

A MEETING OF THE UNIVERSITY FACULTY SENATE

WEDNESDAY, MARCH 9, 2022

>> JONATHAN OCHSHORN: Welcome in Zoomland and here in person. We're going to start the meeting of the faculty Senate with the land acknowledgment. I'm Jonathan Ochshorn and Speaker of the faculty Senate from the Department of Architecture. Cornell University is located on the traditional homelands of the Gayogohó:nq' the Cayuga Nation. The Gayogohó:nq' are members of the Haudenosaunee Confederacy, an alliance of six sovereign Nations with a historic and contemporary presence on this land. The Confederacy precedes the establishment of Cornell University, New York state, and the United States of America. We acknowledge the painful history of Gayogohó:nq' dispossession and honor the ongoing connection of Gayogohó:nq' people, past and present, to these lands and waters. Meeting is now in order. The first order of business is the approval of the minutes from February 9, 2022. These have been posted and distributed online in the form of a verbatim transcript. Assuming there are no corrections, it will be approved through unanimous consent. I'll wait like 10 seconds to see if there are any corrections, but it's hard to understand how there could be in a verbatim transcript. I'm very pleased to announce our first speaker who is new to Cornell the General Counsel VP, Donica Thomas Varner, who will visit the Senate virtually, I believe, and have a 10-minute presentation. After which, we will have 15 minutes for Q&A. So Donica, if you're able to unmute yourself and begin speaking, please do.

>>DONICA THOMAS VARNER: Thank you so much for having me. It's a pleasure to enable to meet you. Sorry that I wasn't able to join you in person. Not only was I a little confused about where I was going, but actually have a meeting right after this by Zoom. As mentioned, I'm Donica Thomas Varner. I am the vice president and general counsel of Cornell University. I started here at the end of July. I've been practicing law for about 28 years. 22 of those years in higher education both at large, public research institutions as well as a small selective liberal arts college. Prior to joining Cornell University, I was the vice president general counsel and secretary of Oberlin College and Conservatory. Next slide, please. So, I propose this agenda for

our conversation today so that we can get to know each other. I'd like to talk a little bit about my role as the chief legal officer, speak a few minutes about shared governance, and then my role as a senior administrator. I'm hoping that I will run through the slides quickly enough but with enough substance that you will engage me in a really rigorous conversation in our remaining 15 minutes. Next slide, please. Next slide. As the general counsel, I wear basically hats. I'm the chief legal officer for the University, and as you can see by this slide, my authority and responsibilities are outlined in the bylaws of Cornell University Article 10. So, I represent the University and those acting as agents or on behalf of the University within the scope of their employment. Our office manages all of the outside counsel that comes-- that represent the university. The second of my three primary roles is dealing with governance. We're going to talk about that in a little bit. Providing legal advice to the board of trustees and the board of fellows. Then, my last major bucket of responsibility is as a member of the cabinet and providing executive leadership and support on a day-to-day basis as well as long-term planning in order to help the institution achieve both its mission as well as a strategic initiative. It's really important when talking about the role of the general counsel as the chief legal officer, I'd like to just be clear and reaffirm what many of us already know, that the General Counsel and the General Counsel staff represents the University as a primary client. I report both to the president and to the Board of Trustees. As I mentioned previously, we are responsible for retaining all legal counsel to act on behalf of the University as well as its agents and employees. Next slide. So, I don't do this by myself, obviously. We have a wonderful staff of legal professionals, including attorneys and paralegals both here in Ithaca, and also in a Weill Cornell Medicine legal office. There are 22 attorneys, 11 paralegals and administrative staff. Those include the board of-- excuse me, the office of the secretary for the Board of Trustees that reports up directly to me, and the office of the secretary for the Weill Cornell Medicine Board of fellows that reports to the Deputy General Counsel for Weill Cornell Medicine, Deborah Hodys. I would imagine that during your course of employment, you may have had the opportunity to work with the attorneys and paralegals in their office. We are quite, I wouldn't say lucky, but we're definitely benefiting from a very high-quality senior group of attorneys that do amazing work on behalf of the University. Next slide, please. So, beginning in January of this

year, we organized our work into basically four main subject matter practice groups. The Weill Cornell Medicine team will still provide their primary legal advice to Weill Cornell Medicine, but the attorneys in that office, and the paralegals in their office are integrated with the Ithaca based attorneys into these four groups, litigation, business, people, and in research. We have organized ourselves this way in order to be able to develop a team-based approach to respond to some of the university's most complex and challenging legal issues. I could talk more about that during our Q&A if you want more information, but these practice groups will also be-- Next slide, please. Focusing on outreach and training on their areas of expertise. Our offices provided-- has legal expertise in a wide variety of legal areas from administrative law, to zoning, bankruptcy, employment, employment benefits academic HR. As you can see in this chart, our litigation group, which is led by Val Cross Dorn, is responsible for administrative agency proceedings, complaints that we might get from the EEOC or the New York State Department of Civil Rights. They're responsible for advising on research misconduct issues and general compliance activities across the campus. Our research practice group is headed by Attorney Rob Hoon, and they include in their bucket of work, technology transfer, academic innovation, intellectual property. This research, technology, and academic innovation group worked very closely with the research enterprises on both the Ithaca and Weill Cornell Medicine campuses. Our business, charitable giving, and transactions group is focused on contract, endowments gifts, estate planning, finance and debt management, real estate issues, and all of those practice areas and issues that have a transactional nature to them. Then, we have our people practice group. These are our legal experts who specialize in human resources related issues, issues related to students, children and teens. You might hear people talk about minors or vulnerable populations on campus. Immigration, emergency response, behavioral intervention, and threat assessment. Next slide. Here, just in case these names seem familiar with you, these are the attorneys on both campuses and how they are organized in their practice group. As you can see, many of them are in several different practice groups because they may have a primary specialty, but we're also interested in cross training our attorneys so that there can be seamless service in all of these different areas. Next slide, please. With this organization, or reorganization, we now have these four practice group leaders. We will be coming to your

