

MEETING  
OF THE UNIVERSITY FACULTY SENATE  
WEDNESDAY, NOVEMBER 14, 2018

**1. CALL TO ORDER**

[Speaker Sam Nelson](#): “Okay, I think we're going to start the meeting now. I am the speaker of the faculty senate, [Sam Nelson](#), from ILR School, and it's my duty to start the meeting today. Just a couple quick reminders. The first one is that the senators have priority in speaking, and only senators or their designated alternates may vote, if we have any votes.

“The second reminder is, if you are going to say something, there will be a microphone that will be passed around for you to use. And when you are about ready to speak, if you could please identify yourself and where you come from.

“And the third quick reminder is that we kind of would like -- if for some reason, if we break out into a heated debate, we'd like to limit the amount of time people can speak to two minutes. Of course, you can ask for an extension on that time; but in order to accommodate speakers, there will be a two-minute sort of time limit.

“The way that you'll know that your two minutes is up is the parliamentarian, [Michael Gold](#), will be holding up a timer that's on a large iPad, and you'll notice that the two minutes has expired. It won't be until you go much after the two minutes that maybe I'll raise my hand or something like that and suggest that you wrap it up.

“Those are the main announcements. We are going to start off with a sense of the senate resolution, so I'd like Chris Schaffer to come up, the associate dean of faculty. Let us hear it for Chris.”

**2. [SENSE OF SENATE RESOLUTION - ASSOCIATE DEAN OF FACULTY CHRIS SCHAFFER](#)**

[Associate Dean Chris Schaffer](#): “Thanks. So if people recall from the spring, we had this idea that we would have the sense of the senate statements that would happen on a regular basis. I am sorry it took us a couple meetings to get it started, but let's see how it goes today and we'll try to carry this forward. So just to remind you, the broad ideas for the senate to provide substantive voted-upon feedback and issues that come before us and, as appropriate, to include follow-

up actions with a timeline that would include reporting back to the senate about what's been done.

“The mechanism of this, so from each senate meeting, the dean of faculty and associate dean of the faculty, our job will be to identify key themes. We will then work in consultation with the University Faculty Committee and draft a series of the statements we think broadly captures the sentiment of the discussion.

“And then, at the very next senate meeting, those statements would be brought forward, there would be an opportunity for amendment from the floor, and then we would vote on them. Those would become part of the record for the senate, and those statements would then be communicated back to the people that came and brought that issue before the senate, as well as to any other relevant stakeholders.

“There were a series of issues discussed at the last senate meeting. Probably one of the most substantive ones has to do with inclusion of research and teaching faculty in the senate. There is a whole separate resolution about that, so we don't have a sense of the senate statement about this; but instead, we have some on some of the other key things.

“The first was on the issue of class meeting times that was discussed. I will let people read the statement, but broadly it says that it is important that we adhere to universal class meeting times, in order to optimize classroom utilization and decrease conflicts.

“And those things need to be set together with faculty input on what kinds of duration classes are most effective. So we're going to ask the Education Policy Committee to work together with a broad group of stakeholders to produce a set of recommendations that would come back to us in the spring.

“I think what I would like to do now is would call for a voice vote on -- I will give people 30 seconds to finish reading, and then see if there are any items for discussion. If not, then we'll proceed with a voice vote.

“Please. Risa.

“That would be great, yes. Thank you.”

[Senator Risa Lieberwitz](#), ILR: "I don't remember, in terms of the discussion we had, whether the universal class meeting times reaches all colleges and schools, including like the law school. Is this the intent?"

[Dean Charlie Van Loan](#): "On undergraduate courses. When you talk about the professional schools, they may teach the odd course, so in so far as that --." (Off mic.)

[Speaker Nelson](#): "For example, I don't imagine that this is going to change the block scheduling and the veterinary curriculum, for example.

"Okay, with no other items?"

[Speaker Nelson](#): "Call for the vote. And we'll just do a voice vote. If it seems close, we'll raise hands. All those in favor, say aye. (Ayes)

"All those opposed? Passes unanimously."

[Speaker Nelson](#): "Okay, the second item we created a sense of senate statement on was the issue of food insecurity among Cornell undergraduates that was brought forth. The statement here basically says that faculty appreciate this, that this has -- can have a huge impact on both the well-being and the learning opportunities of students.

"And the senate asked the dean of faculty office to work with, again, a broad group -- broad range of units to try to identify places where the faculty could specifically assist with combating food insecurity for Cornell undergraduates, perhaps through Anabel's Grocery or with other mechanisms; one idea, because I think maybe we could have a few quick ideas here, I hope at the next senate meeting with a little bit of available time, we'll be able to come back with a couple of options."

[Senator Linda Nicholson](#), Molecular Biology and Genetics: "I just have a question about the way that Cornell Dining operates. It is my understanding it's a not-for-profit operation, and I'm just wondering -- when I was an undergrad, we had not such great food, but it was not restricted.

"And I understand there are different tiers of dining options, dining plans, and I'm just wondering why, and I'm wondering if it might be considered that

perhaps Cornell Dining could have one size fits all and everybody has enough to eat.”

[Associate Dean Schaffer](#): “So thank you for the option. And in fact, Cornell Dining is currently associated with expansion of residence halls on north campus, is currently exploring going to a one size fits all unlimited plan that would be likely required for both first- and second-year students. That is in discussion phase right now, but my sense is that's the direction things are going.”

[Speaker Nelson](#): “Call for the vote. Again, the same manner. All in favor, say aye. (Ayes)

“All opposed? Passes unanimously.”

[Associate Dean Schaffer](#): “[Dean Van Loan](#) and I would like on this issue to get a very, very informal sense of the senate. One idea we had that faculty -- about how faculty could directly contribute to this problem on campus would be for us to impose a 20% increase on the price of the faculty soup kitchen in Statler Hall, and use those funds to donate to Anabel's Grocery or to other worthy endeavors that are aimed at combating food insecurity.

“Could I just get a quick show of hands; how many people would be willing to pay one more dollar for their soup? Thank you all for being willing to support your undergraduate students. We will bring that forward and explore how to make that happen, hopefully by the spring.

“For the last item I have, sense of the senate resolution has to do with student accommodations. There was a series of presentations last month that explored the various things where we are required or encouraged or asked to make accommodations for students around makeup work, different exam times, things like that. And I think the impression is that it is overall confusing what are our requirements and, in cases where things are not explicitly required, what are sort of best practices.

“So the statement asked the dean of faculty to work with the Educational Policy Committee to produce something like a one-pager, sort of a clear document that could be distributed to faculty and faculty could be reminded of at the beginning of semesters that would make clear what are our requirements for making accommodations and guidelines for things that are not required. The goal would

have to have this in place and distributed to the faculty before the start of the spring semester in 2019.

"Any discussion?"

[Speaker Nelson](#): "Doesn't look like it. Okay. Does someone have their hand up? Okay, so all those in favor, say aye.

"(Ayes)

"All those opposed? Okay, passes unanimously."

[Associate Dean Schaffer](#): "Thank you."

### 3. CONSENT ITEMS – [SPEAKER SAM NELSON](#)

[Speaker Nelson](#): "This is my first time being a speaker, and I realized I already screwed up; that I was supposed to get [minutes](#) approved from the last meeting, which I wasn't at, but can we just quickly have a motion to approve last -- the [minutes](#) from the last meeting? Does someone move? Yes.

"And does it have a second? Yes, good.

"All those in favor of approving the minutes?"

"(Ayes). All those opposed?"

