





**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, September 9, 1998**

J. Robert Cooke, Dean of Faculty: "I'm delighted to report that we do have a quorum and that we may begin on time. I have one very brief chore to take care of and then we really can get under way."

### **1. ELECTION OF THE SPEAKER**

Dean Cooke: "The Speaker of the Senate is elected annually and the University Faculty Committee is interested in proposing some additional procedures so that we provide for some rotation. But the Committee suggested that we ask the previous Speaker to continue for this year. So let me open the floor for any other nominations that would be sent to us by way of the University Faculty Committee and ask if there are any other nominations from the floor for Speaker. Did I give you time enough to figure out what I've said? And if not, then I'll assume that there are no additional nominations. The chair would welcome a motion to close nominations and elect Professor Pollak back. Mary Beth Norton is noted for having moved it. All in favor raise your right hand, all opposed. We have a Speaker."

Speaker Pollak: "I liked it better last year when I was in Paris while you were voting -- I felt like a graduate student. We'll start off with some opening remarks from Dean Cooke."

### **2. REMARKS BY THE DEAN**

Dean Cooke: "I'd like to take about ten minutes to share some context and indicate some of the thinking that has taken place over the summer with the University Faculty Committee, which met a number of times. However, some of the items that I would like to talk about are placed later in the agenda and various individuals will make those reports on my behalf.

"There are two major responsibilities of the University, of both teaching and research, and we have been recognized as a world treasure in an accreditation report a few years ago, and that means that we have not only achieved distinction, but it places a pretty heavy premium on the assurance that enough energy is devoted to the system to sustain that level of commitment and produce the outstanding quality in both teaching and research. So we are proposing two initiatives: one dealing with the undergraduate experience and one dealing with the research university. And I'd like to describe those very, very briefly.

"Last May 19, there was an Academic Leadership Series session over in Call Auditorium which dealt with the undergraduate experience and there were some opportunities for improving that experience and I will not repeat those discussions here, but simply state that if you are interested, the summary of those meetings is now available, and we'll eventually get them on the web site so that you can see

them. I know that at least 40 members of this body attended that, I'll take it as a given that you already heard of some of the things that are coming our way by way of having looked at surveys of graduating seniors, and surveys of attitudes of parents about the quality of the experience at Cornell. So I'll skip over that and talk about how we might go forth and move from that. My reading of it is that the greatest opportunity for improvement is in faculty/student interaction. Not the technologies, not the pedagogies, but how we treat each other is the message that I take away from that experience and from the surveys. So, we're proposing some steps that might help facilitate that process. I'll start from the premise that I assume Cornell faculty wish to do an outstanding job and try to talk about some things that would make that work more easily for you.

"The first is to try to marshal the University resources that should be certainties and service as effectively as we can within the constraints of the budget. One thing that many of you already do is to supply photographs of students. You actually manually take those so that you can learn the names of your students and so that you can call them by name when you see them in class or in campus. I believe that it does make a difference in the effort to learn the names and I know some of you do an outstanding job with this. But I think that it would be much easier if we had the photos that are on the student ID's, if they were supplied with the class list so that you would have this additional piece of information to facilitate that pass. We're working on a pilot program and we have the photographs for the freshmen, so we will concentrate on courses that are predominantly catering to freshmen. I don't know the timetable; we will try to supply that. We also can supply the netID's with your class list so that you don't have to take the time to look them up so that you can have e-mail communication with your class. This is something that is already in the system and it is just a matter of realizing that these need to be made available.

"We'll also do something in January -- proposing a session, a workshop -- in which we share best practices, try to assemble some of the most distinguished teachers in the University and have them describe for us things that they have found, over the years, that really make a difference in student satisfaction and how they manage their large courses.

"There are also some long-term things that I hope to work on. For example, Professor Emeritus Edgar Raffensperger, a long time friend of mine, suggested that when we design the buildings, we should have a small classroom adjacent to every large classroom so that as the discussion continues and spills over that you're not forced to leave the classroom so another large class can use the auditorium and have a place where face-to-face conversation can take place or where students can be waiting for their classes to begin. So those are the kinds of things, and there are many, many more, that we hope to explore.

"On the research environment, Professor Richardson has agreed to lead a colloquium on The Future of the Research University. You may remember that this body sponsored one at the time of President Frank Rhodes' retirement -- organized

and sponsored a group on the future of the research university. There is much more to be done on that topic. The colloquium would honor former President Dale Corson. So it would be the Dale R. Corson Colloquium on the Future of the Research University and Vice Provost Richardson will take the lead in helping us organize that.

"I've shown you a similar figure, but the one I showed you before had the Medical College data on it, but this one (Appendix A, attached) is just the Ithaca data. And I think there are some sobering pieces of information here, that I think we need to wrestle with and see what the consequences are going to be for us because we need to act now if this trend is going to continue. The top curve is tuition and fees, and this is in constant dollars, so inflation has been taken out of this, this is the growth after inflation. The second curve is sponsored research and the thing that is significant there is that since post-Cold War the amount of money available has flattened out, and that's not only true for Cornell, it's true for the top-tier research universities with only a few exceptions. And I know that they are people in the University worrying about that. But that is something that will induce stress on the faculty if we try to sustain the kinds of programs and scope that we have been accustomed to and the money out there is not as plentiful as it used to be. These two curves have some enormous implications for what we are going to become in five or ten years. The other two curves, government appropriations to the University and gifts, are on here. And you'll see that the gifts, despite a magnificent effort in fund raising are not going to keep up with the need for revenue. So that is a piece I would urge you to think about as we wrestle with these various programs and try new ones, in that larger context.

"I'm also proposing something on process and in particular I think we could enhance the quality of our legislation if we had a more organized research mechanism, so that we prioritize the topics we need help with on data presented to the administration. In December, we have a conference that will allow us to examine the issues that are of interest, that you identify and want to pay attention to. There would be another conference at the end of the year, the standard ALS, Academic Leadership Conference. But the one in December would be to serve our purposes and I will survey you to ask for topics that you want to discuss and help organize it according to your preference. Professor Thomas, who will be here later, leads the Academic Leadership Series.

"Somebody said to me that it is annoying to feel intimidated by those who know, have mastered parliamentary procedure - being in the meeting and feeling that you're not able to achieve what you want to achieve. Russ Martin and I have agreed to offer one week from today a session, if anyone wishes to come. And I think that literally, in one hour, we can give you all you need to know to be able to find your way around this meeting. The other thing I would say that if you're ever in doubt about parliamentary procedure, please put your hand up and say, 'I rise on parliamentary inquiry.' If you want to accomplish something and you don't know how to do it, the Speaker will tell you. So you need not be intimidated is the point.

"I have been mandated to give you a tenure report, which is one transparency (Appendix B, attached). There was a major innovation last-year that deals with promotion to tenure, and the fact that ten files were considered last year -- all of which were positive and forwarded to the Provost. And the Provost concurred. We now have that process in place and are under enormous pressure to finish in another week. And there are 19 files. We've been through most of them, but we still have a heavy week ahead of us and there may be at most, two more that will come in before then, but the deadline, the real crunch is getting ready for the Trustees. But I can report that the committee is working very earnestly and doing an excellent job of being careful about what they're doing."

"Faculty deaths, this has not been done in a long time, but it is part of the Cornell tradition to announce the deaths of colleagues."

- Robert A. Hall, Jr.*, Professor Emeritus, Linguistics and Italian,  
December 2, 1997
- Elizabeth B. Keller*, Professor of Biochemistry, Emeritus,  
December 20, 1997
- David D. Clark*, Professor, College of Engineering, December 22, 1997
- Malcolm S. Burton*, Professor Emeritus, Materials Science and  
Engineering, December 22, 1997
- Scott B. Elledge*, Goldwin Smith Professor of English Literature,  
Emeritus, December 23, 1997
- Paul M. O'Leary*, Ernest I. White Professor of Economics,  
December 25, 1997
- Willard B. Robinson*, Professor Emeritus, Food Science, Geneva,  
December 28, 1997
- Jean McKelvey*, Professor Emerita, ILR, January 5, 1998
- John F. Cornman*, Professor Emeritus, Turf Grass Management,  
January 6, 1998
- James S. Knapp*, Professor Emeritus, Communication Arts,  
January 12, 1998
- David B. Hand*, Professor Emeritus, Biochemistry, Geneva,  
January 22, 1998
- Nephi A. Christensen*, Professor Emeritus, Civil Engineering,  
April 12, 1996
- Robert H. Crawford*, Professor of Communication Arts (retired) ,  
February 6, 1998
- Alice H. Cook*, Professor Emeritus, ILR, February 7, 1998
- George J. Suci*, Professor Emeritus, Human Development and Family  
Studies, February 11, 1998
- Jason Millman*, Professor, Education, February 22, 1998
- Andrew S. Schultz, Jr.*, Spencer T. Olin Professor of Engineering,  
Emeritus, March 13, 1998
- Eldon G. Kenworthy*, Professor of Government (retired), March 14, 1998
- Matthew Drosdoff*, Professor Emeritus, Soil Science, April 24, 1998

*Willard F. Crosier*, Professor Emeritus, Seed Investigations,  
October 24, 1996

*John C. Cain*, Professor Emeritus, Pomology, June 16, 1998

*Howard Andrus*, Professor Emeritus, Education, July 21, 1998

*Norman Kretzmann*, Susan Linn Sage Professor of Philosophy,  
Emeritus, August 1, 1998

*James A. Perkins*, President Emeritus, August 19, 1998

*Louis Leibovitz*, Professor of Aquatic Animal Medicine, Emeritus,  
August 22, 1998

Dean Cooke asked the body to stand for a moment of silence.

Speaker Pollak: "Okay we'll now move on to the third item on the agenda, some comments from President Rawlings."

### 3. COMMENTS FROM PRESIDENT RAWLINGS

President Hunter R. Rawlings, III: "Thank you Mr. Speaker. It's a pleasure to join all of you this afternoon. I'll make some brief comments and then I'll be happy to respond to questions you might have. Let me begin by saying that we have built positive momentum in several domains of our activity and I wanted to begin by listing those items that were most important for our consideration as we begin the new year. We have seen, first of all, greatly improved graduate student recruiting for this year especially in sciences and engineering. This is owing to several factors, but in particular, very hard work by a number of graduate representatives from departments and an infusion of resources from Dean Cohen, who with the help of Provost Randel this past spring, decided to make a major investment -- a major additional investment -- in recruiting of graduate students and I'm happy to tell you that the results are clearly evident and very positive. We don't have the numbers yet, we will have those later this month from Dean Cohen, but it's quite clear that in a number of departments, especially in the physical sciences and engineering, we've seen a real surge in graduate students this year. And we have been able to attract a higher caliber of graduate students, as well. I hope this will continue and that we will use the momentum of this year to continue building our graduate recruiting in the next few years. As you may be aware, those numbers in so many American research universities began to decline in the last few years, and we needed to reverse that decline and it appears that we have begun to do so. We have also seen some modest improvement in undergraduate recruiting and admissions. We have a slightly higher yield this year, and in addition, we have a higher, stronger student profile in most of the colleges that admit undergraduate students. This is also good news. We'd like to build on that. Here, as I'll say in a few moments, we have much more work to do.

"Secondly, there is evidence that just came in this summer that we're beginning to make headway in improving our faculty and staff compensation. This has, of course, been an issue that is important to you as it is to all of us at Cornell. We feel

the need to make up ground. We're on a five-year program to do that, in both staff and faculty salaries and compensation. Let me begin with the statutory colleges. There, as most of you are aware, we have a salary program that began back in November of 1997 and continues through to the middle of 1999 that should furnish about on average, an 11 percent increase for statutory faculty over that period of time. That is only beginning to make up for the lost years of before, but at least it is a start and through these repeated increases that total about 11 percent over the course of this year and a half, we're beginning to see some progress. We have a great deal more work to do and I have been in discussions with the Chancellor of the State University of New York about precisely this subject and have made it clear that Cornell feels that this is a very high priority item, not only for the SUNY system, but particularly for our statutory colleges, which must compete on a national and, indeed, international basis for faculty. On the endowed side, the numbers that we have received this summer from 34 peer institutions indicate that we have begun to make progress in our salary increases of the last couple of years. We've gone, overall, from 20th in a list of 34 peers to 17th over the last two years and with this year's increase, which is not included in those figures, we expect to move up even further. If you break those numbers up by faculty rank, you'll see that we're making progress. In full professor salaries, we rank 20th. In associate professors we rank 14th, and in assistant professors we rank 8th. So we're very competitive at the assistant professor level, fairly competitive at the associate professor level, much less competitive at the full professor level, and that's where we have to make the bulk of our progress in the next few years. But, it is encouraging to see that the increases of the last two years have begun to move us up. And as I said, I expect that this year's increase will move us up further because on average we have been giving higher increases than most of our peers over the past three years. So we expect to make more progress in this regard and this is a high priority item for us.

"Thirdly, we have several new, strong appointments in the academic administration of the University. I'd like to say how pleased I am that Mary Sansalone is joining the Provost's office as the Vice Provost starting next year. She's spending this year at the Kennedy School at Harvard and she will begin next year in the position of Vice Provost. In addition, we're happy to have Bert Garza who has joined us from the field of Nutrition also as a Vice Provost, and as I think most of you know, Bob Richardson has agreed to be Vice Provost of Research, which gives us a very strong base indeed for our scientific endeavors, and Bob, in turn, has now selected two additional, very distinguished faculty members for associates to work with him in the research office: John Silcox and Kraig Adler. So, we're very pleased with these additions. As you just saw with the figures indicated, we'd like to increase the volume of sponsored research at Cornell. And it is certainly high on the agenda list for Bob Richardson, John Silcox, and Kraig Adler to help us do that. That is an important area for Cornell to become even more competitive in.

"Fourthly, we have had dramatic improvements this past year in our private fundraising. You saw the curve in the chart that Bob just showed you. It does not include the figures for this past year, the new gifts and commitments. I'm happy to tell you

that those numbers are at an historic high. In fact, we saw a dramatic jump last year. New gifts and commitments to Cornell last year were over 400 million dollars. We have never been over 300 million dollars before, so we saw, on a percentage basis, a huge increase last year. We think it had something to do with the Stock Market 230 miles away, which as you know has now turned in the other direction, so we're going to have to work harder. But it's clear that our alumni and friends continue to be extraordinarily generous. My guess is that we will rank in the top three in the country in our fund raising for this past year. So that builds us considerable momentum. I'm happy to tell you that the result of the capital campaign that ended in 1995 has been broadening our base of support, and that has paid off immensely in many respects. And in addition to many dollars raised, we're seeing an increase in the percentage of our alumni who contribute to Cornell, which is important for many reasons and it certainly builds more confidence on campus and off to see that kind of increase in the percentage of alumni who do give to their alma mater.

"Fifth, I would just mention the successful rebirth of the Theory Center and a very fine symposium that was held a week ago to celebrate the rebirth of the Theory Center at Cornell. I'm very pleased with the new developments that will make this facility of prime benefit to Cornell faculty members and I was delighted to see in the papers given in the symposium that we have faculty members from a wide variety of departments taking advantage of that important facility.