academic units at the invitation of your dean to talk in more detail about how our work interfaces with the work of your schools and colleges. They are elevating our administrative staff, so we have three new paralegals so that there is a paralegal that will support each of these practice groups. We are hiring a law fellow. This will be an ongoing one-year postgraduate position for new attorneys interested in higher education practice and who have a passion for creating diverse, equitable, and inclusive academic communities. We're excited to be able to host our first law fellow beginning this fall. They will be with us one year with the option of staying a second year. Then, we have an attorney who's linked to our Ithaca office who's actually based in New York City. She'll be sitting at 570 Lexington several days of the week to provide support for your academic units that are based in New York City in addition to Cornell Tech. Next slide. Before I move onto the next session, oftentimes when I'm meeting with faculty and staff, one of the questions that I get is around of the university's defense and indemnification policy. This is rooted both in the bylaws and university policies. Defense means the university's commitment to representing employees and faculty when they are sued for activity arising out of the good faith performance of their authorized job duties. Indemnification means that if there is a judgment against you or a settlement, that the university will be responsible for settling that judgment or settlement. What's important to note in our policy here, policy 4.9, is that individuals who are sued must request representation. We will confirm that the contours, the requirements for defense and indemnification are met. It requires that members who receive defense and indemnification fully cooperate with the defense with the attorneys that we select in strategy. In exchange for that cooperation, the university will fulfill its commitment by providing legal representation and cover any judgments for settlement. Next slide. This is our mission for our office. We want to be a first in class in-house general practice law office that proactively advances the university's mission by providing timely and trusted legal services and by diligently protecting the university's resources. Next slide. A little bit about my role in supporting shared governance. Next slide. The legal authority for how responsibility and authority is a portion at the university sits here with these sources of authority. First, the charter that is now documented in New York educational laws Article 115 that creates the legal entity of Cornell University. We are also responsible for complying with

the New York laws regarding nonprofit corporations as well as federal IRS regulations as a nonprofit entity. Our creditor, the Middle States Commission on Higher Education Standard VII, has guidelines for the appropriate allocation of shared governance in this Standard VII Governance, Leadership, and Administration. Then, all of that flows down and is reflected in our bylaws. All of our authority and responsibilities need to be in alignment with these legal authorities beginning with the charter. Our responsibilities for complying with our nonprofit corporation status, our responsibilities for complying with our creditor's expectation, and our bylaws. All of our authority is delegated authority, and it's delegated consistent with these regulations and accreditation standards and our bylaws. Next, I've had the pleasure of working for four higher education institutions, and governance is an important principle that I take very seriously, and I take very seriously the role of the general counsel and facilitating effective shared governance. In my mind, there are three big components to effective shared governance on any campus. The first is our commitment to legal compliance. Understanding the authority of our delegated responsibilities is one step in that. Understanding our fiduciary responsibilities of the board and the officers that they have to test to annually when we file our IRS 990 form. We're responsible for complying with accreditation standards. We're also responsible through the board for making sure that we are maintaining the long-term health of the institution. Financial stewardship is something that is important for all stakeholders to be aware of and to take responsibility for. This includes the impact of our decisions, including legal compliance on our insurability and credit rating. On the other end of this chart is our shared commitment to institutional stewardship. We are aligned. When we are aligned with our decision-making authority with accountability and expertise, we are able to advance the institution's long-term interest in an appropriate way. Making sure that the people who have decision-making authority also are accountable for that authority is a really important and significant principle in terms of institutional stewardship. Everyone, I believe, is responsible for the ethical caretaking of the institution for its future generations. Lastly, everyone sees themselves in positive relationship with the university and affect the stewards for those areas over which they have responsibility. When we have a commitment to legal compliance, a commitment to institutional stewardship, we have created the foundations for effective shared governance. Here in the

middle, we're looking for clarity of roles and responsibilities, again, alignment with those responsibilities with accountability and expertise, a regular review of our policies and procedures so that they're updated, deep consultation, and the provision of clarity around pathways for consultation, and regularized ways for clear pathways for effective communication. What I love about these intersecting relationships, compliance, institutional stewardship, and effective shared governance, is that unlike our federal government and these checks and balances, we are all aligned with the core mission of the institution. So, rather than being adversarial in our model, we are cooperative and collaborative. Next slide. Here, in these bubbles, these intersecting bubbles are primarily looking at the way the board, the faculty, and the administration intersect with the president at the center. The president's cabinet with the general counsel is one of those people helping to make sure that those intersections are happening in thoughtful and collaborative ways. Staff, alumni, and students are also very important constituency groups that all of these key actors, what I would call the three legs of the stool, should be seeking to consult with, students, alumni, and staff. The General Counsel works with the president and cabinet to facilitate this dynamic and collaborative engagement. In terms of the main responsibilities of the board, there is a 1963 joint statement between the AAUP AGB, which is the American Governing Board, around the governance of colleges and universities. It talks about the fiduciary responsibilities for the operation of the university sitting with the board, the long-term stewardship of the mission of the institution sitting with the board, and it also outlines those main functions of the president and administration to be accountable for the day-to-day management of the university, developing strategic priorities, policy development and implementation, and that the role of the faculty as reflected in the university's bylaws as being advisory. Under article 13 in our bylaws, it talks about the faculty, you, the faculty leadership having an important and critical role, and considering and recommending educational policy of the general nature, and recommending new degree programs, modification of degree programs, and discontinuation of degree programs. Next slide. Just really briefly, I'm trying to be thoughtful about my time so that we can engage. My role as senior administrator. What I really want to do in my office is to be proactive, engaged, and strategic partners with you as faculty, with the cabinet, with the

board to advance the university's mission. Our ability to do that requires that we're in regular conversation with you to imagine what the future of higher education is going to be, to understand your concerns, to find new pathways, and to affirm enduring values and principles. Those enduring principles, I would consider among the most important of those, our commitment to academic freedom, our commitment to freedom of inquiry, our commitment to tenure, our commitment to nondiscrimination and antiharassment so that we can be a world-class academic center in which very vibrant, rigorous, scholarly work and research and artistic expression is happening across different-- in a way that people feel a sense of belonging and thriving. Next slide. As I go out to meet different members of the community, I'm asking these questions about what is the future of higher education? As faculty, I would like to know who will you imagine teaching in the future? Where will you be teaching? What will you be teaching? How will you be teaching it? And who will be your competitors? As we think about our responsibilities as institutional stewards, what does a Cornell education look like 10 years from now? 50 years from now? We should be engaging in these conversations. Next slide. What are the significant threats that will interfere with the university's success? Next slide. What are the significant opportunities for areas for investment? Then, the last slide, I think, is how can we and the office of the General Counsel support you as faculty and faculty leaders as we navigate these really important questions about the future of higher education in general and our shared commitment to advancing Cornell's mission and making sure it's available for future generations of Cornelian? I think that's it.

>> JONATHAN OCHSHORN: Thank you. I think we only have a few more minutes for questions and answers. Please raise your digital hand if you are remote or come to the front of the room if you're in person. We'll start with Zoom. I see Richard.