"Okay, good. All right, we are back on track here, and it looks like the next speaker is [Jeremy Braddock](#), Department of English and co-chair of the University Faculty Library Board; and [Paul Fleming](#), Department of Comparative Literature and German Studies."

### 4. [JOURNAL SUBSCRIPTION COSTS](#) – [JEREMY BRADDOCK](#) AND [PAUL FLEMING](#)

[Jeremy Braddock](#) "Good afternoon. I am [Jeremy Braddock](#), together with [Paul Fleming](#). I chair the [University Faculty Library Board](#), and I'm here to report on some of the work that the board has done collectively for the last year and a half, and to make one recommendation. The [University Faculty Library Board](#) meets six times a year with the university librarian [Gerald Beasley](#), and associate university librarian [Kizer Walker](#).

“During the meetings, we confer about a range of issues, including collections, use of library spaces and programming. Among our responsibilities is to consult with the university librarian about the annual library budget. In the fall of 2017, we were made aware of the problem of exponential increases in the cost of academic journals. This is a matter of pressing concern, because the library collection's budget has remained flat for the past several years, but the precise dimensions of the problem surprised us.

“I hope you can see that, but I will narrate it briefly. According to the Association of Research Libraries, the total amount of serial expenditures, expenditures on academic journals, has increased more than 400% over the last 25 years, compared with an increase in expenditures in monographs of just under 100%, during that same period. And it has done so increasingly rapidly in recent years, as you can see.

“And while this, in some ways, reflects trends in scholarly communications, it must primarily be seen as an effect of dramatic inflation in pricing by publishers of scholarly journals; in particular, for-profit companies, such as Elsevier, Springer and Wiley. And here it is worth pointing out a second piece of information -- sorry, I'm a Mac guy -- the second piece of information, namely the enormous profit that is returned to shareholders.

“The profit margins exceed those of tech companies such as Microsoft, Apple and Google, big pharma's Pfizer, and Exxon Mobil at a paltry 8.7%. You do not need us to remind you of the fact that the profit enjoyed by these publishers is fundamentally based upon the unpaid labor of at-university faculty, not only in our work as researchers, for which we routinely surrender copyright, but also in our volunteer service to the profession as peer reviewers and as editors. But this, to me at least, means that we also have some authority.

“The library collection's budget pays for journal subscriptions, access to databases, print materials and special collections. As faculty members, we have a collective interest in addressing this problem, which we understand to be unsustainable and leading toward an imminent crisis.

“In the fall of 2017, the [Faculty Library Board](#) began a project in response to this information. Our first idea was to convene a forum for colleagues at Cornell who are editors of academic journals, which we held at the A.D. White House on October 15.

“The Cornell editors' forum brought together more than 20 colleagues representing disciplines from the Humanities and Social Sciences, Weill Cornell Medical College, Environmental Biology, Food Science, Operations, Research and Information Engineering, ILR, the Lab of Ornithology and others to discuss shared problems and to compare practices. We believe the event was a success, and we view it as the first of a series of cooperative and collaborative conversations, which will be aided by the new Cornell Editors LISTSERV, which we invite you to publicize and to join, if you are so interested.

“One of the primary topics of conversation was the opportunity of open-access publishing, one form of which Cornell has pioneered through the important ArXiv preprint repository for physics and math publications. Different configurations of open-access publication are also available through a platform called Open Journal Systems, something that's already been adopted by some of our colleagues and for which Gerald Beasley would like to offer the library's support.

“And I should add that two invited guests for the editors forum, John Willinsky of the Public Knowledge Project in Stanford University and Heather Joseph of the Scholarly Publishing and Academic Resources Coalition, or SPARC, are leading advocates for open access. And they provided their valuable perspective, and video of that presentation is now posted to YouTube, and I believe it will soon be posted within the Cornell web site.

“A variety of responses to what is now being called the serials crisis are possible, some of which are already being practiced outside of Cornell. You may have heard of a discussion made in 2018 by eleven national science research funding agencies in Europe to insist upon open-access publishing for all funded research by the year 2020.

“And you also may be aware that in July of this year, 300 academic libraries in Sweden and Germany canceled their contracts with Elsevier, insisting on more reasonable pricing. The issues of open access and of skyrocketing journals' prices are not identical, but we view them both as critical topics for the faculty to discuss as a faculty.

“Another possibility has been promoted by Peter Suber at Harvard's Berkman Klein Center for the Internet and Society, has been to encourage editorial boards acting as editorial boards, particularly journals, to flip those journals away from for-profit publishers.

“We are aware that different disciplines have different cultures of research, review and publication, but we have a shared interest in developing a range of sustainable practices going forward, and that's why we'd like to suggest the establishment of a new university-wide committee for the future of scholarly communications, one that might entertain, as a central task, the possibility of developing a more robust self-determination and control of our scholarly publishing.

“What is required, in our view, is for faculty to imagine new arrangements and procedures for scholarly publishing, procedures that preserve and strengthen the integrity of our research and communication practices, but will also require the financial support and commitment of the administration.

“And it should also ideally be a project that extends outwardly to faculty, libraries and administrations and other universities, perhaps using existing collaboration, such as Borrow Direct and the 2CUL Initiative as bases for a more wide-ranging set of solutions.

“Our purpose in speaking to you today has been to alert you to this critical situation and to enlist your support. One or more of us would be happy to meet with departments or groups of faculty this semester or next. We are happy to use the remaining time to try to begin to answer any questions you might have, while also encouraging you to follow up with us at a later time.”

[Senator Richard Bensel](#), Government Department: “You said, I think in passing, that the budget for the library has been flat. How long has it been flat, and does that include labor costs? If it does, does that mean -- it doesn't. I got an answer to that. How long has it been flat? What is the budget look like for the last five years?”

[Jeremy Braddock](#): “[Gerald](#) will take it.”

[Gerald Beasley](#), University Librarian: “Thank you. I am [Gerald Beasley](#), the university librarian. Thank you for the question. The acquisitions budget, that is to say the amount devoted to acquisitions has remained flat for four years. And when I say flat, I mean that the dollars and cents has not changed over that four years. Obviously, the purchasing power has gone down each year.

“As far as labor costs go, that is a separate and separately budgeted item for the library. So there is, obviously, accommodation for SIP and so on, so it's not flat in that sense. I hope that answers the question.”

[Paul Fleming](#): “I would like to say one more thing about the flatness of the budget. It is not only the rising costs of books, but what's not included is these 4%, 5% increases built into the contracts with Wiley and Elsevier that also have to be accounted for in that flat budget. So it is a naturally decreasing budget, over all those years, without inflation or anything else factored in.”

[Jeremy Braddock](#): “It is my understanding, as far as the budget for staffing goes, that the library took a disproportionate amount of cut after the 2008 economic downturn.”

[Senator Buz Barsto](#), Biological and Environmental Engineering: “These numbers here, they are inflation-adjusted, I guess? Does that, in part, reflect the fact there are so many more articles published today than there were in 1986? Or is it something else? Is it reflective of an increasing profit margin of the publishers?”

[Jeremy Braddock](#): “I am sure that it does, but I think the decisive factor is the dramatic increase in pricing for individual journals.”

[Senator Barsto](#): “Thank you.”

[Senator Tim DeVoogd](#), Psychology: “Another price model is one that, like I think PNAS has, where the author himself or herself contributes what's called advertising charges. Is that more sustainable?”

[Jeremy Braddock](#): “I will say not for scholars who teach at less-privileged institutions than ours.”