"So these are all areas where I think we can see clear progress. We'd like to use the momentum of this past year to build further this year. So let me just list a few priority items for this year that we're going to be giving our attention to in the administration and where I hope the faculty will be supportive. I was pleased to hear in Dean Cooke's remarks that some of these overlap very nicely. First of all, it is our intent to begin working very hard this year on transforming the undergraduate experience at Cornell, taking advantage of the context of a great research university. I don't think we've taken full advantage of our research enterprise and, in particular, the breadth of that enterprise in offering undergraduate education, and as a result, we're going to be focusing a good deal of our attention on that in the next couple of years. And we begin, of course, with the transformation of the North campus, which by the year 2001, will house all of our freshmen. Underway, then, is a plan to create a new residence hall on North campus. Vice President Susan Murphy tells me that schematic design for that residence hall is just about complete and she'd be happy to have you take a look at that design. It will be on display next month for the campus community. This is a very important addition. I'm happy to tell you that we're managing to move these plans along without financial commitments from other sectors. So Vice President Murphy has made good on our commitment to ensure that these improvements are made through the office and budget under her jurisdiction and this should provide us with a much better residential campus for freshmen than we have had in the past. We, in addition, are looking programmatically at the freshmen year to try to improve the freshmen year. You just heard about some of the improvements that we need to make in undergraduate education. One of those is to certainly

improving advising and we're going to spend a good deal of time on freshmen advising, which has been a weakness in some of our colleges at Cornell. So we need to make several steps there, and we're going to look at programming on the North campus to make it not only appealing to freshmen, but academically and intellectually challenging as well. So that's one area. I might add that we're beginning to look at some redesign of the West campus and a committee met all summer and meets into the fall to discuss what we might do on West campus to make that more appealing to our sophomores and juniors, and you will hear about academic programming there in the future.

"Secondly, we want to make further progress in faculty and staff compensation -- that remains a leading priority for us. We're encouraged by the progress that we've made but want to devote at least three more years to this progress before we feel we can be in the proper competitive position. I think we can be given the evidence we've seen so far, and we will continue to work on this.

"Thirdly, we want to reshape our admissions and marketing effort at Cornell to try to increase the number and quality of our applicants to Cornell. Here we feel we need better coordination among the colleges, better integration of our recruiting efforts, and we would like to make substantial progress in this regard this year.

"Finally, we want to create a stronger, better relationship with the State University of New York, and the State of New York, especially for our statutory units. And we have had several high level meetings that have been productive in doing precisely this: to ensure that the statutory colleges receive the support they deserve to remain at their very high level among their peers across the country. Those are some of the key priorities we're going to be emphasizing this year. I don't know if there's much time for questions, but I'd be happy to take a question or two.

Speaker Pollak: "Yes, if anyone has a question or two, if there is"

Associate Professor Jeremy Rabkin, Government: "I want to ask you about administrative relations with the Senate, which you didn't get to in your speech. We've had the experience in the past few years seeing the administration not take the Senate very seriously. In particular, we've put in a lot of effort and debate on a particular controversial policy, and then the response was delivered in the middle of the summer, when no one was around. And when people protested that, and said, 'No, no, you really gotta change this or that,' we were stalled for a year and a half and the response was made just when people were leaving for the following summer. And when people complained about this they were told, by a top administrative official that, 'The Senate had said one thing, but a lot of other faculty members had said other things in private meetings.' I want to know if that's the model of relations between the administration and the faculty Senate that you approve of and do you have any control over the Provost and the Senate?"

President Rawlings: "You were speaking of top administration, but not the tall administration. I would say that we take the Faculty Senate quite seriously, I know that Provost Randel does; he tries to attend every single one of your meetings and he often comes back and talks with me about your meetings and so we have a good deal of access. I'm happy to say that both Peter Stein in previous years, and Bob Cooke this year, have been extraordinarily open about their agendas and I think that we have been on our side as well. So I think that it is an important collaboration -- we take quite seriously the deliberations of this body. We try, on occasion, even to influence the deliberations of this body, though I hope not in an inappropriate way and I'd like to see that continue. Thank you."

#### **4. APPROVAL OF THE MINUTES OF MAY 13, 1998**

Speaker Pollak: "We have the approval of the minutes from May 13, they were on the web for you to look at. Are there any comments or changes to those minutes? Seeing none, we will then accept the minutes. I'll now call on Kathleen Rasmussen to present the Report of the Nominating Committee."

#### **5. REPORT OF THE NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "First, I'd like to report to you the results of the Nominations and Elections Committee. We have been so busy that I have something on the order of 10 overheads worth of lists of names of faculty who have been appointed to committees. But time is short, and so is our attention at this hour of the day. I'm going to allow you to read most of them in the handout that was here and just focus on the three that deserve our greatest attention. The first is that I would like to report to you on the election that was held last spring. Bill Fry was elected the Faculty Trustee. The Senator-at-Large Tenured who were elected were Joe Ballantyne and Alice Pell. Non-Tenured was Rebecca Schneider from Arts & Sciences. For Nominations and Elections, Paul Houston and Richard Polenberg both from Arts & Sciences and for the University Faculty Committee, you elected Barry Carpenter, Risa Lieberwitz, and Seymour Smidt. We've had two additional changes to the University Faculty Committee and the Nominations and Elections Committee, because of sabbatics or conflicts so we have also added Alan McAdams and Peter Schwartz to the University Faculty Committee on a short-term basis and Jennie Farley is replacing Kraig Adler on the Nominations and Elections Committee because of the new responsibilities that Kraig has taken on that the President just described. In addition, we have worked closely with the administration to appoint two joint committees. The first of these that we worked on was the Local Advisory Council related to the development of research decisions in Engineering and Biology and Physical Sciences. The nine members of the council are:

Donald Bartel, Engr  
Dale Bauman, CALS  
Barry Carpenter, A&S, Chair

James Cordes, A&S  
 Persis Drell, A&S  
 Howard Evans, Vet  
 Juris Hartmanis, Engr  
 Ronald Hoy, A&S  
 Susan Riha, CALS  
 James Thorp, Engr

"I'm pleased to tell you that this was the easiest call we've made all year. Everyone we asked to serve agreed to serve and the Provost accepted all of our suggestions. If only it was always like that! In addition, there is a search about to begin for a new dean of the Law School. That also is a committee that is jointly appointed by the Nominations and Elections Committee and the Provost. We were asked for 5 individuals from within the Law School faculty and one from outside the law school faculty. We suggested the five that are listed -- all of them have agreed to serve. The outside member has not yet been selected, the Provost is positively inclined to our suggestions, but he is still working on it. We feel that we have been quite successful with these joint endeavors. Are there any questions or comments?"

**Affirmative Action**

Joan Brumberg, CHE  
 Clare Fewtrell, Vet, Chair  
 Michael Kelley, Engr  
 Eloy Rodriguez, CALS

**Committee on Educational Policy**

Carole Bisogni, CHE  
 Kerry Cook, CALS, Chair  
 Debra Fried, A&S  
 Richard Galik, A&S

**Financial Policies Committee**

David Monk, CALS  
 Paul Sherman, A&S, Chair  
 Peter Stein, A&S  
 Larry Wheeler, ROTC

**Music Committee**

Karl Pillemer

**Faculty Advisory Committee on Athletics & Physical Education**

George Conneman, CALS, Chair  
 Tob de Boer, Engr  
 Matthew Miller, Engr  
 John Hermanson, Vet

**Lectures Committee**

Kraig Adler, CALS  
 Geoffrey Sharp, Vet  
 Tom Whitlow, CALS, Chair

**Library Board**

James Gillett, CALS, Chair  
Margaret Washington, A&S

**University-ROTC Relationships Committee**

Olan Forker, CALS, Chair  
Judith Reppy, A&S  
William Streett, Engr

**Academic Freedom and Professional Status Committee**

Michael Kazarinoff, CHE  
Alison Power, A&S  
Fred Schneider, Engr

**Committee on Academic Programs and Policies**

Jerome Cherney, CALS  
Douglas Gurak, CALS  
Carlo Montemagno, CALS, Chair  
Danuta Shanzer, A&S

**Faculty Advisory Committee on Tenure Appointments**

David Feldshuh, A&S  
*Appt. from CHE:*  
John Eckenrode, CHE

**Conflicts Committee**

Ken Birman, Engr  
Joanne Fortune, Vet  
Vincent Mulcahy, AAP

**Faculty Committee on Program Review**

Kraig Adler, CALS  
David Holmberg, A&S  
Steven Stucky, A&S

**University Assembly**

Alan Mathios, CHE

**Faculty Advisory Committee on Admissions & Financial Aid**

Kay Walkingstick, AAP

**Campus Life Committee**

David Robertshaw, Vet

**University Benefits Committee**

David Wilson, A&S

**Law School Dean Search Committee (jointly appt. by Administration)**

Kathryn Abrams, Law  
John Barcelo, Law  
Jonathan Macey, Law  
Peter Martin, Law  
Katherine Stone, Law

**Campus Store Board**

Gene German, CALS

**Codes & Judicial**

Michael Kazarinoff, CHE  
Ellis Loew, CALS

**Dining**

Ronald Gorewit, CALS

**Financial Aid Review**

Kent Goetz, A&S

**Residential Life**

David Robertshaw, Vet

**University Hearing Board**

Susan Christopherson, AAP

Clare Fewtrell, Vet

Jeffrey Rachlinski, Law

Maurice Neufeld, ILR

**University Review Board**

Persis Drell, A&S

Elaine Wethington, Alternate, CHE

**Transportation Advisory Committee**

Danuta Shanzer, A&S

**Transportation Hearing & Appeals Board**

John McClain, JGSM

David Stipanuk, Hotel

Speaker Pollak: "Are there any discussion on these? Seeing none, all in favor of the Nomination committee's report signify by raising your hand. Opposed? Motion passed. All right we'll now move to the resolution and several amendments that are on the floor and have been brought up with respect to the next issue. We'll start off with a review of that by Professor Hines."

**6. CONTINUED DISCUSSION OF SEXUAL HARASSMENT PROCEDURES**

Assistant Professor Melissa Hines, Chemistry and Chemical Biology, and Chair, Academic Freedom and Professional Status Committee: "I've been asked to review with you what's going on with the Sexual Harassment Policy. And as many of you know, the Sexual Harassment Policy has a long and sordid history. But what we're interested in today is a story that starts in the middle of last semester, when the Provost shared with the AFPS his draft policy on sexual harassment. And let me just focus on what this policy is so that you know what we're talking about (Appendix C, attached). When a charge of sexual harassment is brought forth, the first step is to try to get both the parties involved in mediation. And if they agree to that, that's obviously the best thing to happen. If either one of the parties does not agree to mediation, then the charges are brought to the Office of Equal Opportunity, the OEO. At that point, the OEO starts an investigation that is designed to be a relatively informal proceeding and relatively non-confrontational. After this

investigation, the OEO determines whether or not there was sexual harassment and recommends a sanction if there was a problem.

“At the end of this investigation, there are four possible things that can happen. First, the OEO can find that there is no cause, and the problem goes away, hopefully. Second, the OEO can find that there was sexual harassment, and he or she can recommend sanctions, and if the finding is uncontested, this goes to the Dean of the college, who will then impose the sanctions. If the finding is contested, things get a little more complicated. If the finding is contested and the allegations were brought against a faculty member, and the allegation involves a matter of academic freedom, then the matter is referred to the AFPS committee for a completely new investigation. This investigation is not informal proceeding and has a high level of due process built into it, although it can be a little less informal if everyone agrees. And at the end of this investigation, there may be a new ruling to determine guilt or innocence. In all other cases, if the charges do not involve faculty or academic freedom, and the finding of the OEO is contested, the finding goes to the Dean of the college who will then review the evidence, review the determination, and review the sanctions and make a judgment and possibly modify either the sanctions or the findings.

“So this policy was given to the AFPS for review and upon reviewing it, we determined that this policy has insufficient due process and there is a significant potential for an unfair hearing for someone who is accused of sexual harassment. And the problem, we find, lies in this center step, the investigation by the OEO. In making this a very informal proceeding, we find that there is not enough due process and that the accused will not necessarily be heard. Because of this, the AFPS decided to bring to you a motion to amend this proposed sexual harassment policy. So we proposed a motion to you at the end of last term (Appendix D, attached). The original motion asked, really, two things. First we asked for expanded due process for all individuals, this will be in the OEO investigation. And we said this should minimally include three things: the right to present evidence, the right to know and rebut evidence for charges brought, and the right to face your accuser. Now the last one was a little bit contentious, but let me give you an idea of why we thought it was important to be able to confront your accusers. One place where this could be important is if the person making the accusations makes statements that are factually correct, but deliberately misleading. It will be very hard to defend against those types of accusations unless you can directly confront the person or actually talk to them. And so because of that, we thought it was important to be able to confront your accuser to set things straight. And this will also help the accused if someone is giving deliberately misleading statements. The other thing we asked is that the AFPS have expanded jurisdiction in matters of sexual harassment and that all allegations that arise out of the context of subordinate/superior academic relationships go to the AFPS for the appeal. In the time between when we proposed this motion to the Senate and the Senate actually met, the Provost modified his recommendation/policy. So there is now a right to present evidence and he also expanded the AFPS jurisdiction. So the only thing that is left before the Senate now

is the right to rebut evidence and the right to confront your accuser, which brings us to the proposal that the AFPS has made. We are requesting that the policy be redrafted to expand the fairness and process afforded to both academic and non-academic staff and these changes made should provide every charged individual with the right confront his or her accusers and the right to rebut the evidence for the charges brought. So that is what is facing the Senate today.

Speaker Pollak: "Before we discuss this component, we do have an amendment that is on the floor, it was postponed from the last meeting. If you go to page five on the handout, there is an amendment by Professor Norton, and if you have the handout, it is to remove the words 'right to confront his or her accuser.' Okay? Would Professor Norton please repeat it?"

Mary Beth Norton, Mary Donlon Alger Professor of American History: "I'm not going to bore the Senate by repeating my speech from the spring, because you can read it in the minutes. The amendment, which simply strikes the words, 'with a right to confront his or her accusers and', so that the resolution would read, 'The changes made should provide every individual with a right to know and rebut evidence for the charges brought.' Since the minutes were put up on the web, a lot has happened in connection with this meeting, and I'm not going to repeat my impassioned speech that I gave in the spring, I merely will reiterate the two main points I made at that time. The first is that, in my opinion, fairness does not require confrontation. I do think that fairness does require the right to see and rebut the evidence, but it seems to me that that can entirely well be done in writing. It does not have to be done with physical confrontation because the purpose that Professor Hines said in reintroducing this amendment can fully be met by exchanges in writing. It does not have to be met by exchanges in person, and secondly, it strikes me that confrontation can, in fact, especially at the stage of the proceedings that we're talking about, that is still at the time of the OEO investigation, actually work against fairness, in particular work against the fairness on behalf of the accusing party since the notion that someone, let's say a student, the classic case that we're talking about an undergraduate student, charging a senior professor with sexual harassment, such a student might very well be put off from filing a complaint knowing that a personal confrontation would have to occur at an early stage, that is if the professor rejected the idea of mediation, which is entirely possible. I think that, as everyone who was in this body knows, I'm also opposed to the very high level of due process in the presence of gazillions of lawyers in the final stage of the AFPS proceedings. However, the body voted me down when I proposed we remove that, and that's fine. But I do not think that we do have to have a physical or in person confrontation of an accused party and an accuser at the stage of the OEO investigation. I think fairness can be completely met by doing everything in writing."

Speaker Pollak: "Okay, just so we're clear, it's this section right here. The change in the amendment is to remove it from the motion. We have to resolve this before we can go on. So are there any discussion relative to this. I'd like to point out one thing

that I've been asked to do and that it to as we go to each new amendment, to give each of you an opportunity to speak once, and if there are others who need to speak again, we'll have to come back to you if, in fact, you have facts being requested. So remember that, that when you get up to speak, to say what you mean to say."