>> RICHARD BENSEL: Thanks, Donica. When we were corresponding earlier this week, we were discussing the resolution for increasing the transparency and effectiveness of faculty senate proceedings. As you know, that was referred to your office by the Dean of Faculty six months ago for study. When we corresponded, you said-- actually, the Dean of Faculty said,

"There is no written report." That's a quote. And went on to say that the resolution has more to do with Section 2 of the organization and procedures of the university faculty and less to do with UFC or the Dean of faculty positions embedded in the university bylaws. I have several questions. One is. I've since had a study, a chance to study the organization and procedures of the university faculty. Is your office the office of General Counsel mentioned in Section 2?

>> DONICA THOMAS VARNER: The Office of the General Counsel provides legal advice to all of the entities within the institution. I just had-- I had the pleasure of digging into that particular section. I don't know the answer to your question off the top of my head, but I don't know if that's really an important-- I don't know if that really helps us move the conversation forward, right? I would ask all of you, whether or not there's a written requirement, that you all have access to the General Counsel's office when you are acting in your capacity on behalf of the institution. My door is open to all of you to consult. In fact, I get emails and calls from you all regularly.

>> RICHARD BENSEL: Donica, this is an important question. Let me ask a broader one. Is your office mentioned anywhere in the organization and procedures of the university faculty?

>> DONICA THOMAS VARNER: If we go back to my slides, my office is mentioned in the bylaw. As we look at the hierarchy of authority and delegated authority, my authority comes from the bylaws of the institution, which then sets the standards for anything that comes beyond that, such as rules or regulations that you as faculty in the department or as a group may decide to implement. It flows down, so anything that any individual faculty, or staff member, or administrator may want to implement has to be in compliance with not only the bylaw, but with accreditation, with our legal requirements, with our charter. My authority as the General Counsel comes from the bylaws of Cornell University.

>> RICHARD BENSEL: Thank you. As I understand it, and your presentation [indiscernible] describe. You provide legal counsel and representation for the central administration of Cornell

University. Has your office taken a public position in opposition to that assumed-- ever taken a position in opposition to that taken by the central administration?

>> DONICA THOMAS VARNER: I don't think I really understand or can appreciate the question that you're asking, Richard. I'd be happy to talk to you off-line because I think that you may be digging at something that I'm not aware of. And so, in light of the fact that this is an introductory conversation and I want to make sure other people have an opportunity ask me questions, I invite you to schedule time with me and be happy to sit down with you. I will say the advice that I give, I'm by licensure required to give independent, thoughtful advice, and so that's what I do, and I give that to anyone who calls as well as to the board and as to the cabinet. I give legal advice. Not always people agree with my advice, but that is a healthy relationship that any-- you would want your General Counsel to be consulted with broadly, and you want your General Counsel to be independent-minded and thoughtful.

>> JONATHAN OCHSHORN: We're a little bit over time, Richard. There are three more hands up. I would like to steal some time from other agenda items if the questioners can go quickly and if the answers can go quickly, starting with Michael.

>> MICHAEL NUSSBAUM: Michael, statistics and data science. I'm a scientist, and sometimes I get a scientific paper for review. Usually, journal gives me five weeks for review. If I agree to write it and I don't send it in this period, then I get a reminder within a few weeks. My question to you is did you ever get a reminder from the senate leadership that this report is due because you were asked about a legal opinion for this particular resolution and the resolution has not been on the agenda for five months. Apparently, the legal opinion did not come forward within the five months. My question to you is did you ever got a reminder similar to one which I would get for a referee report from the senate leadership?

>> DONICA THOMAS VARNER: It's really interesting that you would frame your professional interactions in the same way as legal interactions. We don't operate in the same way, but I will

say Dean of Faculty De Rosa has been extremely communicative. I really do appreciate the grace she extended me as a new General Counsel here with some of the issues that I was facing in order to prioritize important issues. I definitely feel very comfortable that the Dean of the Faculty was in regular communication, and I'm so thankful and appreciative of the grace that she extended me doing my delayed response to this resolution.

>> UNIDENTIFIED SPEAKER: Can we move on?

>> UNIDENTIFIED SPEAKER: Delayed five months and your office employs 22 attorneys. I just want everybody to remind that.

>> DONICA THOMS VARNER: I definitely appreciate that you're frustrated with the delay and I accept that.

>> JONATHAN OCHSHORN: Laurent.

>> LAURENT DUBREUIL: Laurent from Roman studies. It's a simple question in a sense. We don't have so many pages in the bylaws to define what are the roles of the Frenchman in the university faculty even though there is a long-standing practice and has been in the past, even before my time here, agreements between the president's office and the university faculty to determine the shared provenance. At the very beginning of this year, we had a show from the provost's office trying to convince us that the responsibility we as faculty had as written in the bylaws were in fact even smaller than what we thought we had. I would like to hear your opinion about these functions of the university faculty that according to the bylaws, shall be to consider questions of the traditional policy, which comes from more than one college, school, separate academy unit, or general in nature, and so on.

>> Yes.

>> DONICA THOMAS VARNER: Thank you so much. That's a great question. That's a question that requires a longer period of engagement. [Crosstalk]

>> UNIDENTIFIED SPEAKER: I assume that is the case.

>> DONICA THOMAS VARNER; I try to anticipate that you would have these concerns about my philosophy and how I think about that, so I try to lead by sharing with that. I'd be happy at another time to come back and talk about that more specifically. Thanks for the invitation.

>> JONATHAN OCHSHORN: Thank you. Risa.

>> RISA LIEBERWITZ: Thanks. I'll just be quick since we're running out of time. Thank you for coming to see us. My name's Risa. I am the Faculty Senator for the School of Industrial and Labor Relations. I wanted to follow up on the hall's focus on issues of governance and bylaws, but also want to add to your reference to the AAUP joint statement government with the other organizations that you identified. I want to emphasize that there are certain areas in that statement that identify the primary responsibility of the faculty, including things like curriculum, and faculty motions issues, and peer review, and that there are also areas for joint effort and the statement emphasizes that unilateral decision-making is a dysfunctional sort of approach. And so, I think that as a new General Counsel, I hope that it's that joint effort part that you can really work on so that we can actually improve relationships between the senate and the administration because what we've been faced with over many years, and I'm sure you'll learn more about this over time, are unilateral decisions that are announced by the administration about moving forward on programs that are clearly educational policy rather than a true joint effort in decision making. We'll be talking about one of those today on the part-time program issues. Thank you. I don't know if you want to respond that,, but I wanted to put that out there quickly.

>> DONICA THOMAS VARNER: I didn't hear a question. I appreciate your perspective.

>> JONATHAN OCHSHORN: Okay, I don't see anymore. Let's move on and try to make up for lost time.

>> DONICA THOMAS VARNER: It was a pleasure. Thank you for having me.

>> JONATHAN OCHSHORN: Thank you. Senate announcements and updates from the Dean of Faculty, Eve De Rosa.