[Paul Fleming](#): “There are two things with that. That is one of the things that John Willinsky was proposing as a way to make things immediately open access, if we front-load the paying for it, but all that does is shift the burden of where the money's coming from. It doesn't change the amount of money changing hands. It would enable certain things, as far as immediate and open access possibilities, but it wouldn't really change drastically the budget problem.”

[Senator Thomas Björkman](#), Horticulture: “So this issue came up in the senate somewhere around the middle of that graph, and the resolution then was for

Cornell faculty not to edit or review for those journals. I haven't actually reviewed for Elsevier since then. So I followed the resolution, but I don't think a whole lot of people did. Do you think that approach would be effective at all?"

[Jeremy Braddock](#): "Peter Suber thinks so, but I think that we need a range of responses."

[Paul Fleming](#): "I think that's one piece of -- this is an incredibly complex thing that's not going to be resolved tomorrow or perhaps the next day, but something we need to start working on. That would be one thing. I actually think what we need is much greater leverage, not only from faculty and Cornell as a whole, but multiple universities and university libraries working together on this."

[Senator Ken Birman](#), Computer Science. "On the left side of the auditorium. I thought this is extremely interesting, and I have been aware of this issue for a long time. There is a dimension I don't know much about, and I'm wondering if you have data about it, and that's concerned with the broader styles of use of the library and how those are evolving. I was in the library not long ago, getting a flu shot, and I was very struck by quite heavily used it was. Clearly, it was a preferred place to go study that was quiet.

"Before we would do anything about this crisis, which I understand is a crisis, I just want to recommend that we really try to study the broader social impact that this kind of an intervention might have on all those other uses of the library, which are obviously vibrant, very important to Cornell's culture. And it would be a shame to accidentally damage something that's just fine, while trying to address a legitimate issue here."

[Senator Tim Riley](#), Mathematics: "You mentioned the ArXiv, the repository for preprints in mathematics and physics, which is currently hosted by the library. That is going to be well-supported going forward? Are you thinking about that?"

[Gerald Beasley](#): "Yes, it will be well-supported. In fact, the whole initiative, as many of you may know, and some of you may not, the library will move administrative responsibility over to the faculty of CIS, Computer and Information Science, as of January next year.

"The reason for that is exactly to ensure its sustainability and future growth. And our concern, not just with the presentation today, but with other aspects of

library endeavors, is that it was a very good thing to do that, to secure the public value of ArXiv at a time when we are receiving stresses in the library, frankly.”

[Speaker Nelson](#): “I think we have to conclude the discussion at this point, because we have to move on with our agenda, but thank you very much.

(APPLAUSE)

“At this point in the meeting, I would like to call up [Charles Van Loan](#), dean of faculty, to make some announcements.”

##### 5. [ANNOUNCEMENTS](#) – [DEAN CHARLES VAN LOAN](#)

[Dean Van Loan](#): “We had to permute the order because Cynthia teaches up until 3:30. So you might recall last time, one of our presentations had to do with one of the procedures that hangs off of [Policy 6.4](#); so distinguish between the policy, which is about harassment and so on, with procedures to adjudicate violations.

“Over the last year, that has been worked out for students. What was present in October was the outline of a plan for a combined procedure for faculty and employees. Since that time, a number of concerns have surfaced, and we worked with the administration, the policy crafters.

“And going forward, we’ll have three faculty that you see there, who will work with the crafters to look at some of the issues that have surfaced. Doesn’t mean if you see an item up there that there’s a dispute necessarily. It means we need clarification.

“So the idea here, then, is to go forward with the faculty paying attention to this process, in particular some of the items you see up there. That is it. [Cynthia](#) is here to answer any particular questions you might have with this process or some of the items you see listed.”

##### 6. [UFC RESOLUTION](#) ON EXTENDING VOTING RIGHTS TO RTE FACULTY (FIRST READING) [[1-PAGE OVERVIEW](#), [REPORT](#), [BACKGROUND](#), [SLIDES](#) ]

[Professor Cynthia Bowman, Law](#): “This list is basically a summary of that table that I drew up, by comparing the various policies, the old [Policy 6.4](#) that applied to faculty, the proposed policy and also, in various instances, the student policy, the new student policy.

“And you should have received, I think, a copy of that table, which is more detailed, but this was a summary of some of the most important points that we’ll be discussing certainly and hopefully negotiating about with the administration. But it’s important to also include staff, because the proposed policy applies to them as well.

“Does anyone have any questions?”

“I wasn’t here last month, but I understand there were hardly any questions then, which surprised me when I went and looked at the proposed policy, I must say. Risa.”

[Senator Lieberwitz](#): “I am really glad this is happening, and I wanted to make a couple points, and maybe you have some comments on. One is that I think that the way this process has ended up shows how important it is to actually have chaired governance at work, because what happened was that there was a set of proposed changes that, as far as I could tell, did not involve faculty governance.

“And so when that’s then present as kind of a package, and I think it was also printed in a way which was designed -- which led a lot of people to believe that there really weren’t very many changes, so I think that once the governance process really got triggered and worked and that we have this joint committee, I think that we should recognize quite explicitly how important that is, so that we can actually move towards a policy that really involves the faculty and the staff in crafting it. So I thank all of you who worked on putting that together, so that’s number one.

“The other thing I wanted to highlight -- I mean, all these issues listed here -- is the importance of the evidentiary hearing, because I think that one of the things that became very clear was that the proposed revisions from the administration eliminated all evidentiary hearings; that is, there would not be hearings with witnesses called with the chance to question witnesses, with the chance to cross-examine witnesses, et cetera, and just how important I believe that is, and I think a lot of people believe it is.

“So I don’t know; maybe you want to comment on some of these things, rather than just saying well, does anyone have any questions.”

[Professor Bowman](#): “I agree with you. I think most lawyers agree on the importance of an evidentiary hearing, if you are accused of something. I don’t

know what things really are important to you. I mean, the old procedures allowed for settlement of complaints prior to their becoming formalized into the adjudicatory process.

“And one of the things that has happened under Title IX, certainly with the student procedures, was that private settlement was unavailable in cases where it would have been a good idea if the two parties could in fact sit down, and the case would have gone away, a Title IX office told us that was not acceptable. So that's a problem, and I think that's something we both would want to become acceptable, both for students and for faculty.

“I would point out that, as a result of our objecting to and intervening in and helping to draft the revised student Policy 6.4, there is an evidentiary hearing that was not there in the first draft. And I think for the other things, you know, we are going to negotiate. We aren't going to get everything we want, and we didn't in the Policy 6.4.

“And when I say we, that is sort of purists on due process, but it is my goal, certainly, to develop this as kind of a model for joint governance, that we can invent how to do this right, we can work together, we can work together cooperatively, rather than in an adversary fashion, to develop a policy and procedures that will be fair to both sides.”

[Senator Lieberwitz](#): “When will this come back to us? Do you have any sense of that? My understanding is that it needs to be ratified by the senate.”

[Professor Bowman](#): “I can tell you that before assenting to -- I told them that I would be on leave. I am leaving the country at the end of January, if that gives you some kind of -- so we are committed to working on it soon.”

[Senator Nicholson](#): “I am wondering if the impact of this kind of process on the tenure evaluation procedure has been considered; if there is an accusation simultaneous with tenure review, due to the high confidentiality of the tenure process.”

[Professor Bowman](#): “I know that I have heard from other people -- I'm not involved in that -- that they think a similar process should be undertaken with respect to those procedures, but do you know more about that, [Charlie](#)?”

“We don't know.”

[Dean Van Loan](#): “Do this quickly. Two months ago, we presented a plan for integrating a wider set of academics in the faculty senate. And over the last two months, we've met with lots of people and talked about things. Anyway, the committee has made its final recommendations, and it's now crystallized in the form of a resolution we'll vet on next month, so let me quickly go through it.