Professor Rabkin: "I just want to say that this would be fine if the Provost had done what we asked him to do. In that context that would be fine if the OEO had just a screening role, but since for some unknown proportion of the cases, the OEO will effectively be making the final decision here, I think it is wrong for us to say that someone can be convicted without ever having the chance to confront the accuser. And in particular, I want to say that reducing this to writing is not a very reliable safeguard, because you are talking about an informal procedure in which the accuser may write it in the most cursory way, just a few lines, the OEO then has an interview in which the OEO gathers a lot of impressions and details, and that is not given to the accused. The accused is just told, 'well, you've just been accused in a general way.' How can you respond to that if you don't have any kind of detail down? If you strike this line here about confronting the accuser, what you'll be left with is that the OEO should just say something and that you make any response you can and that is surely not an adequate due process."

Speaker Pollak: "Any comments? Yes."

Professor Katherine Stone, Law: "I just want to clear up what might be a little misleading in the presentation of last spring that Mary Beth gave and a little bit of what I heard today in the notion of what it means to have the right to confront, because last spring there was the notion that the right to confront was an adversarial thing, that there would be anger involved, that it would be an aggressive thing. I just want to say that the notion of the right to confront is more like a term of art, it has nothing to do with anger or raised voices. It has to do with the right to hear what someone has to say and to ask questions about it. And I think that if you understand the right to confront that way, it takes away some of the intimidation."

Speaker Pollak: "Yes."

Professor Richard Galik, Physics: "I also would like to say that when you do things by writing, back and forth, back and forth, it is going to take a long period of time, someone who has been accused, perhaps unjustly, in some cases, can have this hanging over their heads for, perhaps, an entire semester. Where meeting face-to-face with the person and asking questions can resolve the matter in perhaps one session. I think that it would be more appropriate and better for the parties involved to have it done with in a meeting rather than by letter."

Professor Judith Reppy, Science & Technology Studies: "I'd just like to ask a question. Has this procedure been tried? Have people had experience with it? Or have we been debating and that's it?"

Speaker Pollak: "This is a resolution that we're going to be voting on, do you mean in other institutions?"

Professor Reppy: "Yeah, I mean what is the current situation?"

Professor Hines: "The current policy was adopted on May 8th, so I don't know if there has been any. . ."

Professor Reppy: "Is this formally Cornell's policy or has it yet to be invoked?"

Professor Hines: "I don't know if there has been sexual harassment since May 8th. There could have been."

Speaker Pollak: "Peter?"

Professor Peter Stein, Physics: "This is a little complicated, but this part of the policy has been Cornell's policy for three years and it has not been Cornell's policy involving faculty members, but it's been Cornell's policy involving staff members, and my understanding is that there have been a slew of cases involving staff members that have come before this committee and that the right to confront was not a part of that procedure. I have no knowledge as to how satisfactorily it has worked, but I think there have been a lot of cases in that three-year period that did not have this right to confront. Not involving faculty."

Speaker Pollak: "Other comments?"

Professor Peter Schwartz, Textiles and Apparel: "I have a question about the right to confront. Your point was taken. Who determines in what format the right to confront is? Can you confront by writing back and forth? Can the OEO say that the confrontation shall be by writing back and forth? It doesn't have to be face to face? It seems to me that if 'confrontation' is broadly defined as asking questions and getting responses to questions, then it can go either way in whatever format is up to whom?"

Professor Hines: "I don't actually know what the legal definition of 'confront' is but. . ."

Professor Stone: "Yes, the right to confront means the right to be in the room, hear what the person says, and ask questions. So that I think is what the amendment raises is do we want to have that as part of the process or not? And I'm suggesting that, although some may think that it is automatically intimidating, I don't think that it necessarily is and often, it's not intimidating it just simply saying to someone, 'You said such and such happened, when did it happen?' or something like that. Just a simple questioning of what the accusation is in a face-to-face setting."

Speaker Pollak: "Yes?"

Professor Risa Lieberwitz, Industrial and Labor Relations: "I think that the point about the problem with those who don't get a hearing is a good one. That if there were full hearings for all faculty and all staff, at a later time, then the right to confront would not be an issue in the investigation. I think that's correct, but it raises another issue, which is does one correct that problem by including a right to confront in an investigation. And that's where I have a problem with it because most investigations don't include a right to confront in an investigatory process. So it seems to me that that's the problem with putting it in here. That we get to a hearing for everybody, not the right to confront in an investigation. Also I have a question. Now this says nothing about the OEO procedures, so I was wondering if that's clear to everyone. I mean it is in the minutes, certainly, but those who drafted the resolution didn't include that and was it intended to be only in the OEO procedures?"

Speaker Pollak: "Peter?"

Professor Stein: "Yeah, the right to confront is well-established in the Academic Freedom Committee procedures. But this refers to the OEO hearings. I mean most of us non-lawyers didn't know about these things, but we've all had an education in the past six months and we know that President Clinton did not have the right to confront Monica Lewinsky because that was a grand jury proceeding and in a grand jury proceeding, you don't have the right to confront, but if there were to be a trial, if he was indicted, then he would have the right to confront. And the problem with this is that the OEO hearing is sort of like a grand jury in some cases and in other cases, it's sort of like a hearing. And that's what makes the confusion."

Speaker Pollak: "Do you have another question?"

Professor Lieberwitz: "Well, it sort of follows that. If I could read this as a general resolution that says that the procedures should include for everybody these rights, then I can support it as it is without it being specific to the OEO; it says nothing about the OEO investigation. It's been spoken about that way, but I certainly think that the staff who are not going to be given a hearing should have a hearing and that it could be worded that way."

Professor Hines: "Let me respond to this. When the AFPS was given the Provost's draft policy, it was decided at that point that we would not try to rewrite paragraph-by-paragraph but instead to make some statement about the policy that we thought had to be taken care of. So that's why we didn't say, 'In the OEO investigation, we want to have these three rights.' But the AFPS thinks that in some form, everyone needs to have these three rights at some point in either the initial investigation or later on, and the only place to put it the way things stand now is to put it in the OEO investigation, because the Dean does not make a new investigation, the Dean just reviews evidence. And so the only place it can go the way it is now is to put it there,

but the AFPS did not say that's the only place we can live with, as long as everyone gets this."

Speaker Pollak: "Any other comments on this?"

Professor Subrata Mukherjee, Theoretical and Applied Mechanics: "As a non-lawyer I feel its a good idea. I mean sometimes they will be in that position based on some misunderstanding, and face-to-face seems better than written."

Speaker Pollak: "Very briefly, does anyone have a response?"

Professor Rabkin: "I'm in complete agreement with Professor Lieberwitz. I don't read this as saying that it has to be in the OEO proceeding and my hope is that the Provost retains this and say, 'Okay let's have, if not the Academic Freedom Committee, then some other committee conduct an adjudication if it comes to that. I don't think there's anything that says the OEO investigation has to have it, just somewhere it should be done."

Speaker Pollak: "Okay, are you ready for the question? Okay, all those in favor of the amendment signify. . .the amendment to delete this sentence, 'the right to confront his or her accuser and.' All those in favor of that deletion should signify by raising their hand. All of those opposed. Okay, the amendment is defeated. We do have a second amendment that was circulated by two of the Senators and Peter will discuss this was. This was on a handout you should have picked up from the front."

Professor Stein: "I wonder if I can get Melissa's transparencies? I fear you will think this the equivalent of angels dancing in the head of a pin, but I'd like to convince you that this amendment that I am proposing along with Professor Schwab from the Law School is, in fact, necessary to correct what I think is a serious problem in this procedure. Let me give you a little bit more of the history. The Provost's original draft policy on sexual harassment came from something that was adopted by this body a long time ago -- a year an a half or two years ago -- and the Provost did not take the whole policy that was presented to him by this body. He made a number of changes in it, but to my mind there was really only one significant change. One important change, and that important change was to put in this particular path here. That the way this body drafted its recommendation to him is that all investigations against the faculty member would be heard by the Academic Freedom Committee. But the Provost added a sentence which put a switch in here and the switch was that some charges would get heard by AFPS and some charges would not get heard by AFPS. And that was a contenscious decision. I'm not talking about the wisdom or lack of wisdom in putting in a switch.

"What I want to talk about is the way the switch is defined, the words that are used to define the switch. So let me tell you what, from the point of the Provost, he was trying to do. One can divide the charges of sexual harassment that are made against a faculty member into three broad categories and the three broad categories are this,

first is the academic freedom category where a professor like the professor at the University of New Hampshire who made an unfortunate simile about what writing a term paper was like and was accused by a female student of sexual harassment. He was fired, he then came back and sued the university, and it was decided that that fell within his Academic Freedom. That a professor has the right to make a simile in a classroom without being charged with sexual harassment. So that's that case. Then there's a second case, and the second case is that a professor does something personal against one student and is accused of sexual harassment and, presumably, the professor says, 'No, I didn't do that; it wasn't sexual harassment.' The student says, 'Yes, it was sexual harassment.' That's the second class. And the third class is something that has essentially nothing to do with the University where we not only have relationships with students, we have relationships with staff, just like any other corporation in America, and the question that the Provost asked was, "Well, if a professor hits on a secretary, should that professor be treated differently than a vice president who hits on a secretary? Are those really not the same thing?" So what he said he wanted to do was to make the professor that hits on the secretary follow the same procedures as any other staff member that hits on another staff member. So the idea was that this, the cases that involve either academic freedom, or that arise out of the interaction with a student, would be diverted to this new Academic Freedom Committee procedure, which has, as Mary Beth pointed out, oodles and oodles of process on it. On the other hand, if it was the hitting on the secretary, it would go to this procedure which has considerably less due process than the famous Arts College procedures which has brought us to talk about this for 2 1/2 years. Is that clear to everyone?

"Now the question that I want to raise is how to write the words. The Provost in writing these words used the following phrase, he said that if the conduct arose out of the 'nature of the subordinate/supervisory academic relationship, or was protected by academic freedom,' then it went over here and everything else went over there. Now it was curious that in writing that particular phrase, the Provost took a phrase from another part of the document and transposed it except he changed a word. In the other part of the document, the word was 'context', and he changed it to 'nature'. And in the day that this was brought up people wondered if there was a difference between nature and context. Wasn't nature the same as context? The committee decided that it was okay, that nature and context meant the same thing. I was personally uncomfortable with that word, but I didn't know why, and then at the Senate meeting, with a great laser light of insight, Professor Whitman of the Law School, and this was in the minutes, if you read it, said something that I found very convincing. He said, 'Well you can't have sexual harassment arising out of the nature of the academic supervisory relationship, because the nature of the academic supervisory relationship is such that you must not sexually harass a student.' Now can you make the same argument about context? The answer is no, you can do bad things in the context of something. You can say the President's actions against Monica Lewinsky might have been in the context of his being the President, but they certainly didn't arise out of the nature of the responsibilities as President.

"So then I started to think about this after the last meeting and I realized that part of my concern was answered by the fact that the Academic Freedom Committee will decide for itself whether it has this jurisdiction or not. But I don't think that the Academic Freedom Committee with whom I worked with for 5 years would be sloppy. They would look at the words and they would say, 'What do they mean?' And they would try to interpret them. Now to explain the problem, let me take a case, and it's a case that affected my thinking a lot. The case is one that happened to an assistant professor of mathematics at Yale. He was a very promising young mathematician, who was an excellent teacher at Yale and he either did or didn't have an affair with a student in his elementary calculus class. And he said that he didn't and she said that he did. And it was investigated by an administrator, because they don't have these investigation proceedings at Yale. And the administrator looked at it, and heard both sides, and decided that he really didn't know, but he rather thought that the evidence favored the fact that the professor did have a relationship with this female student and that he was modestly guilty of sexual harassment and he gave him a very minor penalty. But this very minor penalty totally destroyed this person's career. He couldn't get a job any place, but he went on to make a million dollars in the stock market writing up new instruments or something like that.

"Anyway, let's rerun that case through the Cornell procedure. So it comes up and the Academic Freedom Committee, the first thing they have to decide is do they have jurisdiction? So they have to ask themselves if this rises out of the nature of the supervisory academic relationship and they think about this and they say that it depends on what the facts are. If the facts are as the female student says that they are, namely that he abused this relationship and seduced her, then surely that is contrary to what we think is the nature of the supervisory academic relationship. If, on the other hand, if it went on like he said, namely that he wasn't doing that, he was just explaining how to differentiate to her, he was just a professor trying as hard as he could to establish a personal, caring relationship with a student, like we're all told we're supposed to do, then this entirely arose out of the nature. So it's clear to me that the question of jurisdiction is precisely the same as the question of guilt or innocence. If he's guilty, then they have no jurisdiction, if he's innocent then they have jurisdiction. But how can they establish jurisdiction without deciding the guilt? It's like a Catch-22 because they can't decide if they'll hear the case unless they hear the case and hear the evidence. So what does the committee do? You make a tentative judgment. So here is the OEO who is investigating this case, and they are professionals and the director is faculty member of the Law School, but the OEO decides that it did not arise out of the nature because they think that he is guilty of sexual harassment. The OEO has presented an indictment and the Committee says, 'Well, what do we know? I mean we have to take someone's version of the facts in order to find out whether we have jurisdiction, so let's take the OEO's version because they looked into it.' Now as soon as they take OEO's version, it's a self-fulfilling prophecy because they have no jurisdiction whereupon this OEO charge immediately becomes a charge of guilt. So that if the committee were to always take tentatively the OEO's charge as indicating that sexual harassment took place, they

would never have jurisdiction. Now, therefore, it seems to me that the only thing one could possibly do was to have the committee say, for the purpose of establishing jurisdiction, they should take, as given, the version of the facts as presented by the charged party. Only to decide whether to hear the case or not, not to decide guilt or innocence. Otherwise, it's like a flip of the coin, or worse yet, a self-fulfilling prophecy. So the purpose of the motion is to establish, in the calm of the day, before we are in the midst of a high profile case, a procedure. . ."

Professor Rabkin: "How is this germane to the main motion? The main motion is giving advice to the Provost this is giving advice to somebody altogether unrelated."

Professor Stein: "The germaness, I believe is sexual harassment, it is germane certainly by the rules of the house of representatives it is germane."

Dean Cooke: "This question was asked of the University Faculty Committee and it was decided that it was relevant and it would be an appropriate amendment. The thing that was distributed did not say where it would be intended to the motion before us, but the UFC did decide that it was relevant, and it will be treated as an amendment."

Professor Stein: "Let's just say 'Be it resolved' in front..."

Dean Cooke: "You need to say where you're going to attach it."

Professor Stein: "At the end of it, 'Be it further resolved.'"

Speaker Pollak: "Yes?"

Professor Elizabeth D. Earle, Plant Breeding: "I would just like to ask the question of whether the problem that Peter has identified could also be solved by changing the word 'nature' to 'context'? Since the context would cover many of these problematic cases, whereas having the word 'nature' does lead to the Catch-22 argument that Peter was presenting?"

Speaker Pollak: "Okay, the question is whether or not the change of that word has the same intent?"

Professor Stein: "Yes, it would, except that this body can advise the Academic Freedom Committee without going through the Provost. We don't have the power to change the word 'nature' to 'context.' I believe it would have the same effect, and this is something we can do and changing that word is something we cannot do. I've raised this with the Provost, and he doesn't agree. Now that's on the word 'nature.'"

Professor Rabkin: "I'm somewhat sympathetic to this."

Professor Stein: "I have won a great victory."