>> EVE DE ROSA: Hi, everyone. This will be a little bit like speed dating, I guess. I want to say that I received the resolution. We're increasing the effectiveness and transparency of the faculty senate before I had ever had a faculty senate meeting. I want to say that the authorities embedded in the Dean of Faculty in terms of, and the UFC in the bylaws, has allowed for, for over hundred and 50 years, for the UFC to function as it has. I would like to know, and this is something when we bring this to this resolution to the senate in April, Why, when it was Charlie, and Charlie, and Joe, and Bill as the Dean of faculty, that this resolution wasn't brought forward until now.

>> JONATHAN OCHSHORN: We have some time for Q&A.

>> EVE DE ROSA: I just want to say very quickly. We have a need. We have teaching awards, the Stephen H Weiss teaching awards, and we have not enough representation across the colleges and departments. I analyze the data for 10 years, and the same overrepresentation of particular colleges, or one college, is in the teaching awards and also particular departments within the college, so I made a pitch and a plea to the deans to give resources to under resourced small departments that are not necessarily represented in the pool. So, feel free to self-nominate or nominate some colleagues that you know are excellent. I want to also point to

another issue that will be coming forward in the April-- sorry in the May Senate meeting is a student resolution that just past asking faculty to record all of their lectures and make them available. This is now sitting with the UFC, the EPC, and the AFP. Then, I just want to show you everything that we're going to be discussing in April. We have a full senate meeting already. Then, we are bringing the resolution that's been the sort of discussion already. Neema's just going to give you a brief overview of where we are in nominations and elections in response to the February request.

>> NEEMA KUDVA: So, just running you through a couple of numbers things about how many of us work in the senate and what we do. The senate consists of 129 senators. The bylaws ask that the senators be elected by their departments, which we hear is not happening across all departments, so do take that back to your chairs, and departments, and deans that the bylaws actually ask that we elect our senators. Senators are elected for a three-year term. Let's see, what else? The entire university faculty elect certain positions. They elect the Dean of Faculty, they elect the Associate Dean of Faculty, two faculty trustees, nine members of the university faculty committee, and ten members of the nominations and elections committee. The entire university faculty, over 3000 of us, also elect nine senators at large. That's the 22 elected positions we have in the faculty senate. Apart from that, the Dean of Faculty appoints members to a network of 12 committees. All this information is available on the Dean of Faculty website. What we do, we count all those appointed positions. They include the 12-- the network of 12 committees. They include an advisory group and ad hoc committees as and when issues come up for us to deliberate and think about. There are actually currently 99 appointed positions. Next slide, please. Even I, and everybody else in the Dean of Faculty office, [indiscernible], really want to thank those 129 senators, all of you in the audience here, and those of you who are up there in Zoomland, and the 22 members of the university faculty, and the other 99 who serve in appointed positions. Without all your work, none of the shared governance piece of this university would occur. Thank you. Wait, hang on. The last piece that I really want to go into, which was asked of us last time. Next slide, please. Is how many open positions we have. Every year, the Associate Dean of faculty, who chairs the nominations and elections committee, is

responsible to bring names to the senate, to bring names to the Dean of Faculty to begin to appoint everybody. These are the appointed and the open positions we have. Of the open appointed positions, we have managed to fill everything but seven. We're having a really difficult time filling the elected positions. People do not want to stand for election, so one of the appeals that the nominations and elections committee is making to all members of the university faculty is to request you to step up to serve in the senate on behalf of your colleagues. I'm going to end there. All this information, the slides, everything is available on the DOF website. You can download it. Please take it back to your departments. Take back to your colleges and request people to serve. Thank you.

>> JONATHAN OCHSHORN: Thank you. Are there any questions for Eve or Neema? I don't see any questions, so we will move on since we are a little bit behind. We have a committed report, part-time bachelor's degree for nontraditional students, from the committee on academic freedom and the professional status of the faculty. Ellen Gainor, Performing and Media Arts, has five minutes, and then some time for discussion.

>> J. ELLEN GAINOR: Thank you for-- Okay, great. Thank you. Thank you for providing us with the opportunity to present a summary of the committee on academic freedom and the professional status of the faculty's perspectives on the part-time degree proposal. Our committee chair, Professor Gillian Turgeon, couldn't be here today, so I'm gonna be ere in her stead, trying to summarize our report and address any questions that you might have. You'll forgive me for reading, but wanted to make sure I cover everything thoroughly. At the outset, I want to emphasize that our committee is completely in accord with our colleagues on the EPCC, and on the EPC, and CAPP on the desirability of offering a flexible undergraduate program that would enable nontraditional and underserved communities of students to pursue a Cornell degree. Like these colleagues, we see the potential program as being in keeping with Cornell's commitment to any person, any study. Also like our colleagues, we feel strongly that any such program must protect and maintain Cornell's reputation for academic excellence. We focused our review of the draft program through a central element of our committee's area of charge. I

do want to read this so that everybody understands exactly what that focus is. This is a quote from the charge. "The professional status of the faculty, including but not limited to, policies and procedures relating to faculty appointments, promotion, retirement, separation, tenure, and other related matters." Our report really poses questions and concerns that we believe are directly relevant to that clause of our charge. Our committee had a large number of questions and concerns about what the program could mean for faculty course loads and teaching related responsibilities in the context of both the extant residential program and the new part-time program. We noted that faculty here are already operating at bandwidth limits for their teaching, research, extension service, and academic community service and responsibilities. We have many questions about course creation, content, and intellectual property about the potential use of adjunct and/or increased graduate student labor. The implications for tenure and promotion criteria and assessment for those participating in this, and faculty compensation and potential financial inequities. We also raised concerns about the proposed program in the context of academic standards as they relate to faculty and departmental appointment processes and curricular oversight. We highlighted the potential for differences in academic standards and requirements between the residential and part-time degrees, noting the clear need for the involvement of key academic stakeholders who have not been part of discussions to date and the need for them to be included in future planning. Obviously, I'd be happy to expand on that in our Q&A period. Lastly, we articulated concerns about instructional resources related to the program, especially student support services and financial aid that would be essential to help ensure academic success and degree completion for these nontraditional and underserved populations. Also, again noted that the proposal really did not fully address those. We encourage, as did the other committees, an initial small-scale pilot to explore these and other potential issues. We also encourage the collection of further information concerning faculty arrangements, especially regarding status of their composition, and compensation, and the boundary between faculty duties and independent work from peer institutions that have already launched such programs. I'll stop there.

>> JONATHAN OCHSHORN: Thanks. If there is discussion, comments, questions, raise your

digital hand or step up front if you're here.