“First of all, what do we mean by university voting rights? We use university to distinguish it between college voting rights, which may be different than department voting rights. It basically means you can serve in the senate and vote in those kinds of elections that come up in the spring.

“Who has voting rights now? The yellow box, that's basically the tenure track faculty, also known as the university faculty. There are about 3,500 academics on that slide. There are about 600 tenure track faculty. This is the proposal, this is what we call -- for voting rights.

“We were going to extend it to those other yellow boxes. So you have in the upper right corner the special professorships that were approved in the early 2000s. The second box is typically what you call non-tenure track faculty members, and then we have the library. In the other box are visitors of all types, which add up to about 1,000.

“We break up the -- including the university faculty, we identify three other faculties: Research, teaching and extension. And you can see them color coded up there. So when you talk about RTE faculty, this is now the preferred terminology, the NTT, non-tenure track, the single worst kind of name you could give. So when we talk about RTE faculty, it's those colored groups. Everything is defined in terms of -- by title.

“This is what the senate would look like, if this is approved. What is in red would be the changes. We're proposing the creation of 20, what we call college RTE senator seats. I'll tell you about how they are picked in a second. We also have one designated seat for the library, and it's symbolic -- the post-docs should have an ex officio seat here, just in case they want to bring something up.

“Here is how this college RTE thing would work. First of all, there's a formula. If your department has more than 25 faculty, unit faculty, you get a second senator. So we did a copycat thing with that. It has to go by formula. You don't want a committee on apportionment, so the rule would be something like this: Everybody gets one. If you have more than 25, you get two. If you have more

than 100, you get three. And with that rule, you can sort of see the lineup there, with what we are calling colleges. Ten units up there, and it sort of comes out to 20.

“Why do this? You can give a lot of reasons. One is, we just -- shared governance is something we revere. Let us practice what we preach. Right next door to us are 1,000 colleagues who do much the same thing that we do. We need to involve them in our thinking about these important issues. Of course, it communicates respect. That's very important. It inspires participation and, again, leads to more informed decisions.

“Then, there's strong couplings between the RTE and university faculties, and the futures of both groups are intertwined, and we shouldn't deny that. And also things like -- when you think about how do we promote a lecturer to a senior lecturer, you are going to talk about teaching. That discussion is not irrelevant when we talk about the teaching component of a tenure dossier.

“Everything is related. I mentioned last time half of the 15 biggest courses we're teaching right now have a senior lecturer at the board. And you look at the \$600 million local research budget, the RTE participation in that is critical.

“There is the timeline. Again, right now, online you could look at the proposal in detail. It is a one-pager. We are all very busy. You can look at our seven-page report or you could look at the web site, depending on how much information you want. The plan is to vote next month on this, so the upcoming month is going to be extremely important that you talk about this in your department. You will get reminders from me about that.

“Then, it's not over with the vote here. We are talking about changing the senate bylaws. And because of that, the resolution, if it passes here, then goes in front of the entire university faculty for referendum.

“So what are the senate bylaws and so on? Here is a sample. There are eleven changes we have to make to what's called the operating principles of the university faculty. In that document are the rules about how the senate works, and there are about eleven places where it changes. Online, you can visit any one of those eleven and see a before and after.

“For example, here's something pulled out from the election of the dean of faculty part. Whereas once this said the university faculty, we now change that

to voting members of the university faculty and the RTE faculties. You can see precisely what the changes are, although those earlier slides actually covered the gist of it.

“There is a timeline for the trustees. Here is why: Small changes have to be made to the university bylaws; in particular, two of them. One clears up an ambiguity and one is actually a change.

“The ambiguity is about who we can engage in decision-making, and it's kind of fuzzy language right now. We are getting very explicit. Basically, we are asking the trustees to allow us, the university faculty, to decide who can sit in the senate. That is all we're asking. Does not say we have to do it. We are just asking the trustees that we should be able to decide on that.

“The second one has to do with the election of faculty trustees. And now we have to make an explicit change, because in the bylaws, it says only university faculty members can vote. We change that, so now university and RTE faculty members can vote. Again, there's -- the faculty trustee, my position has to be filled by university faculty members. We are not changing the definition of university faculty members whatsoever.

“If you look in the [OPUE](#), the university faculty -- for example, we cannot exactly dissolve the senate, but I can nullify the stuff. These powers have never been exercised. But the key thing here, there's no surrender whatsoever and, also in the resolution, we're building in this line. In three years, all changes will be reviewed.

“Those final features are simply, in case you hesitate or are nervous about this -- I don't think there's reason to be, but we put in some safeguards there. That is a quick -- I can take one or two questions, but [President Pollack](#) is here, and I'd like to get to her session, but I'm happy to answer any questions.

“Okay, so you'll hear from me. I am going to -- this is one of these things like the calendar and the consensual policy. Every department has to weigh in on this, because this is pretty fundamental stuff. Thanks.”

[Speaker Nelson](#): “Great. I'd like to call up [President Martha Pollack](#) to have a conversation with us for the next 35 minutes or so?”

## 7. CONVERSATION WITH [PRESIDENT MARTHA POLLACK](#)

[President Martha Pollack](#): “Thank you. Good afternoon. Good to see everybody beat the snow. I don't know if you have been monitoring, but we're supposed to get 1 to 3 inches tomorrow and 5 to 8 inches tomorrow night, so be warned.

“I spoke with Charlie before coming here, and he brought to me some questions, some things he thought you might like to hear, so I thought I'd spend the first eight or ten minutes answering the questions that he raised, and then really just open it up for a conversation, which is what I always prefer in the long run.

“The easiest question he asked me is what have you been up to lately, and the answer's a lot of things. We are doing some early planning now for a capital campaign that will really help us achieve our aspirations. There are a lot of things you all want to do, there's a lot of things I want to do, there's a lot of things our students want, and they require resources. I will say more about how we're moving forward with that in a minute.

“Let me just mention that, again, I continue to say over and over, number one, the number one thing we need to be is academically distinguished, and that means investing in all of you, investing in the faculty. We need -- you may hate this phrase, but I like to think of educational verve. We need to have education for the 21st Century student body.

“We need to commit to diversity and to inclusion and to making good on our any student founding ethos, and we need to worry about being One Cornell, with real close collaborations and integrations, not just within each campus, but across the campuses.

“I have been on the road. It is remarkable how loyal the Cornell alumni are, and they want to contribute in all kinds of ways, from faculty support to facility support to student financial aid, and I'll come back to philanthropy in minute.

“I have also been having a number of meetings with faculty across campus, both to continue to learn about the research that everyone does and the teaching, and also priorities and concerns. On the research issue, I hope people know that research funding is up 10% last year, to about \$700 million in sponsored research across the campuses.

“Also, our faculty continue to be extraordinarily distinguished, and I want to just mention a few awards. [Deborah Estrin](#), professor at Cornell Tech and Weill

Cornell Medicine, of course just received a MacArthur award, one of the genius awards. We had two Guggenheim fellows here in Ithaca: [Paul Friedland](#) in History and [David Yearsley](#) in Music. And I won't name them all.

“We had a reception last night for the new members of the National Academies, but we have a number of new members of the National Academy of Arts and Sciences, National Academy of Science and National Academy of Engineering.

“Most recently, just last week, I had lunch with the Department of Chemistry and Chemical Biology. They invited me to have lunch with them. I really enjoyed it. Is anyone here from Chemistry and Chemical Biology? So I don't know what you guys thought, but I enjoyed the conversation, and I would welcome invitations from other departments to come. They had good food too.