Professor Rabkin: "If we're working with the Provost's plan, then this is a sensible improvement. The two things that bother me are: First, I don't understand why the former Dean of the Faculty is rushing forth to accommodate the Provost to say 'let me help you clean up your plan,' instead of saying, 'why did you put in this plan all of a sudden?' And I don't understand why we still use this obsequious language of, 'we respectfully recommend. . .' I mean, it's our committee why can't we direct them? I mean, could you at least accept as a friendly amendment, call upon, rather than respectfully recommend?"

Professor Keith Dennis, Mathematics: "Unfortunately I haven't had the pleasure of hearing earlier discussions of this, so I'd like to ask a question. Who, I don't understand on the original plan, who determines the switch? Who picks which place things go?"

Professor Stein: "The Committee."

Professor Dennis: "Which committee?"

Professor Hines: "I believe the people who decide this are the AFPS Committee. This was discussed in the AFPS and we decided that, in all likelihood, it looked like we got to decide what was going on. . ."

Professor Dennis: "When do you do that?"

Professor Hines: "Whether we would hear the appeal or not and since we got to decide whether we would hear the appeal or not, we would act as reasonable people and make this determination. So, personally, I don't see the problem that Peter does, because I think that we would all say, 'We really should hear this case from Mathematics,' but there's no harm in clearing it up either."

Speaker Pollak: "Okay, if there's, okay?"

Associate Professor Walter Mebane, Government: "I just have one question so that I can understand exactly what this amendment is going to do. There's language quoted on one of these handouts, Relevant Provisions of the Sexual Harassment Policy. Do I understand correctly that the changes would be of the nature, sorry, in the second paragraph it says, 'The committee must make a determination of whether the complaint presents an issue of academic freedom.' 'Faculty' expanded to include, 'arising out of the nature or academic freedom' and in the next paragraph you would take away the discretion of the committee by meaning that a majority vote does not longer occur to determine, but if that the charged party asserted that this was the defense, the committee would be obliged to proceed regardless of having discretion over that? Is that what this change would do?"

Speaker Pollak: "Okay, you want to answer that?"

Professor Stein: "This change, we cannot change this language, this is the Provost's language and this body by itself cannot change that language. So the Provost gave to the Committee the discretion to make the jurisdiction decision for itself, so this motion advises that Committee, respectfully -- I'm sorry -- advises this Committee how to -- a procedure to use in order to make that jurisdictional decision on whether or not they will hear the case."

Speaker Pollak: "Okay?"

Assistant Professor Rebecca Schneider, Theatre, Film and Dance, Senator-at-Large: "This is a question for Peter, I mean, it happens that I was not here last spring when this was being discussed. Is there any reason why the Senate couldn't recommend to the Provost, as a whole, not a specific person, but everybody to change the language, or even simpler would be to take out the whole thing and say, as obvious subordinates, remove nature and context altogether?"

Speaker Pollak: "Do you want to answer that?"

Professor Stein: "Yeah, well, the Senate can do whatever it wants, I mean the Senate can tell the Provost that it wants to drop the whole thing, but if you want to know what I think, I think that this will engage in a rather lengthy discussion back and forth, and that passing this amendment, this amendment that I suggest to you, will accomplish the same goal with less friction than it will to ask the Provost to change the wording once again."

Speaker Pollak: "Are you ready to vote? Okay, all those in favor of the amendment signify by raising your hand, all of those opposed? The amendment carries."

*The Senate respectfully recommends to the Committee on Academic Freedom and Professional Status of the Faculty that, in carrying out its responsibilities under the Sexual Harassment Policy in those cases where matters of fact are in dispute, it follow the following procedures:*

*a. The Committee has jurisdiction of a case when, in the judgment of the Committee based on the charged party's written request, the charged party's version of the facts leads to a reasonable conclusion that the charged party's conduct arose out of the nature of a subordinate-supervisory academic relationship (e.g., teaching, advising, research, thesis or dissertation supervision) or that an issue of academic freedom was involved.*

*b. Once the Committee accepts jurisdiction under (a), it shall exercise jurisdiction until the case is fully resolved on its merits, even if the Committee ultimately concludes that the faculty member's conduct was not appropriate to a subordinate-supervisory academic relationship or protected by academic freedom.*

"Now we've worked our way back to . . . Is there any discussion on this? Yes?"

Professor Rabkin: "Let's just get this on record, is it our expectation that we will receive a response to this this year? Whoever else could tell us, will we have a response to this this year?"

Speaker Pollak: "We will optimistically go forward this year, other discussion?"

Professor David Wilson, Biochemistry, Molecular and Cell Biology: "I'd like to speak against the motion. I just find it really distressing that this faculty finds it so essential to preserve the right to harass, and quite honestly I really think that's we are doing by setting up these procedures that are so discomfoting to someone who brings up charges and to have to face a senior professor with all the faculty falling behind. We know that many, many women are not prepared to do this and I really think that there's plenty of action in the proposal the Provost has made, he's bent over backwards to do things for this body, change after change after change, and then we always come back and say its not enough and I personally think that this should be called the Harasser Protector Act and I definitely oppose it."

Speaker Pollak: "Other comments? Seeing none, we'll go head and move to the vote. All of those in favor of the resolution signify by raising your hand, all of those opposed. The resolution carries."

*WHEREAS, a just and well-governed community must strive to eliminate all forms of unlawful discrimination and at the same time provide adjudicatory procedures that satisfy reasonable standards of process and fairness,*

*THEREFORE, BE IT RESOLVED THAT THE SENATE RESPECTFULLY REQUESTS THAT the procedures in the policy be redrafted to expand the fairness and process afforded to both academic and non-academic staff. The changes made should provide every charged individual with a right to confront his or her accuser(s) and a right to know and rebut the evidence for the charges brought.*

Speaker Pollak: "Okay, we'll move on now, to the next item on the agenda, which is the report on the undergraduate experience and Dave Galton will present that."

## **7. UNDERGRADUATE EXPERIENCE**

Professor David Galton, Animal Science: "We've already had some discussion and mention of the importance of undergraduate teaching here on campus and what we'd like to do today is to briefly inform you that the UFC along with Dean Cooke sees the undergraduate experience programs here on campus as a major thrust this year and probably go on in consecutive years as we address these issues. What we'd like to do today just to bring your attention to some of the priorities that the current committee, made up of three members listed there (Appendix E, attached), that are

now UFC members, we would like to extend committee membership, which I will talk about in a minute. But what the three of us were discussing is that we would like to make it a top priority and four priorities and one of the top priorities would be to really assess, identify, and address and have an impact on undergraduate teaching, and really work with the faculty in identifying the needs and the issues that faculty see that they need to be addressed to have a more effective undergraduate teaching program here at Cornell.

“Two components of that we would recognize as important and would like to identify as a part/under the heading of Undergraduate Teachings and Issues of Faculty, is to really define what is excellence of undergraduate teaching on behalf of the faculty? How is that recognized, how is it rewarded and how does it fit with other functions of the University such as research, and outreach functions? And clearly part of next year, next semester, and we'll say more about that later as the committee works on that.

“Another area is to really look at the undergraduate side, and a lot of this work has already been done in surveys at Cornell in the past few years. We'd like to do a survey of the faculty in assessing the needs and issues, but we'd also like to look at the work that has been done on the undergraduate side and if more needs to be done, and then pursue that, and then try to assess what the students woefully part of next year, next semester, and we'll say more about that later as the committee works on that.

“Another area is to really look at the undergraduate side, and a lot of this work has already been done in surveys at Cornell in the past few years. We'd like to do a survey of the faculty in assessing the needs and issues, but we'd also like to look at the work that has been done on the undergraduate side and if more needs to be done, and then pursue that, and then try to assess what the students would see as important to the undergraduate experience.

“Another area that is troubling that the President and Dean Cooke have already talked about today, is the recruitment and retention of highly qualified students. If you look at the survey data back in 1994, and then more recent data, it would say that we do not have the recruitment and retention of highly qualified students as we compare to other peer universities. And we'd really like to look at that data and then look at how we can do better at Cornell in retaining and recruiting a better student undergraduate body.

“And then the fourth item is a learning environment, and the President has already talked about some of this, but the faculty/student interaction, if you look at the data done by the surveys in the last few years, this is a real key that many of the students feel that they don't have enough interaction with the faculty. So, a student/faculty interaction, undergraduate teaching and research experiences, internship and exchange programs, living experience, as the President talked about, the freshman experience on North Campus. The faculty have not been really involved in that and

this is an opportunity for us to be more involved in that and also community service. So what I'd like to do at this time is just to indicate to the Senate that the UFC along with our committee, that we plan to expand the membership here in the next couple of weeks, see undergraduate teaching as a major thrust of the UFC and therefore, the Senate, and to work with administrators here at Cornell to improve the overall quality of the undergraduate experience.

"My e-mail is dmg20 and I would like for you, if you have any thoughts about this that the committee would like to have, please e-mail me and also we're looking for members for this committee. Especially from the College of Hotel and the College of Engineering. Those two colleges we would like to have members, nominations, and the committee will look at the nominations and select a committee. Are there any questions or discussion at this time? Yes?"

Associate Professor Steven Vavasis, Computer Science: "I'm just wondering, I mean Engineering is trying, or has been trying to use some of the things that I imagine some of the colleges are, so. . ."

Professor Galton: "There are individual college efforts, and what we would like to do is a committee for the entire university is to address it and have a greater impact in helping the individual colleges at the college level, and have a greater impact at the administrative level, so we can truly address these issues."

Speaker Pollak: "Okay, we'll now turn to Dean Cooke to go over some of the issues of the future of the University."

## **8. DALE R. CORSON COLLOQUIUM ON FUTURE OF THE RESEARCH UNIVERSITY**

Dean Cooke: "The companion issue of the Academic Research University, Bob Richardson, is in Albany this afternoon working on our behalf and is not able to be here. I might point out that he actually travels frequently to important places. I know that he's been to Stockholm, Sweden, at least once. You may not know about Professor Richardson that for about the last 25 years, he has taught the introductory physics sequence, Physics 213/214, with enrollments between 300 to 500. He has also co-taught Physics 101 and 102 with his spouse for the last 8 years. He's working on a CD-ROM for his teaching materials. I asked him if he had any comments that he wanted to share with you and I'll just read this paragraph. It says:

'Cornell is one of the great research universities of the world. As such, it offers unique and special opportunities in the teaching and training of scholars and scientists at all levels, undergraduate, graduate, and post-doctoral. The interplay between youth and experience is crucial to the process in science and to the training of the best people for future generations.'

"So, you will hear more about this, the planning for the Corson colloquium on the future of the research university is still at a very early stage and you will hear more about this later."

Speaker Pollak: "Thank you, Professor Thomas?"

## 9. ACADEMIC LEADERSHIP SERIES

L. Joseph Thomas, Nicholas H. Noyes Professor of Manufacturing: "Joe Thomas, of the Academic Leadership Series, Thank you for having me. I suspect that most of you -- how many of you have been involved in the Academic Leadership Series? How many have not? How many never raise their hand, no matter what the question is? Can't do that either. The Academic Leadership Series is a body that has no implementation arm and no legislation portfolio. What we're supposed to do is discuss matters of importance for the entire university. What is proposed is that we would do that in association with you for one meeting a year. At the moment, the ideas and issues come from both faculty, through the Academic Leadership Design team, and from one ALS to the next through the big group and from the administration. And the information flows back to the administration to a large, very large, group of faculty. It's an opportunity to change culture in some ways that I think we need to change, times are becoming difficult. The proposal is on December 9 to have a meeting where the ideas and issues come from Senate. Now one flow of information that we haven't gotten to yet is that Dave Galton was talking about the undergraduate experience, and we had a meeting last May about the undergraduate experience, and those summaries are only now completed and that's because the summer and those will be coming out hopefully next week. We look forward to working with you, as I say, we have no implementation arm and no legislative authority, and don't want any, and I think that it's very important, we've had as many as 350 faculty from around the University to discuss like the changes that are, in fact, coming and have started already. I'd be glad to answer questions for 30 seconds or less and then I'll be glad to have you call me up and ask questions about what we do."

Speaker Pollak: "Comments or questions? Thank you. We do have one item on the Good and Welfare, Andrew Ramage."

## 10. GOOD AND WELFARE

Professor Andrew Ramage, History of Art: "I'm Andrew Ramage, and I direct the Archaeology program and I am a Professor in the Department of the History of Art, and I thought I would bring to your attention, as many people are not privy to the Arts College doings, that there is a report being circulated about the state of the Humanities at Cornell. And there is a series of reports, proposals, to revamp these matters. Some of these proposals are quite far-reaching, like doing away with my department, for one thing, but I thought that this, what the Arts college does with Humanities impacts almost everybody in the University so that inquiring about

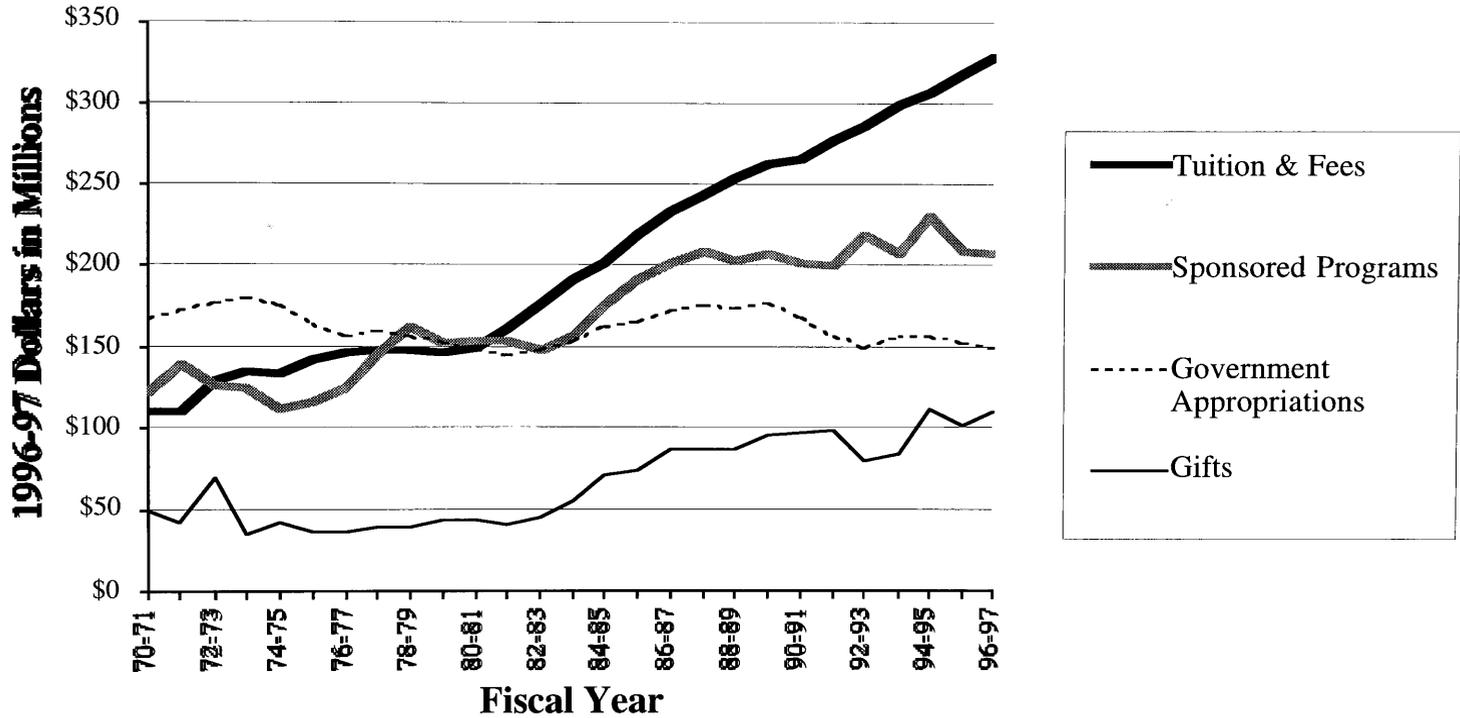
what's proposed, what might actually happen would be quite a good idea for many in the other different colleges."