>> JONATHAN OCHSHORN: Risa.

>> RISA LIBERWITZ: Thank you. I appreciate the thoughtful reports that we've received from the academic community today, as well as EPC and CAP at the prior meeting. What I want to do is to raise a serious concern that I have, something I just saw right meeting today. I had not realized until I happened to see had on the faculty senate website that the provost had responded to the reports from CAP and EPC on March 3. I really think that this should have been brought to the attention of the faculty senate, really highlighting that for discussion today. I'm not saying that the faculty senate committee was responsible for doing that, but it should've been highlighted because basically what the provost says in his response is that the university is going to move forward with instituting a part-time program, educational program, degree program. To enable that effort, I'm reading from his words. "To enable that effort, I will begin a search for the next Dean of the school of continuing education and summer sessions whose primary responsibility will be the establishment of a part-time bachelor's degree program within school consistent with the cautions articulated by your committees." Now, I think that the concerns articulated by the committees are so serious that they were more than just how will we implement this, it was if we don't address those concerns, we will not have a viable part-time program. I think this is another example of a unilateral decision being made by the administration here, the provost, without any concern with the faculty senate's full deliberation on whether to do such program. Certainly, not even towards the notion of a vote by us. I'm very, very concerned about this. This was even prior to the academic freedom committee's report coming up. I hope that we can address this.

>> JONATHAN OCHSHORN: Okay. Richard, if you could take two minutes, then we'll have time for one more after you.

>> RICHARD BENSEL: The report's very good. I have three questions/points. One has to do

with admissions. Last time, we were told that admissions would be balanced between those who would pay full freight and those who would be given financial aid, and the program would be self-supporting. I didn't see a reference to the admissions process, which would be two-tier and so forth. The second is a pilot program doesn't seem to make much sense here. How could you have a pilot university? What are you gonna have? Five courses and have people take them? Then you're gonna say give them a degree or not. I don't see how that works. I want to echo Risa. Look, folks. In order to have informed discussion, there has to be consent and there has to be votes. There has to be a resolution we could amend, that we could talk about. There has to be some action. We're not getting that. That's it.

>> JONATHAN OCHSHORN: Courtney.

>> COURTNEY ROBY: Thank you very much. I just want to echo the concerns that Risa raised, particularly the wording of the provost's letter where he says, "We intend to address these concerns through our careful planning process that will be undertaken with the leadership of the school of continuing education and summer sessions." Once again, as has happened throughout this process, the Cornell faculty who are ostensibly at least among the people who would be designing and offering whatever curricula are deemed appropriate for this part-time BA are once again nowhere to be found. The fact that this response came on March 3, that it wasn't distributed to faculty, but it's posted behind a couple of links on the Dean of Faculty's website, this is a very frustrating process for me that we had eloquent and thoughtful responses from CAP, from EPC, from AFPSF all saying we need to slow down and think more about this, and that response is we're going to move ahead with it, and you may or may not be consulted at some point process.

>> JONATHAN OCHSHORN: Thank you. We have time for one more. Two minutes. Laurent.

>> LAURENT DUBRIEL: Thank you. Since I too am discovering the response, if we can call it this way, from the provost. I read that sentence that is interesting to me. Issues of faculty

alignment, faculty burden, quality of education, academic standards for students, and so on, were similarly identified by committee members," He's speaking of the two previous reports, but this one would be the same. "But out of the scope of their charge to solve." End of quote. The idea here is that quality of education, faculty burden, and academic standards are out of the scope of the charge of your committees. Maybe we could discuss endlessly these questions, but I believe that there is no doubt that quality of education, and academic standards, and faculty burden are part of what we the faculty and the senate should discuss. I would be very unhappy, but I'm often unhappy, with the way the central administration proceeds if I were to be told that this is outside of the requirements and outside of our purview. I believe we should really as the faculty and our Dean of Faculty who is presenting us should really insist on us having a very strong voice on quality of education, academic standards for students through a vote and the careful consideration not of these kind of vague big blueprints and letters slightly hidden on the website, but very careful good deliberation based on something that would be tangible.

>> JONATHAN OCHSHORN: Thank you. We're now going to move on to a discussion and presentation of a Cornell academic materials program from the Cornell bookstore Michael Ramsey, James Best, and Shannon Austic. I'll let them introduce themselves in whatever order they prefer to. So, just unmute yourself and begin. 10 minutes.

>> JIM BEST: Hi, everyone. Thank you very much. I'm Jim Best, the system director at the Cornell store. Part of my team is I have Sharon Austic, who is our marketing and communications manager. Jane is also on here, who is our project manager around this camp program. Lastly, Michael Ramsey, who is the academic materials manager here in the store. He will be presenting to you quickly around Cornell academic materials program. Then, I believe we have about 15 minutes to do some quick Q&A. Hopefully, if we run out of time around the Q&A, I'm hoping working with you even through the faculty senate will have some-- We'll share contacts so you can send questions, further questions to us directly. Michael, wanna go ahead?

>> MICHAEL RAMSEY: Thank you. We'll be doing screen share. Is that happening? Okay. The Cornell academic materials program. We're looking on affordable, sustainable course materials delivery program for undergraduates to prioritize student affordability, campus experience, access, and financial sustainability. Please. Go ahead one more. The task at hand, to identify a more sustainable, inclusive, and equitable model for course materials delivery, combat unpredictability of course materials costs and reduce financial barriers, and improve course preparedness. The current ecosystem, as some of you are actually participating in our existing system program, it's an access that is based on the course level, which is digital course materials delivered through campus. We also have course materials offered at the Cornell store for purchase, various library offerings, reduction in highly expensive print textbooks. We've been working with faculty across university to come up with alternate options. Transition of course materials to location agnostic. We've seen this quite a bit since the pandemic started. I'll talk more in a moment. And expansion of available resources. I've heard what about OER? We've been kind of working across the university to try to build more OER, but at the moment, it's not really on the radar it seems, so we're trying to work around that. What we've learned and why we're here. We're really trying this experimental problem. It's not 100% solvable, so we're here today to discuss this with you. Rather than inaction, a call to action, what do we do to move forward? How do we foresee ecosystem of course materials adapting? And what is our best approach toward affordability and access? We want to plan for what we're doing now, but we also want to plan for the future. We're looking at an agile approach. We're here to get feedback. We've met with the student assembly to get feedback. We're revising the program, give feedback revised etc. etc. We're seeing three things. Students are using more digital options now than ever before. Students are choosing the most affordable option, which trends dominantly digital, so even in situations where there are variable options, students are choosing the digital option. Print sourcing is becoming more and more unsustainable. We're not saying that print books in general are ever going to go away. I'm sure you've heard that before. It's not gonna happen, but the cycle of course materials is evolving, so we're just trying to figure out where that moment is. What digital prints of the college experience. A shift toward more technical literacy. However, we do know that this does not equate to-- savviness does not