“When I talk with faculty, I will tell you that there are a number of key concerns that keep coming up. In particular, one is a real desire for more connections between faculty, across different schools and colleges. One suggestion that was made to me last spring, which I'm really thinking of following up on, is a series of lunches called What Counts as Evidence in My Field.

“So at this moment, where all of us are concerned with what's truth and how do you evaluate truth and how do you know what's reliable knowledge, I think that a series of such lunches might be quite interesting.

“There is a lot of concern always with dual career issues. It makes it extremely hard to recruit faculty to this rural region, and I keep hearing about interest in more faculty leadership development programs. There are others, but those are the ones that come out a lot.

“I think everybody knows we have been very heavily involved in the rollout of the initiatives that came out of the Presidential Task Force. I am not going to go through the whole list of them here. I hope people read my email. There is a web site. You can get it right from the home page. I think if you put diversity inclusion in the search box, you get it. And it talks about what we are doing now, what we would like to do, but we need a little bit of time to do, and what's really aspirational.

“I want to mention the Provost's Task Force on Diversifying the Faculty. As a result of that, there's been a serious increase in central support for faculty who

bring diversity to campus and, in total, will be spending something like \$60 million over the next five years on that.

“Also, with everything going on in the country and the world right now, it's extremely helpful, I think, for us not just to advocate on our own, but to advocate with our peers. And in particular, AAU, the American Association of Universities, has been taking on a number of important key topics.

“And I was at their meeting in October, their meeting for AAU presidents, and I want to spend a minute just sharing with you some very, I thought, extraordinarily interesting information that we got from someone who does survey research and had surveyed the public on their views on higher education.

“Most of you probably saw the Pew report about a year ago that was really extraordinarily depressing, and really talked about a very significant decline in public support for higher education. And that report isn't wrong, but the report we heard was much more nuanced.

“And in particular, when people were asked not just about higher education or colleges and universities, but about America's leading research universities, the favorability rating was much higher. It was actually 70%.

“Now, that said, I have to question you, Ivy League only got a 32% favorability, but what was interesting was when they asked the people to say what were America's leading research universities, Harvard and Cornell and -- they were all on there, so I don't know what to make about that.

“Almost half respondents thought the federal government should provide more funding to America's leading research universities than they do now. 45% thought we were on the right track. Three-quarters thought we benefit American society. 66% believe -- this is important -- that we need to continue to welcome international students and scholars, so that we can remain a global leader in science and technology.

“The phrase -- I will let you guess. What is the phrase most commonly used when you say to people: What do you think of first when you think of leading research university? What phrase do you think is most commonly used?

"No, that would be good. No, it's negative, unfortunately. Too expensive. That is the number one phrase. A little under a third believe that university endowment should be taxed.

"Who said creativity? Okay, so what was really interesting was the only factor -- they tested this every which way they could -- the only factor that correlated with a favorable rating was whether they thought the university was innovative. They said we were too expensive, they said we were leaning too far to the left, they said all these things; but in the end, the only thing that correlated was whether they thought we were innovative.

"And I'm not a big fan of rankings. I think "U.S. News & World" kind of rankings are pernicious; but when rankings are purely quantitative and you know what they are, I don't mind them. And there's a ranking out just today that is -- they call it the most innovative cities in the country. It is based on patents per population, and Cornell is Number 13.

"Obviously, that's a very narrow definition of what we are. Obviously, there's all kinds of incredibly important work we do in all kinds of fields, from the humanities to the arts and elsewhere that doesn't result in patents; but from a public relations standpoint, I think we should capitalize on the fact that people think if you are innovative, it's a good thing, and we have this claim to make.

"On development, last year was one of the most successful years we have had. We had \$512 million in new gifts and commitments, including \$436 million for Ithaca and Cornell Tech, \$77 million for Weill Cornell Medicine. We are starting to think about a campaign. We are talking with the deans.

"The deans are carrying the word out to the department chairs. I know, because someone was telling me there have already been some conversations within department meetings. What we really need to do is get a sense from the faculty of what are the highest priorities. What is it that -- we can't do everything. We can't do absolutely everything.

"As I often say, any study doesn't mean every study, just like any person can't possibly mean every person. It has a different meaning, but we do need to figure out where should we be investing and where should we go out and seek the funds for those investments.

“On the national level, because [Charlie](#) asked for an update on the national level, there is actually some good news on funding out of Washington. They have provided consistent large funding increases for the federal research agencies in '18 and '19. Science funding is one of the few things that gets bipartisan support in Congress. NIH is funding now at over \$39 billion annually. Mission to base departments like the DOD received funding increases.

“The NSF, I think people know, launched its Big Ideas Initiative, which elevates grand challenges in conversions technology, the relationship between humans and technology and diversity and inclusion, one of those which I think just has Cornell's name written on it, when you think about our sociology departments, our economics departments, ILR and more is the future of work at the human technology frontier. Last week, they announced \$25 million in new funding for 26 projects in that area, including one at Cornell.

“There is more to say about that. We also got a Big Ideas Award for Quantum Summer Science Schools. Within the USDA, we have been receiving grants, and so on. If you have questions, I could read this to you; but basically, things are quite solid on that front.

“A place where there are real stresses, and one of the reasons I think it's so important that the AAU is pushing, and that we heard 66% of people surveyed think we should continue to support international students is -- that's a point of pressure for us.

“In June, the State Department very quietly imposed a one-year limit down from five on the duration of visas that are granted to Chinese national students studying in certain height-tech fields like manufacturing, robotics and avionics, and they cite intellectual property concerns. To my mind, unfortunately, this policy did not have to go through a formal notice and comment period, because consular officials have some legal discretion over visa durations.

“In addition, you may know that the FY'19 regulatory agenda includes a rule that ICE intends to propose. It is a little technical, but it would modify the period of authorized stay for all F1 and other nonimmigrant student visas from the current duration of stay definition, which is flexible -- as long as the student is making progress towards a degree, their visa is maintained -- to a fixed length of time.

“And we, like our peers, are just very concerned that the signal these regulations are sending, the signal that we are maybe not as inclusive to students from around the world as we at Cornell feel we are. We are doing everything we can and will continue to do everything we can to continue to support our international students, provide necessary support systems that ensure compliance with visa policies. And we are working with organizations like AAU to advocate for policies, both in legislation and the regulatory process that promote, rather than limit academic opportunities for international students.

“I think everyone is -- hopefully you are up-to-date on DACA. A U.S. district judge ruled on August 10 that states seeking to dismantle DACA had not proved that the program was causing irreparable harm; and therefore, they could not do this. The states are appealing. Just last week in California, the 9th U.S. Circuit Court of Appeals upheld an injunction blocking the administration's attempt to phase out DACA.

“Again, we at Cornell have made numerous statements in support of comprehensive immigration reform, protection of DACA and undocumented students, and Cornell Global is really working to assist these students as much as possible.

“I guess the only other two things I wanted to talk about were affirmative action and the fraternities. The lawsuit, as everyone knows, against Harvard is pending. There are law professors here who can probably speak to this much more eloquently than I can. We did join an amicus brief, along with our Ivy peers, in support of Harvard.

“Because the suit is pending, I'm not comfortable saying a lot about it, but I think I can say that the reason we joined that was because we very strongly believe, and it was upheld in the Fisher decision, that diversity in the student body is extraordinarily important to the educational experience; and that this case, whatever one thinks about the specific details of it, is clearly an attempt to block diversity. And if it went through, it could seriously impact our ability as a private university to conduct what we think is fair, thoughtful, holistic evaluations of who we admit to our student class, so we have joined that amicus brief.