Speaker Pollak: "Okay, that's the agenda items, it's before six, I think we need a motion to adjourn. Accepted."

Respectfully Submitted,

Kathleen Rasmussen, Associate Dean and  
Secretary of the University Faculty

## Inflation-Adjusted Change in Selected Operating Revenues – Ithaca Campus

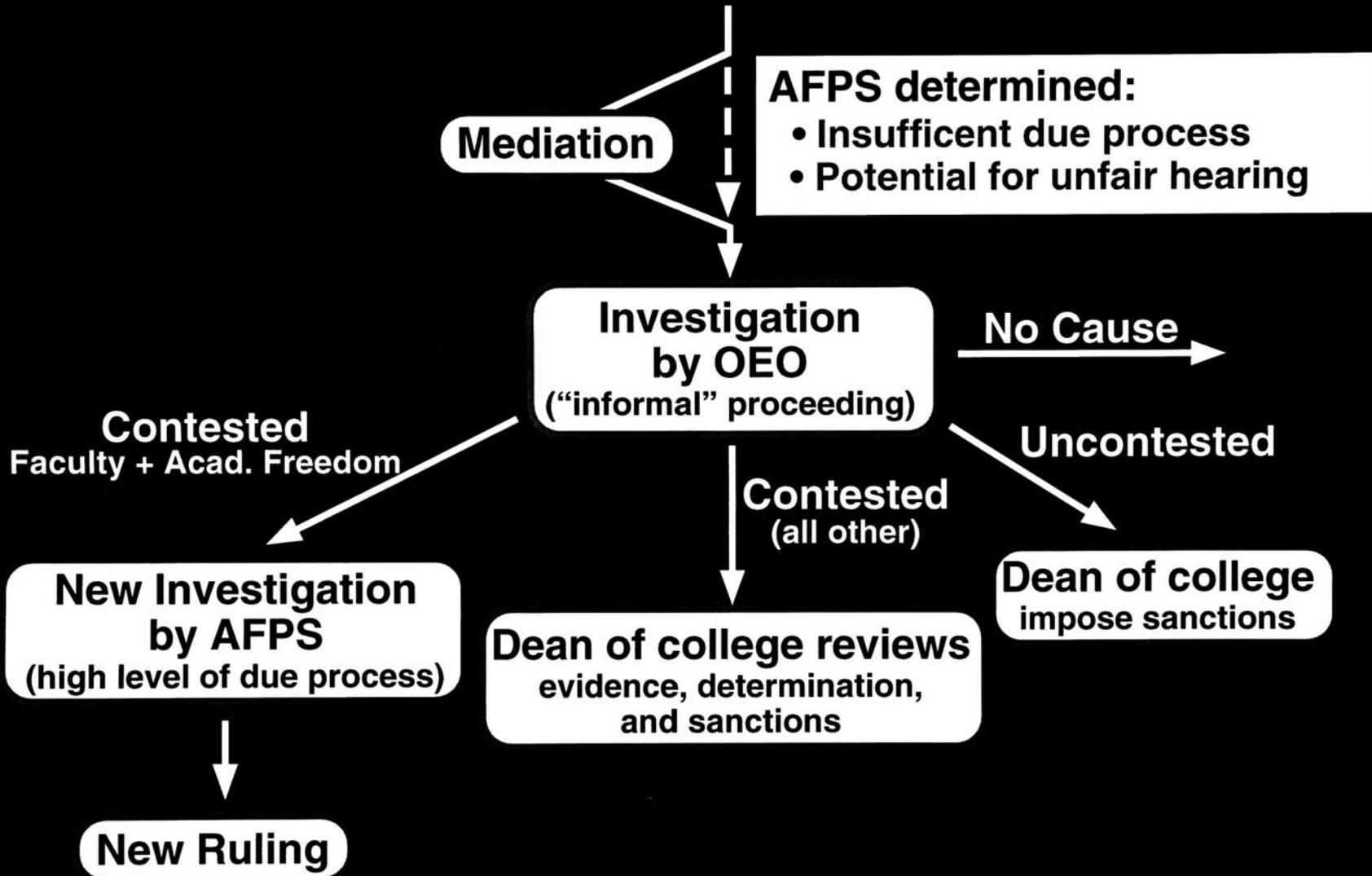


**REPORT ON NUMBER OF FILES  
CONSIDERED BY THE FACULTY  
ADVISORY COMMITTEE ON  
TENURE APPOINTMENTS**  
March-April 1998

Ten files were considered-all of  
which were positive  
recommendations to the Provost.

The Provost concurred with the  
Committee's recommendations.

# Provost's Original Draft Policy on Sexual Harassment



## Original Motion Proposed by the AFPS

### Expand due process for all individuals (faculty + staff)

Should minimally include:

- ~~Right to present evidence~~ ← Added by Provost
- Right to know and rebut evidence for charges brought
- Right to confront your accuser  
[ e.g. Gives protection against statements that are factually correct, but deliberately misleading.]

~~Expand AFPS jurisdiction~~ ← Added by Provost

- include all allegations that arise out of the context of subordinate-supervisory academic relationships

## **Committee on “The Cornell Undergraduate Experience”**

**Committee: David Galton, Chair; Risa Lieberwitz,  
Barry Carpenter (UFC Members)**

### **Scope**

#### **Assess, identify and address**

- **Undergraduate teaching needs and issues of faculty**
  - **Recognition/reward structure for teaching**
  - **Courses with large enrollments**
- **Needs and issues of undergraduate students**
- **Recruitment and retention of highly qualified students**
- **Learning environment**

#### **Faculty/student interaction**

**Undergraduate teaching experiences**

**Undergraduate research experiences**

**Internship and exchange programs**

**Living experiences**

**Community service**

**Committee members (dmg20)**

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, October 14, 1998**

The Speaker, Professor John Pollak, Animal Science: "We'll start off with some comments from Dean Cooke."

**1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the Faculty: "Let me make a few very brief comments about the session today and about the one a week from today. We have a panel presentation scheduled for you. My sense is that this is one of the most substantive conversations that the Faculty Senate is likely to have this year, so I am delighted that we are sponsoring this, and that we have a chance to come to a better understanding of the situation and to decide how we want to address it. A week from today, the meeting is not in this room but in Kennedy Hall, so make a note on your calendar. That will be called as an open forum, rather than a meeting of the Senate, so that we will broaden the participation to include other people such as lecturers and senior lecturers who are not full-fledged members of this body, but would be welcomed under those conditions.

"We've also created a web site <<http://UniversityFaculty.cornell.edu>> that is now up and running. We are hoping to use this as a significant piece in promoting communication with the faculty. The page will change as we enlarge it to serve the broader interests of University Faculty, not just the Faculty Senate. But at the moment there will be an item at the top. If you click on it, you get the current meeting's agenda and all the background documents. There are resource documents. We have the Martin-Coffman report from earlier on the Division of Biological Sciences now available on the web site. So is the document that we shared with you last May when we adopted a resolution saying that the faculty wanted to be a part of this conversation. There are also comments by the faculty, currently just a handful, but I fully expect this to expand in the days ahead. This will be, in fact, a useful way to facilitate conversation of the faculty. We have already three statements and there are others that will be made available immediately after the meeting today, or very shortly afterwards. But we'd like comments from the University Faculty, one to two pages, so that they are not excessive in length. Send them to Judy Bower and she will place them on the web site. We currently have statements from Walcott and Howland, from Bob Foote, who was part of the Morrison committee studying way back thirty years ago, and comments from one of the panelists, and perhaps we'll have comments from other panelists shortly. And I think that that's all I need to say. I promised to do it in three minutes; maybe I made it."

**2. QUESTIONS AND ANSWERS WITH THE PROVOST**

Speaker Pollak: "O.K. We'll now move on to questions with the Provost."

Don M. Randel, University Provost: "Let me just say a word or two first. I'm going to defer anything I might say about biological sciences until we come to that and, if you want to ask me then, that might be appropriate. I'll otherwise say only a couple of words about a perennial topic which is before us again, namely, the sexual harassment procedures. You will recall that at the last meeting a resolution was passed. I had a discussion of this matter with the University Faculty Committee on last Tuesday and we were just getting rolling with that topic when the time to adjourn came around, and it was agreed by the Dean and those present that we needed to continue this discussion rather than try to rush it to a conclusion. I expect that we will discuss it again at the next meeting of the UFC and, following that, I will respond to the resolution which I otherwise expected to do today.

"Let me say parenthetically between now and then only that that resolution asks for essentially three things, that there be the right to confront the accuser in the investigative stage, that the accused party be presented with all of the evidence against him/her, and that the accused party have the right to rebut any such charges. The last two of those had already been incorporated in the procedures in the wake of discussions that were held with the UFC and the other committee engaged in drafting the procedures. So really what is novel about the resolution that you passed last month is the question of the right to confront your accuser in the hearing, and that was the subject of the discussion that we're having in the UFC and will continue to have. I'm extremely reluctant to adopt that provision at the investigative phase, given that any charged party who is a faculty member has a right to the faculty committee and the faculty committee judges that this has to do with the academic relationship, then the committee will ultimately rule on everything. There will be ample opportunity for confrontation of witnesses, accusers, you name it. But in the investigative phase for both staff and faculty, as I say, I am very reluctant to adopt the notion that there should be confrontation of the charged party by the charging party and vice versa. I could elaborate on that and perhaps the occasion will present itself next time."

Associate Professor Randy Wayne, Plant Biology: "I was in Olin Library today and I happened to pick out a book that used to be owned by President White on biology, and I was just curious which biology books you've read recently. If you can't give me a specific title, just where is the library, what's the Library of Congress System? What are the numbers where you would find biology books?"

Provost Randel: "Next question?"

Provost Randel: "I've read the Science magazine issue with the cover title, 'The Evolution of Sex.' Maybe that counts."

Speaker Pollak: "Other questions? O.K. Thank you, Provost. Now we'll hear a report from the Nominations and Elections Committee."

### 3. APPROVAL OF FACULTY SENATE MINUTES OF SEPTEMBER 9, 1998

Speaker Pollak: "O.K. While she's coming up here to get her slides ready, you've all had an opportunity to read the minutes from the September 9th meeting. Are there any corrections, additions, or comments to those? O.K. Seeing none, I'll cast the unanimous ballot in favor of them."

### 4. REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "I'd like to share with you the report of the Nominations and Elections Committee. We've made a number of individual appointments to specific committees that are listed in this overhead and the next one. They also were provided to you in the call to the meeting. These are all replacements for resignations or open seats of one sort or another. We still have one open seat on the Faculty Advisory Board of Information Technology, and a few more other incidental positions to fill. Are there any questions or comments?"

- Residence Life  
Jennie Farley, ILR
- Health Services  
Thomas Kern, Vet.
- Transportation Hearing and Appeals Board  
Roberto Sierra, A&S
- P2K Advisory Committee  
Mark Turnquist, Engr.
- P2K Council  
John Muckstadt, Engr.
- University Hearing Board  
James Turner, Afr. Ctr.
- Minority & Third World Affairs  
Dong Lai, A&S
- Library Board  
Eberhard Bodenschatz, A&S
- FABIT  
Geraldine Gay, CALS
- Campus Life Faculty Committee  
Don Ohadike, Afr. Ctr.
- Educational Policy Committee  
Doug Gurak, CALS
- Campus Store Board  
Florence Berger, Hotel

Speaker Pollak: "No comments on those nominations? O.K. Likewise I'll cast the vote for these accepting the report of the Nominations Committee."

"We have a resolution to be presented by Melissa Hines on the Academic Misconduct Policy and there is an amendment to that."

## 5. RESOLUTION ON THE ACADEMIC MISCONDUCT POLICY

Assistant Professor Melissa Hines, Chemistry and Chemical Biology: "I've been asked to tell you today about a proposed revision to the Cornell Policy on Academic Misconduct. The stimulus for this revision was not anything that happened at Cornell; but, rather it was an external stimulus. Over the summer, the Office of Research Integrity at the DHHS reviewed our current policy and determined that we are not in compliance with their policies, and they supplied us with a four page list of problems in our current policy that had to be corrected. We were given a ninety-day deadline to comply with this policy and adopt a new policy because the deadline for the adoption of the new policy was about two months ago. So, our proposed revision of the policy primarily addresses these problems that were put forward by the Office of Research Integrity.

"They identified three major problems in our current policy, two of which are really substantial. (1) There are no provisions in the current policy for possible conflicts of interest with the investigators, and so that really does need to be corrected in the policy. (2) Also during the investigation there is no provision that allows for protection of people, funds or equipment during the investigation stage. So both of these do need to be addressed. (3) And additionally, the bulk of the problems that they listed had to do with reporting to sponsors. They have very strict reporting requirements that need to be put into our current policy. So about the first of August, the AFPS was asked to revise our current policy, and in doing this, we've really tried to do two things to our current policy. We want to revise it to meet these DHHS requirements and, at the same time, we want to look at the NSF requirements and make sure we meet those requirements because that is the only other sponsor that has formal requirements for academic misconduct. And, we have to conform to the very complicated new Cornell policy format. So those are the three things that we have tried to address in the new policy that is put forth to you today.

"So let me just very briefly go through this policy and let me apologize in advance, this is a very busy transparency (Appendix A, attached), but I couldn't make it any simpler. O.K.? If there is an allegation of misconduct this allegation goes to the Dean of Faculty. The first stage is an inquiry. The purpose of the inquiry is to see whether a full investigation is warranted or not. In the usual course of events, the inquiry is carried out by the inquirer who is the Dean of Faculty. If there is a conflict of interest with the Dean of Faculty, the Provost will appoint an alternate inquirer. The inquiry goes on, and looks to see if there is any reason to have this investigation and the results are issued from the inquiry. If there is cause to believe that there was academic misconduct, then a full investigation begins. Usually the investigator will be the dean of the college, but again, if there is a problem with conflicts of interest, the Provost will be asked to appoint an alternate investigator.

Additionally, the dean can ask any standing or ad hoc committee to assist in this investigation or he can appoint other people to help him as well. In either the investigation or the inquiry, if the Dean of Faculty or the dean of college does not have sufficient expertise to look into these allegations, they can appoint other people to help them.

“After the investigation is completed, the investigator issues a report which must include his determination whether there is in fact, or was in fact, any academic misconduct, and if there was academic misconduct a recommendation for sanctions. After the investigator, who’s normally the dean of the college issues this report, the report is forwarded to the inquirer, who is usually the Dean of Faculty. The inquirer then reviews these findings and has the option to accept or modify either the determination or the sanctions. This is the same as what is currently in effect in our policy right now. So after the inquirer reviews the findings and decides on a final determination and sanctions, he or she issues the results. If there is cause, if there was academic misconduct, all of the sponsors are notified at this point that there was indeed academic misconduct. If the sanctions are contested, then the applicable grievance procedures can be invoked. So that’s pretty much like what we have in place right now, but there are some reporting requirements that are also in here.