equate to literacy. Students have their tablets, they have their phones, they have their computers. They may be part of the digital native generation, but does that mean that they're digitally literate? So, we have to approach this from all sides, both working with CTI on the faculty side, and the tutoring centers, and various other places where we can provide guidelines to students on how to use course tutorials that are digital, how to use anything digital working with the library to try and come up with those guidelines and best practices. The potential for higher rates of engagement within the course materials and campus courses. Just be the insights that faculty have available today and how those could be expanded. Improvement in the financial burden of high-cost material. We're looking at ways to further bring down the cost, but also to provide device equity. Space for discovery. This is just off of-- Cengage is one of the vendors in the collegeshpere, but also vital source which is one of our digital providers. 70% of students say they would have better grades if they had accessed required textbooks and course materials before the first day of class or on the first class, and 73% would be interested in paying for course materials as part of tuition. Tuition is not where we're going with this, but having that upfront, predictable aspect of this is where we're going. The current ecosystem evolution we're targeting for the fall of '22 to have all required course materials, digital-first, at perpetual axis when available. So, there's a little caveat in there where we're really negotiating to try and get perpetual axis to course materials. As you know with print in most situations, but it depends on what is being used in the course. This will apply to all undergraduates at the same flat rate. It'll be at the semester level, not annually. So, students will have the ability to decide whether they want to participate in this or not. There will be an opt-out process. If you want to go to the next slide there. What I mentioned with our instant program, we do have the current opt-out process for students who choose not to participate. So, what changes those titles are sourced as digital whenever available. We already do that now, but it is based on the individual course level, not across the entire university. Print is included in program scope when digital is not available, so there are and there will be instances where print will be required. One example is lab manuals, but there are other disciplines where digital just does not exist. All courses will have a canvas shell enabled. It's not required to teach from canvas. This is just merely an access point for students to get their digital materials. What stays the same? Their

course adoption process is the same. Faculty submit textbooks and titles the same processes as current, and instruction is available on day one. On the sustainability side, we're looking at additional first approach, which brings down the cost of print across the board. Prints, like I mentioned, is available only in situations where digital is not. Participation available to all undergrads, available by day one in canvas. Program cost fully covered for students receiving financial aid. I'll talk about financial aid a little bit more in a second. Participation based on the semester level, like I mentioned. Students abroad, they obviously wouldn't be participating. There are other situations where a student may not participate. Process to decline participation, which would be that opt-out process. Affordability and inclusion. A campus wide initiative to tackle this. We're really trying to put a wide net here to bring in the most feedback concerns that we might hear regarding this. We've met with various faculty groups already to try and get that feedback so that we can iterate within the process rather than coming to something like the prior agenda item where you're kinda learning about things at the end. Stabilize semester start experience predictable lower cost for students so they will go into the semester knowing what their required course materials will cost. Predictable distribution. All undergraduates will have the day one access in canvas. For physical items, they will pick those up. Lower program cost allows for a rebalance of financial aid. It's not a reduction. Currently, the way that financially factors in the cost of books and supplies can be a bit of a large bucket, so we're trying to narrow down those costs as much as possible so that they could be attributed to the proper place. Accessibility. Canvas-centric universal application across all disciplines. Like I mentioned, there are other departments that utilize various other elements, so this is really merely just an access point for the digital materials. Continuous accessibility. We're working with various components on campus as well as our vendors to make sure that we have content and platform accessibility, web compliant standards, student data security taking a universal design approach. Alternative formats and existing process for accommodation. Just expansion of that and expansion to technology resources. After phases, or as we work through this to try to figure out where those devices fit in and how students will get those devices needed for digital. Faculty equity. Preserving academic freedom. Whatever is required is what you're submitting. We're working with that. Promote student preparedness. Like I said, day one.

Potential for increased student engagement. There are insights analytics reporting that are available to courses that participate in instant access program today, and there are various other methods of insight, which are available to faculty through campus, etc.. We have the annotation feature with hypothesis. We have assessment with CoachMe and auto enable day one. No more set up for books. If you do participate in our current instant access program where you have to toggle on and off the tools, those will be auto enable moving forward. This is just a quick look at the instructor analytics for a course with this book, Give me Liberty. Review student activity. It brings up student usage of the book. We can see that 40% of the students haven't accessed the book, and the average time, or average session length is 15 minutes. This is spreading it out where students are engaging, where they are. Next slide, please. It breaks down into quartile to see the students that are engaged the most and the students that are engaged the least. We have the fourth quartile where they're spending nine hours total time, 55 minutes per session, 205 pages. We have sessions, we have average session length, we have annotation. You can see some students are making well over 200 annotations in the text. How many times they're going in and out of the text materials. So, you can see where the engagements coming from. Next slide, please. This is hypothesis. Hypothesis is a separate vendor, which is already enabled in canvas. Hypothesis allows for annotation within any types of written materials. It can even be websites, it can be e-books, it can be anything at this point. So, if this is something that you are interested in as well, we are working on looking for courses who would like to test out the hypothesis annotation. This is just examples of different formats of text where it's available. It can be public websites, it can be anything from older digital items to newer digital items. Then, CoachMe is a feature that we just unrolled with our partner, Vital Source. It is AI driven assessment questions that automatically come up within the text so students can self-test. On the right-hand side, you see a list of courses that we kinda rolled this out to. This is a screenshot of what it actually looks like in one of the tests. All right, next slide. Thank you. Sources, best practices, and resources. These are just some of the places that we've also externally garnered feedback and are really driving our process forward. I think we can skip all the way to the last slide.

>> Okay. I see one hand up in Zoom. If you have a-- If you'd like to speak in person, step up to the microphone. Courtney.

>> Thank you very much for the presentation and for the work that you're doing attempting to reduce the cost of textbooks for students, which I understand is a problem. I will say, as a humanities professor whose graduate degree is in engineering, I'm aware of the vast differences in expense for course materials in say humanities and a lot of STEM disciplines. One concern that I have is extracting a fee from every student that Cornell upfront means that students in some disciplines are invariably going to be subsidizing students in others. My second concern, I have certainly attempted to make use of the instant access program. Technically, it works very well. However, I frequently find that the materials that I think are best for my students are not included. Presumably, this program, if it works like an expansion of instant access, the pool of materials available for free to students is publisher driven, not driven by us as faculty. So, I think becomes an issue of pedagogical control. While I do understand that there's an opt-out option, which is great, I do understand that faculty don't have to use these materials. Nevertheless, my primitive understanding of behavioral economics suggests that students will not necessarily rationally be able to opt-out, or know when, or how, or that they can. There's also going to be tremendous pressure on faculty to choose materials that happen to be in this pool because of the perception of some costs. Those are just some concerns about the program that I wanted to voice. I did see at the beginning that you did mention the possibility of OER being perhaps a better solution to these problems and I couldn't agree more. Frankly, I think that the way that Cornell could best support a transition to more affordable teaching materials would be to meaningfully support and incentivize the creation of OER by our faculty to teach our classes. Thank you very much.