“Finally, I want to say something about the fraternities. We did roll out, as you know, a set of initiatives last spring. I haven't convinced everybody of this, but I

will say again, for the umpteenth time, this is not an attempt to shut down the fraternity system.

“The fraternity system, when it works, provides excellent social opportunities for our students, it provides opportunities for our students -- they often engage in philanthropic activities, in community activities; but they behave oftenly atrociously, and that atrocious behavior has got to stop.

“Things are rolling out, Pace. There are new training and education programs that were created this fall for potential new members. We have an online score card, which is in its -- just being finalized and will roll out soon. We are having a robust discussion about the Greek judicial process, and [Charlie Van Loan](#) and [Chris Schaffer](#) are involved in that committee.

“As we head into pledge season, we're going to demand a clean pledge process and we're going to be vigorous in enforcing our rules, should they be violated; but again, the goal is not to shut down the fraternity system. The goal is to make sure that it's healthy and that we don't have students who are hurt or worse.

“Those are my updates, and I'm open for questions.

“Old habits die hard, right?”

[Senator Lieberwitz](#): “Thank you very much for coming. Appreciate all the updates. I wanted to ask you about Cornell's ties with Saudi Arabia, and specifically with the Kingdom of Saudi Arabia Global Business School, which is located in Jeddah. And that school features on its website very prominently that Cornell's Johnson College of Business is a collaboration partner.

“And there's a lot of people very concerned about that, for obvious reasons. So perhaps you could talk about that, the human rights implications. And I just point out that the Global Business School in Saudi Arabia lists its clients; those clients including the Royal Court of Saudi Arabia and the Saudi Ministry of Defense. So given the obvious human rights issues, perhaps you could address that?”

[President Pollack](#): “I can address it at little bit, although I'm going to be completely honest and say that the first I heard about this issue was about three hours ago, and so we are looking into finding more details. So I'm honestly not prepared to discuss the details of that case.

“What I will say is I do think we need to be extraordinarily careful in all cases about academic boycotts. I think we are founded on academic freedom, and I think it is really important that we don't impinge upon faculty-to-faculty partnerships in any way, except under the most extreme circumstances.

“I think we have to be appropriately circumspective and aware of the uncertainty of our actions and think through the implications, and I think we have to be very, very careful about singling out particular countries. You and I have discussed this, in particular with respect to Israel.

“All that said, literally, I found out about -- I just wasn't aware of these ties, and we are looking into them at the present moment.”

[Senator Lieberwitz](#): “Appreciate that, but -- and certainly it needs to be looked into, and I hope this is something that can involve the faculty senate as well, since Cornell faculty are involved in this. And this is an extreme situation of just egregious human rights violations that everybody knows about.

“And so I think that the concern among many that are important here is the way in which the Kingdom of Saudi Arabia Global Business School benefits from the connection with Cornell; and a corollary to that, the way in which Cornell's reputation that it lives on, as you note, is I think really harmed by this kind of close, as they call it, partner collaboration between not just Cornell and this university, this school in Saudi Arabia, but a school that has as its clients the government and its defense arm with regard to the sort of egregious humanitarian violations that it commits.”

[Senator Anthony Hay, Microbiology](#): “Thanks for being here. I recently had a post-doc work with me to apply for your presidential fellowship. I was surprised to learn that they didn't need to be cosponsored by more than one faculty. And I was just wondering, you're talking with departments about encouraging collaboration, and if there's more that can be done in using that as a vehicle for encouraging collaboration.”

[President Pollack](#): “I hadn't thought about that, but I think that's a really interesting idea. I haven't been involved in the designer setup of those, but I always found, when I was much more research active than I am now, that nine times out of ten, my best collaborations happened as a result of a shared graduate student.

“So I think it's a really interesting idea, and I hope my team in the back who's taking notes for me will take a note of that, so I can bring it back to the provost and discuss with him. Thank you.

“Hi, Richard.

“Been here a year and a half. I am starting to know names, right?”

[Senator Bense](#): “Two things. One is I really welcome the thing on the fraternities. We have been working on that in the CJC and the University Assembly for some time, and I really think there's work to be done there. “The second thing, though, is you talked a lot about funding, and funding grants and increases and so forth; but on the ground, we hear a lot of hmm, sort of contrary information. Like just in this presentation before you about the library, in response to a question, the acquisitions budget has been flat for the last five years, that the staffing has not recovered since 2008.

“We heard in a meeting of the Government Department from the College of Arts and Sciences, in response to a question about faculty hiring, we heard there were ongoing discussions with the central administration. And one of them was about McGraw Hall and how McGraw Hall's rehabilitation, which is running in, I guess, the tens of millions of dollars was part of the budget from which faculty hiring was supposed to come.

“Those kinds of things -- that's what we heard, or that --.”

[President Pollack](#): I am here to tell you that's not true. That last point is not true.”

[Senator Bense](#): “Okay, good, but -- one of the questions you hear is that Cornell Tech is taking a lot of the money that otherwise would have come into the Ithaca campus to recover from the 2008 --.”

[President Pollack](#): “Simply, also not true. I don't know -- you can look in the financial report, which is online. It's just not true. The funding for Cornell Tech came from philanthropy to Cornell Tech and -- it was not philanthropy. It was things like the gift from Bloomberg . Bloomberg was not going to give money to Ithaca, so it's simply not true that Cornell Tech is draining money from Ithaca.

"Now, look. What is true is that, like all universities, we have resource constraints. We are so much better off than many other universities, but we are not as wealthy as, in particular, Harvard, Yale, Stanford, Princeton. We are just not as wealthy. Harvard, Yale, Stanford aren't nearly as wealthy as Princeton, when you look on a per student basis.

"And that is why -- precisely why we are trying to launch a capital campaign. But it's not true -- I mean, it would make no sense, honestly, [Richard](#), for the budget for McGraw-Hill to come out of what you would use to hire faculty, because the faculty budget has to come out of the operating money, has to come out of money that's available year after year after year.

"The money from McGraw-Hill is one-time money, so it's a completely different budget, and McGraw-Hill is one of the places where we're out looking for new money to pay for it.

"McGraw Hall. I am sorry. McGraw-Hill's a publisher. McGraw Hall."

[Senator Nicholson](#): "I have a question for you. I just want to thank you first for the tremendous efforts that came out of the Presidential Task Force. Launching that and focusing on those issues, I think, is a huge thing for Cornell campus, so thank you.

"Related to that, do we have a contract, a Posse contract that's signed?"

[President Pollack](#): "Does somebody know if the Posse contract is signed? If it's not signed, it's going to be in the process."

[Senator Nicholson](#): "The ink is drying?"

[President Pollack](#): "The ink is drying. I want to ask you -- I have a very narrow, specific Posse question, which I'll ask you off-line. No, that is -- we raised money for it. We have to raise more, but we are in good shape for a few years, and it's being taken care of."

[Senator Nicholson](#): "Awesome, thank you."

[President Pollack](#): "Do people know what Posse is? So Posse -- why don't you tell them, because you were the first mentor of them."

[Senator Nicholson](#): “My elevator speech. Posse's a not-for-profit organization that goes into urban public high schools, identifies talented leaders coming out of high school, who otherwise maybe wouldn't have even thought about going to college. And they put them through what's called the dynamic assessment process to evaluate them in terms of leadership and merit. And then they partner these kids with colleges and universities.

