-it-resolved text with this:

Additionally, in order to facilitate the essential role of the Faculty Senate in supervising educational policy related to grading, each academic unit shall report and the Dean of Faculty shall convey to the Faculty Senate annually the total counts of retroactive grade-changes originated by Cornell Health, the Title IX office, the University Counsel, or through any other means, respectively, along with a general explanation of the respective reasons for such changes whether by administrative mechanisms or by faculty consent.

Proposed Amendment: Aggregate Reporting Requirement

- The amended resolution allows us to learn at least the counts of Title IX, University Counsel, or Cornell Health initiated cases, as well as the reasons in general terms.
 - It is possible for units to provide us with more information, and also possible for the Senate to ask for more data in a future resolution.
- If the amended resolution passes, the Senate can still take further action to address the underlying issues, and the Senate can still ask for more detailed reporting.
 - The impetus for further reporting or action will be heightened if we find out that the number of administrative interventions increases, depending on the qualitative reasons given.

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NEXT

Do we have a motion to call for a vote on the proposed amendment to the grade change protocol resolution?

Call For a Vote

I support the adoption of the amendment to the grade change resolution:

Yes _____

No _____

Abstain _____

NEXT

Do we have a motion to call for a vote on the grade change protocol resolution?

Call For a Vote

I support the adoption of the grade change protocol [resolution](#)*.

Yes

No

Abstain

* If the amendment passes then it is understood that this is the amended resolution

NEXT

Do we have a motion to discuss the teacher-is-family-member resolution?

Resolution on When a Student Enrolls in a Course Taught by a Family Member

Sponsored by UFC.

No crisis, just want to **avoid** conflict of interest situations as we do in Policy 6.3 (Consensual Relationships)

Does this really come up?

Occasionally. About 2% of the ugrad population have a parent who is faculty or staff.

Add This Text to Policy 4.14 (Conflict of Interest)

A student is not allowed to enroll in a course that is taught (or co-taught) by a family member unless

1. It is required by the student's degree program and no substitute courses are available.

and

2. There are no alternative scheduling options that are free of conflict of interest concerns.

If both of these conditions are satisfied, then a recusal plan that ensures the integrity of the grading process must be developed and co-signed by the student, the instructor, and the chair of the instructor's department (or equivalent).

NEXT

Do we have a motion to vote on the teacher-is-family-member resolution?

Call For a Vote

I support the [If-Teacher-Is-Family Member Resolution](#)

Yes

No

Abstain