“We decided that all of the reporting is best done by the Vice Provost for Research. During the inquiry, at any stage, or at the beginning, if this involves sponsored research, then the funds will be protected if necessary. If any other protection is needed, then the Vice Provost will also see to this action of individuals and equipment. If there is any indication that there is a criminal violation or that this problem will be publicly reported, then the Vice Provost has to notify the sponsors if it is required by their policies. So that’s what happens during the inquiry. After the end of the inquiry, but before the investigation begins, the Vice Provost must notify the sponsors of the affected research. This is before the investigation begins. And if it would be a good idea in his opinion, the other sponsors of the investigated individuals may be notified.

“During the investigation, the Vice Provost has more reporting responsibilities. Again, if there is protection he will take care of that. If there is evidence that there was a criminal violation there will be a public report of these problems or if facts are found that could affect the sponsors, the sponsors will be notified if it is required by their internal policies. So, in a nutshell, this is the new policy. There are not major changes from the current policy. Most of the changes are in the section on reporting, and a few changes in the rest of the policy.”

Speaker Pollak: “We’ll hold questions on the resolution itself until we have addressed the amendment. The amendment has been submitted by Peter Stein and Bob Lucey, and Peter Stein will make a comment on the amendment.”

Professor Stein: “The proposed amendment to the paragraph entitled Inquiry on Page 5 changes what happens if the Dean of Faculty has a conflict of interest. It says:

(additions in bold)

*Upon receiving such a report, the Dean of the Faculty will conduct a preliminary Inquiry into the allegation or other evidence of possible academic misconduct. Should the Dean of the Faculty have a real or apparent conflict of interest with the case, the **Secretary/Associate Dean of the Faculty will serve as the Inquirer.** Should the **Secretary/Associate Dean of the Faculty have a real or apparent conflict of interest with the case,** the Provost will appoint a member of the professorial faculty to serve as the Inquirer. The purpose ..... conduct of the Inquiry.*

"It's a simple change. When the whole reorganization of faculty governance took place several years ago, there was a conscious attempt on the part of the Executive Committee of the FCR to make the office of Secretary of the Faculty a more weightier office, because the feeling was that it would help to have two people in that office who could talk together and consult together on different matters of importance. And so the title was changed from Secretary to Secretary/Associate Dean, and the responsibilities were to serve for the Dean when appropriate. That's the normal function of an Associate Dean, and so it just seemed to me like this was a reasonable place where an Associate Dean should serve automatically.

"I did call up Professor Hines, the chair of the committee, and asked her why it was that the committee chose not to do that, and she told me as best I can remember that there was some concern on the committee that the Associate Dean of the Faculty might not be a person to whom one would entrust this weighty responsibility. And I must say it surprised me. I started to think of the Secretaries of the Faculty that I've known and worked with. I've worked with Kathy Rasmussen, with Bob Lucey, with Mary Morrison when I was Dean, and then before that in different contexts I worked with Fran Herman and with Paul Hartman, and all these people were substantial people, and I have no problem giving any of these people this kind of responsibility. I also would point out that it's unlikely that this is going to happen, but we give to the Associate Dean of the Faculty far weightier responsibilities. The Associate Dean of the Faculty chairs the committee that appoints people to all of the faculty committees and forms the slate of nominees for the offices that we elect, and that's an issue which affects faculty governance on a daily basis, and I think if we can give that office that responsibility, we ought to be able to give the office this responsibility."

Speaker Pollak: "Bob has joined in this amendment, so it's seconded. Are there any comments or discussion on the amendment? Seeing none, all of those in favor of the amendment, signify by raising your hand. All those opposed? The amendment carries. Now back to the resolution, are there comments or questions on the resolution? Yes?"

Professor Keith Dennis, Mathematics: "I was taken by the word 'protection.' I didn't quite understand precisely what it meant, and in particular, I was curious about whether this or other Cornell policies cover the accused in the following way. That is, what are the technicalities for carrying out the investigation? It seems you might want to look at someone's computer files, their correspondence, their lab notebooks, whatever. Assuming a presumption of innocence, it might be that if you took such things away from them it would interrupt their research. I know they have the right to have, maybe not the originals, but a copy so they can continue their work during the investigation. And another question it seems to me that comes up there is a question of the actual location of such things and who actually owns them. Is it Cornell, the sponsor, the individual or their house or in their office? It seems to me that you get into all sorts of, shall we say, technical problems when you want to have access to such things. Is that really addressed here or elsewhere, or am I just missing something?"

Professor Hines: "The reason we put 'protection of individuals, funds, and equipment' in there was it was taken verbatim from what we were asked to put in by the DHHS."

Professor Dennis: "But that means presumably protecting of sponsors' interests. Is that, or is that individual ... any equipment ...?"

Professor Hines: "I think what it was meant to do was to protect people from harm, so in case someone is doing strange research that possibly involves clinical trials, and there is some evidence of misconduct, then people involved in these clinical trials should be protected. And that may mean that the clinical trials would have to stop. That is what I took to be the intent."

Professor Dennis: "Right. That was my interpretation as well. My question was, is there any protection for the individual who's being investigated so that, assuming they are innocent, they haven't lost a hundred and twenty days, or whatever, because all of their equipment, notebooks, correspondence has been taken away from them?"

Professor Hines: "We have not addressed that in the current policy. There is no explicit protection, but there is also no loss."

Professor Dennis: "Is that covered elsewhere under Cornell policies?"

Professor Hines: "I have no idea."

Speaker Pollak: "Other comments and questions?"

Professor Subrata Mukherjee, Theoretical and Applied Mechanics: "Just a minor point. When you said the reporting duties of the Vice Provost, perhaps just the duties, because it has both protection and reporting together in the part that you

showed us on the sheet. I was just wondering why you just called it 'reporting duties'."

Professor Hines: "This was just something that I made for you to show today. There is a full flowchart in the back of the policy that's much more complex. This was just to try and make it easy for everyone to understand."

Speaker Pollak: "Other comments?"

Professor Judith Reppy, Science and Technology Studies: "It seems to me that whatever the intention of this language that you've used, in practice the language is quite broad. It could cover protection of the rights of the investigator as well as the poor patients who are alleged to be harmed. So the question is, is it a problem? I mean, it's certainly an issue in some cases, but is it a problem of the language that's being proposed here? I would guess not. The Vice Provost could protect the individual investigator as well I suppose."

Speaker Pollak: "Are you ready for the question?"

Assistant Professor Tony Simons, Hotel Administration: "I'm just noticing that the reporting to the sponsors goes on very shortly after the allegation has first surfaced and before it's been verified. And I'm aware that that entails some risks in terms of what if the allegation is false and we've proceeded to point out the potential to the sponsor, and perhaps started to hurt the accused's reputation. I'm curious about the rationale for it. I assume it was required by the outside board."

Professor Hines: "Yes. We had absolutely no choice in this. If we want to receive NIH funding, we have to do this."

Professor Simons: "As soon as the accusation has been raised and it's been determined there is some grounds for it?"

Professor Hines: "Yes. Yes, then you definitely have to notify the sponsors. And if there are problems beforehand that could be publicly reported or things like that, then you have to notify even earlier. But these things are all verbatim requirements from the sponsor."

Professor Simons: "O.K. Thanks."

Speaker Pollak: "Peter?"

Professor Stein: "We've been following those rules for some time now, even though they weren't part of the policy. We did routinely follow them and notify the sponsors when there were investigations."

Speaker Pollak: "Yes?"

Professor Richard Galik, Physics: "I should note that language has been added in the policy to specify that the Dean or unit heads will 'undertake diligent efforts to restore the reputations of persons alleged to have engaged in misconduct'."

Speaker Pollak: "Other comments? I'll remind you to stand so that people can see you and hear you. O.K. We'll call for the question now if there are no other comments. All of those in favor of the resolution, signify by raising your hand. All of those opposed. The resolution carries (Appendix B, attached).

"We'll now move on to a panel discussion of the Biological Sciences at Cornell. I'm to introduce Bert Garza, who will introduce the panel. They didn't tell me what to do if Bert's not here."

Dean Cooke: "He's coming in from Washington. I would just call the panel and go ahead and start."

## **6. PRESENTATION ON RECENT REPORT ON THE DIVISION OF BIOLOGICAL SCIENCES**

Speaker Pollak: "Bert Garza has sent his introduction with Kathleen and she will read that introduction and then I'll ask the panel to come forward and make their presentations."

Professor Rasmussen: "You'll just have to think of me as Bert for this for the future, and so I will use the 'T' substituting for Bert.

"First I want to thank Dean Cooke for arranging this meeting, the members of the panel for agreeing to participate in this discussion and to each of you for coming to share your views.

"It is important to begin by recognizing that we have common goals at this meeting, the strengthening of basic biology on this campus and, in so doing, strengthening the broader life sciences and better serving our students, faculty, and the public that supports us.

"It also is important to address two principal concerns that faculty have raised. One is that decisions already have been made by the central administration and, thus, that this consultation is an empty exercise. The other relates to the timing of the decision-making process.

"In response to the first concern, I assure you that no decision has been made on the matter before you. Furthermore, it is the expectation of all members of the academic cabinet that past positions relative to the structure of the Division of Biological Sciences taken by any of us have been set aside. I am assured that all members of that advisory body are approaching the closing stages of this review with an

objective mind set and that all are striving to serve the University's best interests rather than that of any single unit.

"In response to the second concern, the Task Force headed by Associate Deans Coffman and Martin was commissioned in the summer of 1997. Its report was issued in March of 1998. Failure to come to closure on recommendations made by this group and others is taking an increasingly heavier toll on faculty morale, their ability to plan, the University's capacity to support individual faculty, departments, colleges, centers and institutes in implementing key decisions intended to strengthen their programs, as well as how we are perceived by our peers as we compete for students, prospective faculty, research opportunities etc. Therefore, the university community has a strong interest to come to closure on this matter in a timely way.

"I hope each of you read the report of the Task Force appointed to review the Division of Biological Sciences' organizational structure, the organized response of several faculty to that report, and the report of the external team that recently visited the campus. It is my view that the latter report entangled three distinct issues: (1) the future organizational structure of the Division of Biological Sciences, (2) the stature and organization of the broad area of life sciences throughout the University, and (3) issues of university governance that affect over 400 faculty positions.

"I suggest that this afternoon's discussion focus on the first of these matters, i.e., on the organizational structure of basic biology/Division of Biological Sciences keeping our common goals in mind.

"Some of you also have had the opportunity to read self-studies prepared by various sections within the Division of Biological Sciences and other life science departments. Please bring perspectives developed through those self-studies to the discussion.

"Your recommendations are sought regarding alternative structures and/or characteristics that a new or existing structure(s) should be designed or modified to meet. Input from this and other meetings that are planned, various reports that have been submitted and written comments from various groups and individual faculty will be distilled and broad outlines of alternatives will be presented at a meeting called by the Faculty Senate on October 21.

"The strongest and most common recommendations made are that whatever organizational structure is implemented, it should:

- (1) Do more than just reorganize the proverbial chessboard.

- (2) Anticipate advancements in knowledge that drive excellence in research, teaching, and extension rather than the alternative of letting organizational structures principally determine future directions.

(3) Be flexible. Biology is and will be moving too fast over the foreseeable future to permit institutional torpor.

(4) Be faculty-driven. The organizational framework must include reward structures and institutional roles that motivate faculty teaching, extension, and research within and across academic units.

(5) Assure excellence. It must enhance collaboration and coordination across departments and colleges in key steps of the hiring, tenuring, and promotion processes. And,

(6) Assure congruence among goals, responsibility, accountability, and resource availability in the implementation of university-wide interests and in the updating of facilities within colleges and, equally importantly, across colleges in support of interests that transcend single colleges.

"It will be very helpful to have your reactions to these characteristics and/or your assessment of their relevance to a specific solution any of us may recommend."

Professor Rasmussen: "I also thank you for your indulgence on Dr. Garza's behalf, because he had a long-planned meeting at the USDA in Washington today."

Speaker Pollak: "O.K. We'll move through the panelists, and they'll each have three or four minutes to make their presentation. We'll start with Bill Fry. If the rest of the panelists could make their way down front, maybe we could expedite the switching of speakers."

Professor William Fry, Plant Pathology: "I'm a plant pathologist in the College of Agriculture and Life Sciences, and I've always regarded myself as a biologist of sorts, sometimes very applied and sometimes less applied. I've had a fairly long association with the Division of Biological Sciences, with Harry Stinson, in Biochemistry with Joe Calvo, and Plant Physiology with Andre Jagendorf. So it's good experience. I have a disclaimer. The reason I'm here is because I was sitting next to Bob Cooke at a reception and he asked me to appear before you. I have no particular history in this, even though I've been with the college for the better part of twenty-five years and have a vested interest in biology at Cornell.

"I'd like to make a series of observations. The first view I heard was that biology at Cornell is a very large enterprise. When the Faculty Committee on Program Review (FCPR) looked at the number of persons who contributed to biology, they came up with a list of nearly five hundred faculty in both Ithaca and Geneva, not including the Medical School. From those of us who are in applied departments, I want to assure you that excellence in basic biology is of utmost concern to us. We cannot exist in applied departments if the basic biology units are not absolutely excellent. There are all kinds of benefits to us to have basic biology be absolutely

strong. So I want to assure you that from four hundred or so faculty who are not in the Division, it is crucial that basic biology be very strong at Cornell. There are too many benefits to enumerate and I will not list them at this time.

"I would also mention the importance of biology. Some persons have suggested that we are currently in the age of biology, there are revolutions in understanding technology, and also economic implications, and I think these revolutions are reflected in some very large companies which used to be pharmaceutical companies, which used to be chemical companies, are now billing themselves as life sciences companies. The undergraduate majors in biology are crucially important for those of us in more applied units, and we strongly support whatever intent to nurture and support those things that facilitate our largely successful curriculum in biology.

"There are some reported trends in biology. In my area, which is plant science, some of the most exciting work is coming from very large centers in which multi-disciplinary teams can be focused on specific problems. And so I think team building with interdisciplinary components is a really important issue for the future of biology. I think the distinctions between applied and basic research are becoming blurred. Many of the discoveries now are need-driven, problem-driven, and some of those result in very significant discoveries regardless of whether it's basic or applied research. An example at this university is John Sanford, located in the Department of Horticultural Sciences at the New York State Agricultural Experiment Station at Geneva, who developed a gene gun. Another example is the current Genomics Initiative, which is very strongly supported by the faculty both within and without the Division of Biological Sciences. We all see this as an important issue and it's being supported very strongly.

"The two reports that you heard Bert talk about just a minute ago (laughter) came to some very similar recommendations. They also came to some very dissimilar recommendations. I'd like to emphasize those dissimilar recommendations. The internal task force recommended the dissolution of the Division of Biological Sciences with the sections of the Division to be remolded into departments which would then benefit from the advocacy of the appropriate dean. Another dissimilarity is that university-wide decisions concerning biology are to be developed with the aid of an external body of consultants and a vice provost to work with the appropriate deans to achieve the recommendations of the consultants.

"Let me just give you the review of the consultants from this last summer. A major difference is that they suggested the appointment of a vice provost for biological sciences, dealing with basic biology. Again, they suggest that this vice provost be advised by an external candidate. My personal concern is -- I don't presume to say I represent a group of people -- that a vice provost position located in Day Hall might not facilitate the type of team building, the type of communications that are required in this new age of biology. My fear is that this might create walls rather than bridges. I am also concerned that a vice provost position, with faculty lines, support, and

budget, sounds very much like a college to me. And I was wondering if that's the kind of direction we want to move."

Speaker Pollak: "Howie Howland."