“So Cornell has been a partner since 2013. We get ten amazing scholars from Chicago -- so our partner city is Chicago -- ten scholars who come to campus as Cornell freshmen each year. And they have faculty mentors. So I had the honor and the gift to be the first faculty mentor for Posse 1. They were stuck with me for four years.

“Posse has a 90% graduation rate, and they have been in the business for 30 years. Shirley Collado, who is the new president of IC, is one of the -- she was part of the very first Posse at Vanderbilt. So these are truly leaders, and it is an amazing program.”

[President Pollack](#): “I think -- my view on increasing socioeconomic diversity and bringing students from less well-resourced high schools is that we're still early enough as a society in the process that we need to let 1,000 flowers bloom and try different methods.

“And Posse does two things that are different from other programs: One is this dynamic assessment that Linda mentioned, the way in which they select these students; but the other, and it goes to their name Posse, they bring a group of students -- so our students come from Chicago. There is Chicago posses and New York posses and Oakland posses, and these students have an experience together over the summer. And when they come here, they form a posse, a support group.

“My view is we ought to be trying lots of different things and seeing what works and what doesn't work. And the Posse approach seems to be working, so thank you for that little plug for them.”

[Senator Birman, Computer Science](#): “Same department. I want to thank you for your remarks. And in particular, when responding to Risa, you made a comment that I want to suggest we should, as a university, expand on, which was that we should try to respond to political problems in the world; but at the same time, not in ways that infringe on our academic freedoms.

"I worry also about harming sort of bystanders, and I would think about Saudi Arabian students who might be studying at Cornell. We should respond to these kinds of things, if we can, but not in ways that harm students who come to work here. There have been times in the past -- I won't list them, where there have been calls for policies that would have fallen harshly on students from particular countries, and I would hope that we never go down that path."

[President Pollack](#): "No, I appreciate that. I think both you and Risa, while maybe not completely agreeing on the details, are presenting very nuanced -- have very nuanced, thoughtful positions on what we should and shouldn't do and when we should and shouldn't do them. They are not simple line in the sand kind of decisions, by any means."

[Speaker Nelson](#): "That is all the time we have right now. Thank you very much, [President Pollack](#)."

(APPLAUSE)

"At this time, I'd like to call up [Chris Schaffer](#) to talk about possible revisions to the sorority/fraternity judicial system."

## **8. POSSIBLE REVISIONS TO THE SORORITY-FRATERNITY JUDICIAL SYSTEM [[BACKGROUND](#), [SLIDES](#)]**

[Associate Dean Schaffer](#): "Hello again. As you heard, there was an effort to try to reform the system that's used to adjudicate misconduct among fraternity and sorority organizations. To be clear, the system for adjudicating misconduct by individual students, that's not what we're talking about here."

"And the fraternity and sorority system doesn't have an independent way they handle problems with individual students, whether that be code of conduct violations or Policy 6.4 violations or anything like that. This has to do with violations of -- allegations of misconduct by the organization itself."

"As we just heard from [President Pollack](#), that was a charge made last spring, asking that there be a comprehensive review of what's called the chapter review board process. This is the organization that currently governs the decision as to whether or not the university will recognize a particular fraternity or sorority as being affiliated with the university. And she asked that this review include things like the structure and the makeup and the procedures, the process and community expectations around this kind of adjudication system."

“Here are the members of the committee. It is chaired by [Mary Beth Grant](#) and has representatives of current students, both in and outside the Greek system, alumni from the Greek system, folks from the judicial administrator's office, from the Office of Fraternity and Sorority Life, from Skorton Center for Health Initiatives, and then [Charlie](#) and I.

“What I wanted to do now is just quickly show you a little about what the current system is, where we think there might be some problems. And then this committee is sort of in the middle of its work, but I thought I would show you a little bit, at least one idea that it seems the committee is moving in that direction toward, although none of this is finalized.

“So the current system is a little bit complicated. So a complaint comes into the Office of Sorority and Fraternity Life, and a triage-level decision is made, based on the allegations there. It could go to an informal resolution that's mediated by someone within the Office of Sorority and Fraternity Life. If it's deemed -- that would be a negotiated settlement.

“If it is deemed to be a, quote, minor violation, then it would go to what's called the Greek Judicial Board hearing, so this is a student-run process for both gathering evidence and making a judgment of finding of responsibility and assessing sanctions. Sanctions there -- the Greek Judicial Board is not permitted to revoke recognition for a fraternity or sorority, so the kind of sanctions here tend to be educational and prohibition of social activities and things like that. “If things are deemed to be more severe, it goes to a chapter review board hearing, which is, again, still run by the Office of Sorority and Fraternity Life. They run the investigation. They handle the hearing, make findings of responsibility or not, and impose sanctions. In addition, these things can bleed into each other, if at any stage someone feels like they're not ready to handle the seriousness of the allegation.

“I probably didn't describe the system in its absolute best light, but it's a little bit complicated. So some of the problems with the current system is complex. “There are different rules and procedures for each of those processes, and so it could be complicated for responding organizations to mount an appropriate defense.

“There is a lack of what I think most of us would agree are fundamentally fair process in some places. There are some cases where responding organizations have not had access to all the evidence that's being presented against them and

being judged. There doesn't seem to be an appeal mechanism for that initial triage.

“Looking over cases from the last few years, it is very clear there's been a lot of cases of apparent alleged, very serious misconduct that's being adjudicated by students at this Greek Judicial Board level, things that really should, in the view of many of us on the committee, have been handled by a more university-based organization, rather than a student-driven process.

“And I think the lack of clarity on process, the serious allegations being handled by a student process sometimes, all of this has led to a lack of confidence in the system, both from within the Greek system, especially from alumni, and from outside the Greek system.

“There is sort of two plans that this committee -- or two phases of action this committee's focused on; first are to implement some short-term fixes to the current system to be in place for the recruitment in the spring. This is an anticipation of allegations of organizational misconduct around the recruitment process.

“So these include trying to write procedures in plain English; recruiting and actually training a few hearing board panel members, rather than relying on sort of an ad hoc approach; separate -- although it will probably sit within the Office of Fraternity and Sorority Life, at least separate the people doing the investigation from those who are managing the hearing and making findings of responsibility; make evidence available to everyone; and then to maintain a public database of allegations and review board findings, so all of this adjudication can actually help influence student and parent decisions about participating in fraternity and sorority chapters.

“But frankly, I think in the view of most people on this committee, it is going to take more than just Band-Aids to patch this up, and what we are proposing now is a much more sort of linear model for handling things; where if a complaint comes in, there would be an independent investigation that focused on unbiased fact-finding.

“And this would be followed by a hearing before a panel that made determinations of responsibility and imposes sanctions. This is modeled after the current approach used for Policy 6.4 allegations here at Cornell. So the

investigator would be assigned, gather facts by interviews and other evidence. They would produce a summary of all interviews in an overall report of the facts.

“There would be advisors for the responding organization, responding organization would be fully informed of evidence and would be able to have the opportunity to propose investigative steps. There would be an off-ramp at this investigation stage. The Greek system has a lot of rules, primarily governing the conduct of social activities that are not part of our campus code of conduct.

“The idea would be if there's no credible evidence that a code of conduct violation occurred, then this adjudication process wouldn't -- the university adjudication process wouldn't move forward and, instead, this report would be forwarded to the Greek judicial system run by students, where they can manage their own rules around the conduct of social activities.

“There would also probably be an opportunity here for a negotiated resolution, but one that was approved by an office like the Dean of Students Office. At the hearing, we would have a hearing panel selected from a pool of faculty and staff who were trained. The responding organization would receive the investigative report, have the opportunity to propose witnesses and questions. The hearing panel would get the report. It would be up to them to identify the witnesses they wanted to hear from, and then they would conduct the hearing.