>> JONATHAN OCHSHORN: Thank you. We have an in-person speaker. Introduce yourself and identify your department.

>> KEN BIRMAN: Yes. Ken from computer science. Michael and Jim, thank you very much for

the presentation. It was very interesting. I have a question. I was wondering if you've studied the cost of materials for students across the campus and if you have any breakdown of the disparities in costs associated with different programs we run and different styles of study. Actually, I think your emphasis on affordability is excellent, but I don't have a good feeling for-- a good grounding of where we are starting and where you believe we're going to end up. Actual numbers would be very helpful.

>> MICHAEL RAMSEY: I think we are simply just completely across the board with disciplines. We have our really high-end disciplines that can cost upwards of \$1000 annually, and then we have our lower humanities disciplines, which could cost the students anywhere between \$200, \$300 annually. We're really looking to kind of fit in the middle somewhere where we impact most students. As mentioned in the prior comments, there will be students that this model just simply won't make sense because they don't have those costs already, and we would expect students to basically not participate in the model. I think that one of our long-term goals is to once again decrease the cost continuously by working through those other different types of initiatives, whether it's OER or it's whether working with faculty and the publishers to try and come up with more reasonable solutions. The next iteration of this, we're not sure. So, just moving that forward a little and trying to identify because we're living in it now. We're not only trying to resolve this issue currently, but we're also trying to plan for the future. The general goal is to make sure that the program is well priced and that we may have to adjust that to continuously make sure it is well priced for the future.

>> JIM BEST: That's a good answer, Michael. I appreciate it. The Dean of the Faculty does have a way to host additional materials on her website, and if it would be possible to share with us some of those financial projections, as I said, baseline where we are today, how it breaks down, and what different students are experiencing because it sounds like you have those numbers, and then directions for where this will take us. I think that would be very helpful for the discussion. After all, if the purpose of bringing this to the senate is to get senate advice and recommendations, we need to work from concrete metric basis. Thank you.

>> MICHAEL RAMSEY: Absolutely. We do have some student breakouts that we can kinda share those.

>> JONATHAN OCHSHORN: Back to Zoom. Jonathan Russell and Ellie.

>> JONATHAN RUSSELL: Michael, thank you very much. Actually, this is a timely topic. I am actually very supportive of where you're going. I would also like to say I'm seconding, thirding, and fourthing what Courtney said, so I don't really want to reiterate what she said. I just have one common question, observation. This is more from position coming as a student, rather than as a faculty member. I would like to know why you guys went for the opt out option rather than the opt in option. There's certainly an optics issue there, but the difference isn't all that much from a front end loading perspective from both you guys, as well as the students, but it's a huge difference for students that somehow miss it or whatever. I think perhaps maybe you should think about switching that dynamic. I'll just listen to what you have to say for that. Thanks.

>> MICHAEL RAMSEY: Sure. I'll tackle that. We have tried a pilot as opt-in. Quite frankly, it just didn't work because that is basically how it's done now. Students are opting into purchasing books through the Cornell store through Amazon. The program was not sustainable in that sense. The second was that we are fronting the costs of these course materials for students to use for the three weeks. Then, once they decide whether to opt in or opt out, that is when we are reimbursed for those course materials. So, if they decide to opt out, we don't charge them. If they stay in the program, that's when we charge those students. We do work within the timeline, per se, where we do provide those course materials free of charge so that they can just focus on going to class and not worry about procuring their course materials. Then after they've had time to both use the course materials and price compare other options, that's when we would get reimbursed for those through the [indiscernible].

>> [Crosstalk]

>> JONATHAN RUSSELL: This is Jonathan. Can I follow that up?

>> JONATHAN OCHSHORN: Quickly.

>> JONATHAN RUSSELL: Yeah. Michael, I understand where you're coming from on that, but the first part of it, I'm not really buying that as an argument because it's really just how, after three weeks, [crosstalk] will opt in, rather than, "Oh, it's still there. I totally forgot about opting out." I think-- Again, I'm very supportive of this. Thank you.

>> JONATHAN OCHSHORN: In person comment.

>> DAVID DELCHAMPS: I was in one of the faculty groups that Jim met with over Zoom on this at some point. I forget exactly where it was because my job, EPC chair. I asked same kind of opt in, out the question that was just asked. I also had some questions about students' feelings about things that I didn't know their feelings about. For example, Courtney raised the subsidy thing. Say the art students are gonna be subsidizing engineering students because of vast differences between cost, and that maybe not all students are rational actors that way. I'm thinking in terms of students who are rational actors in the following sense that they would-- if they had the option, they would do this for some courses and not for courses. They would split it between courses like they can with instant access. This program, they have to opt in or opt out for all courses at once. They're either part of it or they're not. I'm just curious about whether any of the student focus groups said, "We wish we could do this course by course rather than whole program." That's one question I had. Another question I had was about perpetual access thing. If I were designing this program, instead of having the perpetual access quantifier be after the-- when digital's available, we're going digital, I would have it before. I would say that we will go digital if perpetual access digital is available. If not, we will offer perpetual access other option. I'm curious about whether students raised that issue or whether

you thought about that. That's all I have to say.

>> JIM BEST: Thank you for that. As far as the student focus groups, we have not heard anything regarding the difference between IA and this program in terms of we would-- they would prefer to do it on the individual course level or not. Regarding perpetual access. The perpetual access has mostly come from the faculty side and not from the student side.

>> JONATHAN OCHSHORN: We're gonna have to move on. I think there's a couple of people who want to speak. I encourage you to place comments on the faculty senate-- Dean of Faculty website or in the chat. We had to move on to a proposal presentation, inclusion and prioritization of a new natatorium in the 'to do the greatest good' capital campaign. We have Senators Ashleigh Newman and Mary Katzenstein who are here. So, please begin. You have five minutes.

>> ASHLEIGH NEWMAN: Thank you very much. I just want to start off thanking and acknowledging the additional senators who reached out after last month's meeting to cosponsor the resolution. Next slide. Also, thank Mary, who agreed to speak today, and I will let her do so now. Then, I'll resume.