Professor Howard Howland, Neurobiology and Behavior: "I'm here because I played some role in organizing a group of faculty who responded to the original Task Force Report, and it's certainly sort of jumbled, kind of a kaleidoscope presentation here. But, I believe the Task Force Report is on the web, and so is our report, so I think you can get the logic of that. I found myself, in talking with my colleague Professor Walcott, who is Director of the Division now, that we had large agreement. And so we sat down together, and given the fact that there were such diverse proposals on the floor, we formulated some principles, and that's passed out on the sheets that you have. And if for some reason you missed that sheet I have some more here that I'll leave on the front table if you want to get them.

"Well, the facts and principles we outlined are the following. They're on the sheet, so I'll just go over them briefly with you. The undergraduate curriculum is a nationally recognized success and we believe that it's health and maintenance depends upon a strong single academic unit which embraces the full range of basic biological sciences and includes a professoriate which both teaches and conducts research. So, a strong unit to protect the undergraduate curriculum. Secondly, we think that with the advent of modern molecular biology, there are more reasons for biologists to collaborate with one another than there were ever before, and we think that with artful coordination, Cornell biology can be greater than the sum of its parts, rather than less as it is at the present. Those are the two arguments, I think, for keeping a strong central unit. We know that, and we're in agreement with the external reviewers who looked with astonishment on our situation. We believe that no academic unit can be strong unless its principal officer has control of an adequate budget and the power of appointment of a significant number of faculty positions. That was the situation of the first Director of the Division of Biological Sciences, and for one reason or another, that power has eroded over the years. We also think, and I agreed with the previous speaker, Professor Fry, the distinction between pure and applied biological research has become increasingly blurred. Nonetheless, we think there will always be some areas of biological research that have no immediate obvious practical applications, read 'not interesting' for money making, but which are believed to be basic to other applied areas of research. The central biology unit referred to above must provide a home for such pure research areas. We think that biology, biochemistry and molecular biology, and genetics and development, which should be in there, must be strengthened and invigorated at Cornell, but not at the cost of weakening the great strength in classical biology. And by classical biology, we mean organismic, ecological and evolutionary biology. Those strengths make Cornell unique among the nation's research universities. We believe that, and we know that there are many biologists in many different departments and ways must be found to facilitate communication, cooperation and coordination among these biologists. And when it's appropriate we should change

the boundaries and bring into the unit of Biological Sciences those efforts in biology that originate in the sister sciences.

"We believe the direction of the Biological Sciences would be materially improved if the chief officer were advised by advisory groups which were both internal and external to Cornell. We agree with Professor Fry. We drew some premises from this, and that's what I hope we'll do today and in future discussions, that we'll look at this logically and see whether what we're doing makes sense in terms of what we think is important. So, we said, it would be foolish to abandon the Division without replacing it with a stronger central unit. Now, we might not go all the way to what our outside advisors suggested, but if you don't, then you certainly want to hang on to what you've got, and strengthen it. And it has to be strengthened because we don't think the current Division as presently constituted can survive. It doesn't have the strength, the budget, or the power of appointments that are being eroded. That's sort of the basis of our stand and I hope that these principles may play some use in your thinking about the problem. Thank you."

Speaker Pollak: "Dean Lewis."

Philip Lewis, Harold Tanner Dean, College of Arts and Sciences: "The statement that I have prepared isn't 100% compatible with one sentence in Bert Garza's introductory remarks. Rather than say that my past positions have been set aside, I would prefer to say that they are not rigid or final, and that persuasive arguments might prompt me to modify them. I believe the options under consideration at this juncture can be reduced to three major models, all of which would retain the existing undergraduate biology program and give an important role to its director, and each of which could have a number of possible variations.

"The first of these three would retain the Division model with a smaller number of sections and with enhanced authority for the director. The second would adopt the course recommended by the three external reviewers who visited us this summer, which is to concentrate the responsibility for hiring biologists, and structuring biology programs in the central administration. The third would adopt the course recommended by last spring's Task Force on the Biology Division. It would transform the Division into two or three large departments with reporting relations to the relevant college deans. Since that Task Force Report of last spring, I have been expressing my general support for this third model proposed by the Task Force. My sympathy for it is undeniably related to a concern with the academic integrity of the undergraduate colleges. However, my principle reason has to do with mobilizing faculty for leadership roles in the key areas of basic biology. In the physical science departments of my college, strong chairs working with a core group of respected senior faculty have successfully exercised the responsibility for maintaining distinguished programs. Thanks to their leadership, these departments function very well with minimal interference from the administration. I believe comparable arrangements at the departmental level would optimize our chances for building

greater strength in the enabling sphere of Cell and Molecular Biology, and for maintaining our distinguished programs in organism biology.

"I also believe it is time for us to make a decision on the basic organizational structure. The program reviews and further discussions within the community can and will contribute usefully to the many decisions of the type we shall face. But gathering more opinions about the administrative structures appropriate at Cornell seems unlikely to make a significant difference while waiting for another year or more to get on with the planning required under any of the three models under consideration. It seems to me likely to be counter-productive."

Speaker Pollak: "Daryl Lund."

Daryl Lund, Ronald P. Lynch Dean of the College of Agriculture and Life Sciences: "I defer to the eloquence of our distinguished Dean from the College of Arts and Sciences regarding the comments which we shall be making here regarding our own personal opinions on the structure of biology at Cornell University. In addition to the three structural models that Phil has so eloquently laid out for you, there is, of course, the concern about the breadth of those models. And since as Bert has suggested, we are here considering specifically the positions that are in the Division of Biological Sciences, this rather narrows the scope of how we're going to be addressing the lines and the budgetary resources in support of the Biological Sciences at large across this University.

"It seems to me that there are some principles by which we ought to make these considerations. The first one is that whatever structure we arrive at should obviously foster collaboration and strategic planning or support in these areas of basic biological sciences. Secondly, strong departmental leadership is absolutely essential, as demonstrated and pointed out again by Phil. Third, we must preserve the undergraduate program, frankly, largely intact as I understand it, because it does seem to be working well across several colleges who employ it for undergraduate students. Fourth, external reviews, including external advisory councils, should be employed in the future to help us focus on improving our teaching, research, and where appropriate our extension/outreach programs in the biological sciences both at large as well as within the basic biological sciences. Fifth, we should not create a structure in which we have differentially provided rewards or additional hurdles for faculty in tenuring and other activities, and so we should not create those hurdles or rewards for subsets of faculty. Sixth, we should engage and ultimately charge the deans with responsibility for improving the status of the basic biological sciences at Cornell University. And lastly, seven, we should move forthwith with regard to the structure of the Division of Biological Sciences and not wait until all of these reviews are in.

"It seems to me that there are three specific action steps that need to be taken fairly soon. One is to clearly define our objectives. We want excellence in the basic biological sciences in what arenas, as measured by whom, and to what purpose?

Secondly, that we should specify which further investments in the biological sciences are actually being requested, relative to molecular biology, biochemistry, structural biology, genetics, etc. And thirdly, to clearly lay out the alternatives for organizational structure with potential impacts and characteristics.”

Speaker Pollak: “Don Smith.”

Don Smith, Dean of the College of Veterinary Medicine: “I received the memorandum from President Rawlings exactly one month ago today with the External Review Committee’s Report on the Biological Sciences. After reading it and noticing that we had several days to respond, I responded to President Rawlings saying that he clearly got the attention of the College of Veterinary Medicine. I do concur with the external review group that Cornell University does have a mismatch in resource allocation and in productivity in the biological sciences. Certainly productivity in molecular and cell biology and genomics, in structural biology, chemical biology, must be enriched if Cornell is going to resume its leadership position in the biological sciences. And I’m particularly heartened, both personally and on behalf of the College of Veterinary Medicine, that we as a college are included in this expanded definition of biology on this campus, although I would have been felt better if the reviewers, at least the external reviewers, had known the difference between veterinary sciences and veterinary medicine. There are fundamental differences, not just nomenclature.

“Veterinary medicine does have a distinctive mission with respect to enhancing animal health and welfare. It also has a unique opportunity to contribute in important ways to comparative medicine and in transitional biology, perhaps in ways that have not heretofore been recognized in this University. In the Veterinary College, within the last couple of years, we’ve given much thought to these matters and are pursuing initiatives in some respects very similar to some of those recommended by the external review committee. Recognizing that many advances in biology and in medicine are occurring at the interface of traditional disciplines, we did reorganize our administrative and our departmental structure within the last year to give greater prominence to interdisciplinary research, both in cell and molecular biology as well as in genetics, cancer biology, and also to integrating these disciplines into our professional curriculum and into our delivery of animal patient care.

“Which brings me to an earlier point which I made in my letter to President Rawlings, and that is that any report, internal or external, in which we look at the biological sciences, should have an enriched understanding, a deeper understanding of how to integrate biology and medicine. The external committee calls for the centralization of administration and planning for the biological sciences under an associate provost. My principal concern with the committee’s model, with this model, which has been referred to earlier, is that measures taken to strengthen areas of perceived weakness at the University level, unintentionally dislocate parallel efforts either within the College of Veterinary Medicine or perhaps in other colleges.

Teaching initiatives and research are inextricably linked, at least in our college, to our unique professional teaching and our professional service missions. These considerations argue for retaining faculty lines at the college level while promoting effective consultation and coordination to a central authority. Rather than succumb to an overly prescriptive resolution of the vexing organizational issues of which we're all familiar, I would like to limit my comments to the following, and they reflect what I would call a higher set of standards for both rigor and relevance in the biological sciences at Cornell. And so I have three very specific recommendations which transcend any organizational structure.

"First, that we establish measurable parameters by which the magnitude and the quality of biological research can be evaluated, and hold all administrative units responsible for achieving the highest standards for their faculty. Secondly, that we identify targets of opportunity for integrating biological disciplines across colleges and departments, and foster a climate that supports interdisciplinary scientific and teaching endeavors. And third, and finally, that we develop a deeper understanding of the unique opportunities that exist on this campus to forge meaningful integration between basic biological sciences, such as chemical biology, and the biological systems with veterinary medical and medical applications."

Speaker Pollak: "And we'll conclude with Charles Walcott. While he's coming up here, formulate your questions now, because when we begin I'd like to give each person one opportunity. No follow-up questions until everybody has had an opportunity and then we may go ahead. Be prepared."

Professor Charles Walcott, Director of the Division of Biological Sciences: "I'm going to be very brief, because a lot of what I would have said has already been said, and I see no point in saying it twice. I came here as a graduate student in 1956, in the Department of Zoology, which I believe was in the Arts College back in those arcane days. And biology at Cornell at that point was spread largely throughout the University. It seems to me that the Division has served in a couple of very important ways to change the face of biology at this University. It's brought people together. It has brought a unified curriculum at the undergraduate level for all biology majors, a curriculum that by any of the objective measures we've applied to it seems to be successful and doing a very good job in terms of students that get into medical schools and so on. And the curriculum is an outcome of a joint effort by a great many of the sections. But biology has grown since the Division was founded some thirty years ago. It's spread into many disciplines. Chemical biology is but one example, there's biology in physics, engineering, and we've heard about the necessity for the applied areas.

"At the same time I think the Division has not been responsive to these changes. It has not been welcoming people from some of the applied departments to come and participate in our teaching programs, and I think that the growth of biology in other areas has been inhibited from having a unity which is really necessary. So I look for a solution to our organizational problems which provides some measure of a

strengthening of the core of biology, a Division of some structure of that sort. And that core would have the responsibility to reach out and promote interaction with all the other biologists on the campus, would emphasize some form of faculty governance, would emphasize the outside consultation with experts, and then it would need some administrative mechanism. There are various possibilities to ensure that the needs of this group of biologists is consonant with the needs of the various colleges, which are, rightfully, very different, would also suit the needs of our undergraduates. And it seems to me that such a structure would have to be in some way above the level of the colleges in terms of coordination, but in no means should co-opt the individual colleges' needs to fulfill their own particular missions. And it seems to be the task before us all to think through the details of how such an arrangement can be made. Thank you."

## 7. QUESTIONS/COMMENTS ON BIOLOGICAL SCIENCES

Speaker Pollak: "It would help if you could direct your questions to one or two of the speakers so that we don't get a panel response to one question. And we'll open it up now for questions and comments. Peter."

Professor Stein: "From somebody who has no interest whatsoever in the outcome of this, I just would like to make a couple of observations. One is this notion of a vice provost. As one of the panelists said, it's sort of like a dean, but it's not exactly like a dean. It strikes me as a funny kind of dean. It's a dean that has faculty, but doesn't have students, and doesn't have a curriculum. It only has the power of appointment somehow. And it strikes me that that is not a stable structure, not if one was going to make a College of Biology that would be a third of this University. Maybe that's O.K. But I think that the dean of that college ought to have the responsibility for educating undergraduate students then, and the responsibility for doing admissions and financial aid, and infrastructure and everything that deans have responsibility for. It does seem to me as I sat and listened to Phil Lewis' three alternatives that I don't like any of them.

"It seems to me that there's a fourth alternative that answers more of the complaints that were made. And the fourth alternative is to make a Division where the director of the Division has more power than he had, because everyone seems to say that the lack of power for the Division director didn't help biology very much. But everyone also says that the boundaries of biology keep expanding today, and you can't really separate pure and applied. So I wonder why one couldn't take a Division director that has the breadth of the vice provost, namely, has concerns for all of the programs in biology that go on on the campus, but shares with the deans the ultimate responsibility, so has somewhat less authority than the vice provost is given in the outside committee's report."

Speaker Pollak: "Yes?"

Professor Richard Harrison, Ecology and Systematics: "I'm Rick Harrison and I'm Chair of the Section of Ecology and Systematics within the Division and I don't think it's appropriate that no one from the task force on which I served was asked to participate. I actually have prepared a few comments, which in some sense are a rebuttal to what Howie Howland said and a reflection of what the task force, I think, was about. I don't speak for the other members. I don't know. Is that appropriate in this?"

Speaker Pollak: "Yes, go ahead."

Professor Harrison: "I don't speak for my section either. The piece I have to say is really my own personal view. I spent a lot of energy and put a lot of time into the Task Force Report and I really still believe quite strongly that many components of that report are still the right decision. And I want to simply examine the first three premises that Howie Howland discussed, and examine them from the perspective of the Task Force Report. Because in fact they represent a rebuttal in some sense. And if you read those premises and the conclusions drawn from them, what you see is that there are arguments being made as to why the Division should be strengthened rather than abolished. So let me just examine the first three. The four through seven, I think we're all in agreement on.

"One says that the undergraduate curriculum is a nationally recognized success, the undergraduate curriculum in biology. I'll take that as a given. I don't know that we have hard data. The next sentence says, 'Its health and maintenance depends upon a strong single academic unit which embraces the full range of the basic biological sciences.' And that basically implies that we need a strong Division to continue our successful undergraduate curriculum. I don't think that is a given. I don't think that is a fact. I don't think we have any data. The task force strongly recommended retaining a single coordinated biology curriculum and major and, moreover, described a structure for coordinating and directing that major that included a director of undergraduate biology who in fact was given more clout vis-à-vis curriculum than the current Division director or associate director currently has.

"The second premise is that with the advent of modern molecular biology, biologists of all subjects at once have more reason to collaborate, etc. I'd like to rewrite that sentence and say that with the advent of modern molecular biology, biologists now have more reason to collaborate with chemists, physicists, engineers, and computer scientists, and my feeling is that if we create a 'single strong central unit of biological sciences which has control of its own budget and faculty' that it will only serve to isolate biologists more and to further fragment what I consider an already uncomfortably fragmented University.