“After the hearing, the panel would make a finding of responsibility and sanctions, and then there would be an opportunity for appeal. The appeal would be a panel also chosen from that same pool of faculty and staff, but not including any of the original members. The panel would also include at least one member - - one senior member of the administration, and grounds for appeal would be limited to things like gross miscarriage of justice or procedural error or things like that. The goal is not to have something that every single case gets appealed.

“So that's sort of where we are now. The committee's goal is to try to have these patched up procedures in place for the spring recruitment process and to have recommendations around this sort of more streamlined process together sometime in the spring. And I'd be happy to take any questions.”

[Senator Rhonda Gilmore, Design and Environmental Analysis](#): “What is communicated to freshmen, sophomore students that are considering rushing? What information is given to them, so they know what is or is not appropriate behavior? Anything being done in that area?”

[Associate Dean Schaffer](#): “Great, so the question is about the sort of training for members of the fraternity and sorority system. So [President Pollack](#) had asked in the spring that there be a renewed emphasis on the creation of training materials for all students who are intending to join fraternities and sororities, and that that be in place by the recruitment process this year.

“I will be honest; I do not know how extensive that is, who created that program, what are the details of the topics covered. I do know generally that it focuses on Cornell's policy of absolutely no hazing, encouraging responsible use of alcohol, and a lot of discussion around issues of consent and sexual misconduct.

“I don't know how long it is, I don't know how revised it is, compared to previous years. I know there was an effort to strengthen that training program, and that was to be in place ahead of spring rush.

“Question back here?”

[Senator Birman](#): (Off mic.) – “that might be problematic in one or another of the frats, so I'm wondering how this kind of mechanism would pick up on that type of sort of systematic, low-level, maybe inappropriate jokes, remarks that create a kind of an escalating atmosphere and that eventually leads to an event. We ought to be trying to intervene before someone is raped.”

[Associate Dean Schaffer](#): “Thank you. So the -- I think one of the things that we're talking about doing here, which is removing this adjudication process from the Office of Fraternity and Sorority Life, could actually open up the door to exactly that kind of sort of helpful intervention; because right now, the Office of Fraternity and Sorority Life, it's both your advisor, as well as your investigator and judge, should you do something wrong.

“And I think removing the investigation and adjudication process could enable the folks in the Office of Fraternity and Sorority Life to focus more of their effort on trying to help organizations improve the quality of their behavior and in a more open fashion, because there's not this sort of immediate risk that anything the organization talks -- members of the organization talk about could be used against them in some kind of proceeding.

“In addition to that, there is this dashboard that should roll out, I believe, in a few weeks, which will detail certainly the review board findings and allegations as well, so both allegations that have been made, and those will be tied to individual organizations.

“So people who are interested in understanding the history of an organization would be -- and using that as maybe a basis for thinking about their participation would be able to see the history of allegations and history of findings of responsibility for those allegations for each of these organizations.

“And I would agree that the Office of Fraternity and Sorority Life, they do work to try to track those escalating things, but I believe they are in kind of a double bind right now, where they are asked to be both advisor and judge.

“Yeah, here.”

[Senator Joanie Mackowski, English Department](#): “I am Joanie Mackowski, in English. West campus and the freshman housing in the north have resident faculty and faculty fellows. And I know, too, that some fraternities or sororities have, say, faculty somehow involved, faculty advisors, but I wonder if there could -- to consider, say, a more robust process of faculty involvement with sororities or fraternities or asking them to develop a way to open their organizations to the academic social life of the institution.

“Sometimes, from my point of view, seems like stuff happens like in a black box, and I suppose it's also the minimum legal drinking age law that does legally separate faculty from what some might assume is the primary purpose of fraternities or sororities is drinking or partying; but it's unfortunate, if that cut off faculty from helping to affect the culture in a positive way.”

[Associate Dean Schaffer](#): “Thank you so much for your question. A couple of different answers. One of the charges in [President Pollack's](#) statement last spring about fraternities and sororities was that -- it's in the early 2020s, like 2020 or 2022, somewhere in there, all fraternities and -- all residential fraternities and sororities will be required to have a live-in advisor. That would be someone more like an RA or something like that. It is probably not faculty members, but a live-in -- an adult whose goal is to try to provide advice and temper some of the worst excesses.

“Your suggestion of sort of faculty involvement with fraternities and sororities, this was an issue that Charlie and I initially talked about a bit last spring, in light of a lot of the abuses we heard then.

“I started with the fraternity system, because I think we should be honest with ourselves; the problems we are talking about here are within fraternities, they are

not in sororities, they are not in the multicultural Greek letter council organizations.

“So I went and met with the heads of fraternities and sort of surveyed how many people would be interested in having a faculty advisor who was tightly affiliated and linked to the organization. Quite a few, I would say 10% already do, and they have done this voluntarily and have identified a faculty advisor, and a lot of the work is principally around career advice, intellectual activities, bringing in outside speakers, joining for dinner, those kind of things.

“Another maybe 25% or so expressed an interest in having a faculty advisor. At that point, [Martha’s](#) sort of big changes for the fraternity and sorority system came out, so Charlie and I decided we should wait and let the dust settle and see what these various committees that are meeting decide about how the fraternity/sorority system is going to be run before we re-engage on trying to create a program like that.

“But in general, I agree. I serve as the faculty in residence at Mary Donlon Hall and agree very strongly that having faculty closely tied to the living community that students are in can be an enhancement, at least for many students.”

[Speaker Nelson](#): “One more? Okay.”

[Senator DeVogd](#): “I am from Psychology, and I'm also a chair of the Campus Hearing Board. And the flow chart you have here and the parts that follow from it look exactly like the Campus Hearing Board, so why reduplicate the wheel? Why not run this through Campus Hearing Board?”

[Associate Dean Schaffer](#): “So the question is why not just run this through the Campus Hearing Board. My understanding is Campus Hearing Board is primarily adjudicating issues of sort of individuals, and it's relatively rare that it handles adjudications against an organization. This is all about organizations.

“It could be that the ultimate place that this sits is right alongside the Campus Hearing Board and the JA. We haven't sort of decided where things might sit yet, but my thought instead was that maybe this becomes a model and becomes a unifying system for where complaints against organizations go, whether that be a student group, a fraternity or sorority, a sports team, something like that.

“And then we have a process that is delineated for how adjudication of accusations between individuals or the university accusing an individual of cheating or something like that, and that would be separate. And I think there are some differences around issues of evidence and things like that that might be different between adjudicating between two individuals, or the university and an individual, as opposed to the university dealing with an organization.

“So for example, in a hazing allegation, I could imagine that while you would want the responding organization to understand the nature of what they have been accused of, you might want to maintain the confidentiality of the individual that brought forward that accusation against an organization.

“I think if you have two individuals, and one is accusing -- one individual is accusing another individual of something, it is not reasonable to have that sort of expectation of confidentiality. So I could just see places where there would be little differences, but the goal is a sort of fundamentally fair system, which sounds more like an independent investigation and a separate hearing and an opportunity for appeal. So I think a lot of sort of good adjudication systems wind up looking like that.”

[Speaker Nelson](#): “Thank you. All right, just a final thing before we end the meeting. Is there any comments for the good and welfare of the faculty senate at this time? No? Okay, then we will adjourn the meeting. Thank you very much. Remember to sign in, if you didn't earlier, up here in front. Meeting Adjourned.”