>> MARY KATZENSTEIN: Thanks, Ashleigh. I'll try to be quick because I feel I should see time to Wendy and Abby because I know the comments are going to be important. At the suggestion Ken, who is professor emeritus in architecture and former dean of students. CAPE, which is The Association of Professors Emeritus, circulated the natatorium resolution to its membership. We did this knowing that a number of professors emeriti utilize the pools for health and fitness reasons, so we asked for commentary and we received a good number of replies that strongly supported the proposal. Some of the comments are encapsulated in this slide, but to summarize the summary, respondents noticed that the facilities have long been out of date since the 1950s when they were very in timely and in good form. Now for the last decades, they have been seriously out of date. That the competition for time is intense given the limitations of

the pool's current conditions. Some emeriti have gone elsewhere to the Y, Island fitness, Borg Warner because of the Cornell pool conditions. And finally, the only way new facilities will be built, one person commented I think quite insightfully, is if the University sets this as a priority, given that the varsity alumni of swimming are not likely to be able to provide the necessary funding. Overall, there was very strong interest in seeing new facilities made a priority in the campaign. Ashleigh, back to you.

>> ASHLEIGH NEWMAN: Thanks so much, Mary. I just wanted to highlight two minor amendments that were made to the resolution since last month. The first one is really an acknowledgment that participation in physical, cultural, and social activities outside of one's primary studies or work provides individuals with a sense of belonging at Cornell and enriches their overall well-being. So, we acknowledge the importance of all of these areas. The reason this resolution was focused on one such issue, the pool, was mainly because of the knowledge surrounding the issue and personal involvement of myself and Senator Yuval Grossman had, as well as the dire need and really the ticking time clock that is on these facilities. The other amendment was in response to the discussion that the swim test graduation requirement may in fact be going away. The wording was changed so that this can stand regardless of the decision so that over 100 years, this graduation requirement has been in place. I wanted to also amend something that was incorrect in the last version. The first version had that you had to swim 75 yards in order to pass the test and graduate. That is not in fact true. You can certainly do that, but if you do not, you enroll in two semesters of beginning swimming. Even if during those two semesters you don't complete those three laps of the pool, as long as you participate, you pass those classes, you graduate. So, the language here is amended to accurately reflect that requirement. Next slide. I wanted to just provide updates to the faculty senate that this has really become a campuswide initiative, and it's been really great to see the interest beyond myself and other faculty, extended to the professors emeriti as Mary highlighted. I spoke on February 22 at the university assembly in response to the UA resolution number five, support for our faculty senate proposed resolution. I was invited by Deborah Howell, who is the chair of the campus welfare committee. I will also be speaking tomorrow at

the student assembly because they have expressed interest in this as well. So, that's where things stand now. I'll just put a plug-in based on that earlier side that Nina had that voting opens tomorrow at 9 AM and will be open for two weeks, so I am putting forth a plea to please vote. If you have any questions about the resolution, please contact me. One feedback I have received is the confusion, or perhaps the dislike of the term natatorium. In no way is this resolution proposing a name. Honestly, the university can call this thing whatever they want if they will throw their support behind this. Natatorium was used in the title simply because it is the name of the building with the swimming pool. I apologize if people had to Google that word, but like I said, call it whatever you want. That's just for the sake of naming. Thank you so much.

>>JONATHAN OCHSHORN: We have time for three. Good of the order. Please try to do a minute and a half. I'll cut you off after two minutes. The order will be David, then Richard, then Risa. Leibowitz. David, I assume you're online.

>> DAVID LEE: Yes, I'm online. Hope you can hear me okay. I David, Dyson school. I was one of the faculty members that was on the part-time committee, the ad hoc committee that the provost set up last year, last spring. I just-- I guess in partial defense that we weren't completely irresponsible, which is sort of the tenor of the discussion somehow, I just wanted to remind everyone that in our 22 page report in which we identified most, perhaps not all, but virtually all of the uses that have come up in the last couple meetings, we specifically said-- we recommended that a phase 2 implementation committee be created and that it look into the following issues. I'm just gonna briefly read them. Organizational structure and leadership, degree name, associated [indiscernible] requirements, specific admissions criteria, specific majors and concentrations, faculty workload compensation, including appropriate mix of tenure-track faculty, academic and career advising, tuition model, price point, availability of financial aid, is there a cannibalizing of the regular Cornell in person program, articulation agreements, and transfer credit policies. We ended with the final-- The last sentence was the process for engaging the faculty senate should be robust, allowing review of the committee

report, discussion, and critical feedback. So, I just wanted to remind everyone that there has been a lot of attention to these matters already. One of the explicit recommendations of the committee was that a further step be pursued to address many of these issues.

>> Thank you. Richard, two minutes.

>> RICHARD BENSEL: Yes, thank you. Just two points. One is VP Varner was discussing organization procedures, the university faculty. I asked her whether section 2, which one that she was citing in her summary of the resolution, whether her office was mentioned. Section 2 is less than half a page long and she said she didn't know. That's disappointing. If she's going to cite it, that the first place she would look. The second thing is that it has been six months, and today as well, we have not had an opinion from VP Varner. The third thing is that she has no standing to offer a definitive opinion to the faculty senate because she is mentioned, her office is mentioned nowhere in the organization and procedures the university faculty. What that means is that the reference of resolution six months ago to VP Varner, anyone can do this. That's a personal opinion, but for the USC to prevent that resolution from the coming before this body for six months for a personal opinion that has no standing under our regulations is wrong. I'm done.

>> Risa, two minutes.

>> RISA LIEBERWITZ: Thank you. I put in the chat that I propose that we have a senate meeting on March 23, which is the date reserved in the listed senate meetings for an additional meeting as needed. I think we clearly need it for the sort of robust deliberation that David pointed to. I'm glad that you reminded us that you put that in the report. We have not had any information by the senate based on the initial report and these three senate committee reports that we've heard. The provost put out a letter basically saying that he's made a decision. We're moving forward and that the faculty really is not-- it's not within the faculty's purview to address some of the issues that he noted in the letter. We have not deliberated and I think that

respect for our senate committees, we should have full deliberation about this, not five minutes, ten minutes. That's not deliberations. That's just getting your comments in if you can manage to get your hands up. So, I proposed that we have this meeting on March 23 and that we devote it either completely or primarily to discussing this very important question of whether to move forward on the part time degree program, and that we also discuss what I consider a real affront to faculty governance and our three committee reports that we heard and a real disrespect for our ability as a senate to deliberate and vote on whether to move forward on this program, and whether this is the right time. All of those connected questions. Thank you.

>> JONATHAN OCHSHORN: Thank you. It's five o'clock. By rules, faculty senate meeting is adjourned.

[End of transcript]