"And number three, 'No academic unit can be strong unless its principal officer has control of an adequate budget and the power of appointment of a significant number of faculty positions.' This premise is essentially saying if the Division is to exist, it must have a Division director who controls the budget, etc. That may be the case,

but in fact, departments have flourished within the college system in this University, and I would look to my colleagues in physics and chemistry, as I understand it, those two departments have clearly flourished as departments within the college system. Why, therefore, should biology, which is simply another discipline within the sciences, be given special treatment or be made into a strong Division or a narrow college? One reason might be that it cuts across several colleges, and that therefore it requires special treatment. Physics and chemistry are within the College of Arts and Sciences. Again, I would argue that rather than carving it out of those colleges, that is creating a vice provost or a strengthened Division director, we should look to provide coordination and facilitation from the higher administration. And the Task Force Report, again, addressed this issue by recommending in fact that there be a new vice provost, but not one who has control over budget and facilities, etc., but one who would have the responsibility for integration and facilitation and coordination, and I think that recommendation still has merit now as it did six months ago. So, at least as one member of the task force, I strongly support the recommendations that we made six months ago."

Speaker Pollak: "Other questions?"

Professor Howland: "May I respond? With regard to the first point on maintaining the curriculum. If we split biology up into individual departments, I think that's extremely unlikely. I think that if we had individual departments who are responsible for different portions of biology, these departments are going to act like departments, and they're going to say, 'We need to educate our majors in this way.' And they will come down with the full force of their specialization and their expertise and say, 'that's why it has to be.' I think the biology curriculum would not maintain its unity in the face of that sort of approach. To show you, just let me tell you about the power of departments. We have a department that last summer renamed itself, by itself, without consulting anybody else. Chemistry became Chemistry and Chemical Biology. With that sort of departmental power, what do you think is going to happen to the curriculum?"

"I think that there is no evidence that the Division has not cooperated very well with people outside the Division. I myself collaborated with somebody in Theoretical and Applied Mechanics. I think we could make numerous collaborations. I think there simply isn't evidence that the Division has blocked interdepartmental or collaboration between the Division and outside biology. I think those were the two biggest points."

Speaker Pollak: "Other questions and comments."

David Shalloway, Greater Philadelphia Professor of Biological Science: "Many of you are not from biology and I want you to understand how serious this problem is for us, that the option of maintaining the status quo is not tenable. I think Dean Lewis said it well when he pointed to the problem of effective leadership. We are the unit with molecular biology in our name. We feel, frankly, bad that there has

not been better effective leadership in this area of molecular and cell biology on campus. We don't feel that this is particularly our own fault, but that the current situation basically works against effective leadership. By the very fact that molecular and cell biology is so important it has been spread out so far that there is no one unit anywhere that can effectively work in its favor. The Division as it stands has no authority and what in effect happens is that sections, such as my own, end up pleading with separate colleges, which have very little coordination and very little communication. We don't blame this on the deans. We think this is a structural problem. It is not a problem that came or went with any individual dean. It is built into the structure. And actually coordination and cooperation between the faculty, from our point of view, is much superior than coordination and cooperation between colleges. Provost Randel actually pointed that out at a meeting on Monday and pointed out how his view of things has dramatically changed that there had to be more change. And again, I think that is a factor of the situation. So, in some way, I don't think that you will get coordination between the colleges.

"My experience, and that of the chairs before me, has been that there will not be coordination between the colleges in a sort of good will sense, because the colleges really do have different missions that overlap to some extent but the situation we experience is almost that of a child between two divorced parents. So, either we require a strengthened Division where we can negotiate with one authority to actually deal with the issues that we raise, or else somehow we have to be placed within one of the colleges. Or, someone has to have a brainstorm and really figure out how to have these colleges really work in a coordinating, cooperative fashion when it comes down to dollars."

Speaker Pollak: "Comments? Questions of the panelists?"

Professor Galik: "I think we've all before seen that this university does very well with departments and the departments are very strong. I do, therefore, sort of identify with Phil Lewis' suggestion that several departments would perhaps be the appropriate model. However, as we've heard and the task force pointed out, that there is this concern that there are limited resources, and eventually there is some center that there is going to be money for, and there's only money for one. And which college is going to get to win this prize? I was wondering if Phil could comment on how he sees the interaction between and among the colleges and departments in a time when there might be limited resources for new programs, new centers, new faculty, new whatever."

Dean Lewis: "I can't say very much, Rich. We have had numerous discussions between Arts and Sciences and the College of Agriculture, and Daryl may wish to comment on this too, about resource allocation questions and how we could cooperate more effectively if we had a different structure. What is not easy to anticipate is future flow of resources, which has a great deal to do with the dynamics of sponsored research and the likely growth of the field of biology in the future and the necessity to adapt to the pressures that sponsored research resource sources on

the outside exert upon us. What I do believe is that two of the models that I mentioned in my remarks do make for administrative simplification. That is, the departmentalist model, or what you might actually refer to, Peter, as the college model. I do believe that they make for a kind of administrative simplification that might make it easier to work out the resource issues to which you are referring. But in the end, until we get down to working out the details, which I believe is a process that we can't do overnight, we have to make a decision and begin working within some framework and work out those details gradually. I really don't think it's going to be terribly useful for any of the deans to speculate on exactly how we would set up the appropriate mechanisms to achieve fairness and productivity down the line. I'm sorry to respond vaguely as I have. I simply don't see how it's possible right now to respond with precision."

Speaker Pollak: "Daryl ..? "

Dean Lund: "Maybe just a comment. When I came here three years ago I was informed in no uncertain terms where the director of the Division of Biological Sciences reported. That person does not report to two deans. That person is appointed by and reports to the Provost. The only thing the deans have to do is identify if in fact the resources, faculty lines and staffing support, etc., was going to be in the budget to give to the Division to operate the Division. And so, in fact, in the last three years, with the exception of this last year, we really have not had much significant interaction and discussion between the College of Arts and Sciences and the College of Agriculture and Life Sciences, about how the Division and its various activities were going to be supported in total. And in fact this year for the very first time, when we were meeting with those sections which have split lines between the two colleges, we included in our discussions with those section chairs, to specifically invite either Phil or Don Smith, or both of them in some cases to attend those discussions. So, clearly it has not functioned the way it ought to function relative to coordination and strategic planning and meeting strategic objectives in supporting the basic biological sciences. That needs to be improved, and I would absolutely agree, there are a number of mechanisms by which that could be improved, and they don't all include having a vice provost for biological sciences."

Associate Professor Stephen Vavasis, Computer Science: "I'm completely out of this discussion, but I just wanted to suggest that there is an administrative structure that hasn't come up and it's the way that Computer Science and Electrical Engineering are organized at Stanford and MIT, where you have a sort of system of laboratories that's orthogonal to the departments and the laboratories are pulled together by common research interests, common funding mainly, and laboratory space. And it seems to work very well for MIT computer science and Stanford computer science. I don't know if that's come up or it's relevant. Would the panelists like to comment on that? We have a Biotechnology Center, right?"

Speaker Pollak: "Is there a panelist who wants to address that one? No? No takers. Dick?"

Professor Emeritus Richard Warner, Animal Science: "I was on the committee in the late 1950s that first discussed the opportunities to change from the current circumstances that they had then to the Division of Biological Sciences. One of the strongest arguments that the people in biology, such as botany in Agriculture, zoology in the Arts College, genetics in Plant Breeding, made was that you did not have a sufficient advertising component that would attract students to the broad base of biology. And I think, my observations over the last thirty years has been that by developing the Division of Biological Sciences, it did make the whole substance of biological science attractive and appealing to the outside world. I think the success of the biology Division has been proof of that recommendation."

Speaker Pollak: "Question?"

Professor David Wilson, Biochemistry, Molecular and Cell Biology: "I think the big problem we face in biology is that there aren't vast resources that are willing to be committed to one program. And Biotechnology is a good example. It started out with wonderful resources, but it has quickly dwindled."

Associate Dean Bidy Martin, College of Arts and Sciences: "I just wanted to suggest that, to go back to what David Shalloway said and to emphasize again what we discovered in our work on the task force and what the external reviewers also discovered and what everyone else seems to have discovered, and that is that there is an urgent need to build some molecular biology at Cornell, and that we have fallen way behind at this most basic level. And given the urgent need to build in that area, it seems to me while everyone's attention is focused on structure, what to do with the structure of biological sciences, that our attention might also need to be focused on the concrete question about how best to build cell and molecular biology and how to begin that project immediately. Because while all the Deans, the Vice President, the Provost, the President and the entire faculty is focused on this, one way to think about these alternative structures would be to begin with the concrete urgency of building in this most basic area, and to ask ourselves how and where the resources are to do that. That is, what kinds of already existing resources within different colleges can be brought to bear on this project. How many should be brought to bear? What do we need the deans of the various colleges and the faculty of the various colleges to do in order to make this possible? What additional resources might need to be pumped into this project of building cell and molecular biology? And what would be the best group of faculty to really make this occur, to build in this way?"

"So, maybe this is not a helpful suggestion; I made it in the college faculty meeting the other day too. But it occurs to me that it's very hard in the abstract to choose among the different models. I do continue to prefer the recommendations made by the task force over some of the others, although, in a wonderful moment just now I found myself sort of agreeing with Peter Stein about more possibilities. But I simply want to urge the Provost, the Vice Provost, the Deans, and members of the Academic Cabinet as a whole, to think concretely about what everyone has

identified as our most urgent project, and that is to make sure that cell and molecular biology emerge and get strengthened and have presence on this campus that they haven't had, that the Division hasn't succeeded in making sure we kept up on, and which we now really must face. And to see, based on concrete needs, what structure emerges as the most likely to get what we need to get."

Speaker Pollak: "O.K. One more and then we'll ..."

Professor Wayne: "I hope I can phrase this succinctly. I'm in biology. In the past three years, it seems like the different administrators have been fighting over us as some pawns in a particular subdivision or group. Our morale has just really plummeted. So, I feel like I don't want to trust my future with the administrators that are fighting over us. And, for that reason, I really like a faculty-governed Division of Biology as it is."

Speaker Pollak: "With that, I'd like to make three comments. Kathleen will try and expedite the development of these notes and have them on the web site by Monday, O.K.? And if you wish to post things there, send them to Judy Bower, and please invite other interested faculty to attend the open forum next week, which is October 21st. We'll move on to the next item. Kathleen will introduce a University Faculty Committee-sponsored resolution."

## **8. RESOLUTION ON OPPORTUNITY FOR INFORMAL DEBATE BY THE FACULTY AS A WHOLE**

Professor Rasmussen: "You all should have received this resolution as part of a call to meeting and there was a handout on the table that includes this. The University Faculty Committee was very concerned when it continued to be told that a decision on the Division of Biological Sciences was imminent by the end of the month, and we didn't feel that there had been adequate opportunity for the larger group of life sciences faculty who are concerned about this issue to fully express themselves. As a result, it proposed the resolution that is before you, which I won't read in its entirety, but we respectfully request the administration make no decision on the future existence and/or structure of the Division until such time as the faculty as a whole has had an adequate opportunity to provide informed input on this important issue. We make this resolution recognizing that, as Dr. Garza said in his remarks, that this has been ongoing for some time and has produced a morale crisis in some parts of the Division of Biological Sciences. We're not proposing a year's delay, but we do feel that an adequate opportunity for the Senate to discuss this issue, perhaps at its next meeting, might be the most appropriate way to proceed."

Speaker Pollak: "O.K. Is there discussion on that resolution?"

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I've listened to the discussion. Obviously, I'm not directly involved. I'm an economist in the Business School. But I hear absolutely no consensus on anything

in this body. I hear absolutely opposing ideas, and whether you can pull together something that will lead to excellence in a great university by doing something structural, that no one seems to agree on, strikes me as being very difficult to accept or respect. I think that the current motion is an appropriate one and there ought to be some way to begin to build at least some common ground. Perhaps the last speaker, or next to last speaker's point of working for something concrete would be a way to start, but just coming with a structural change strikes me as not a good managerial approach."

Professor Douglas Haith, Agricultural and Biological Engineering: "I speak in opposition to the resolution. I think it is much too vague. It is not saying, let's spend another month'. It's not saying, let's just have another meeting'. It's very, very open-ended, and I think it's an invitation to continue this debate on and on and on. And I think there are problems here that have to get solved and decisions that have to get made. So I'm opposed to the resolution."

Speaker Pollak: "Are you ready for the question? All of those in favor of the resolution signify by raising your hand. All of those opposed?"

The motion carried as follows:

*WHEREAS, the Task Force Report (Division of Biological Sciences: Structural Review, March 1998) has been discussed within the Division of Biological Sciences but neither it nor the Response to the Task Force Report on the Division of Biological Sciences Structural Review (March 1998) has been available to or discussed by faculty with interests in the life sciences who hold appointments outside of the Division of Biological Sciences, and*

*WHEREAS, about one-third of Cornell's faculty is engaged in research in the life sciences and, therefore, any decision made based on these reports or on the Report of the External Review Committee for the Biological Sciences (September 1998) and will affect a high proportion of Cornell's faculty directly or indirectly, and*

*WHEREAS, reviews of the programs of affected units are currently underway, and*

*WHEREAS, there is no pressing deadline by which any structural reorganization of the Division of Biological Sciences must take place, and*

*WHEREAS, informed discussion of options by interested and affected faculty members may result in a better and more widely accepted solution than those already proposed; therefore,*

*BE IT RESOLVED, that the Faculty respectfully requests that the Administration make no decision on the future existence and/or structure of*

*the Division of Biological Sciences until such time as the faculty as a whole has had an adequate opportunity to provide informed input on this important issue.*

Speaker Pollak: "We have two items under Good and Welfare. John Ford."

## 9. GOOD AND WELFARE

John Ford, Robert W. and Elizabeth C. Staley Dean of Students: "I would like to invite you to consider joining a hundred or so faculty members who volunteer each year to serve in the Faculty-in-Residence and Faculty Fellows Program in the residence halls. As a former Faculty Fellow and Faculty-in-Residence I can really attest to the opportunity that this program provides for undergraduates to take more full advantage of the intellectual life at Cornell and to interact with faculty outside the classroom. We have a number of opportunities for faculty to hold seminars with students, to work with students bringing their research into the students' lives, and we think that this is really a wonderful opportunity to build community among the students and faculty in the University. If you'd like more information about how you can become involved in this program, you can speak with David Owen, Professor of Near Eastern Studies. Also there is more detailed information about the program on the University Faculty web site. Thank you."

Speaker Pollak: "Carry that message back to your appropriate departments. Don Campbell?"

Professor Donald Campbell, Astronomy: "I was asked just to say a few words about the effects of hurricane Georges on the Arecibo observatory in Puerto Rico three weeks ago. The hurricane passed directly east-west across Puerto Rico with wind speeds that were measured at times up to about 150 miles an hour. It did a tremendous amount of damage through the island, a fact that wasn't exactly reported very well in the U.S. news. About 30,000 houses were destroyed, primarily wooden houses. About 60,000 were damaged. The observatory itself came through quite well out of the storm. It suffered some structural damage to the catwalk that was swinging in the wind and a few other areas had minor damage on the telescope.

"When you total it all up, the damage to the observatory really and the repair of it comes to something approaching a quarter of a million dollars or so. So it's non-trivial, as far as the observatory was concerned. About twelve of our staff members lost either their entire houses or at least parts of them, of course, primarily the roofs. When you lose the roofs of these houses, of course, the entire contents get destroyed. And finally, there has been a move to provide some assistance to our staff. We did ship in about fifty-three power generators, the loss of electricity was almost total on the island for a number of days and is still missing over in many areas. We shipped in about fifty-three generators which are being distributed at cost to our staff members and there's also a move on campus here to set up an emergency fund with donations that are going to this particular address as well. I

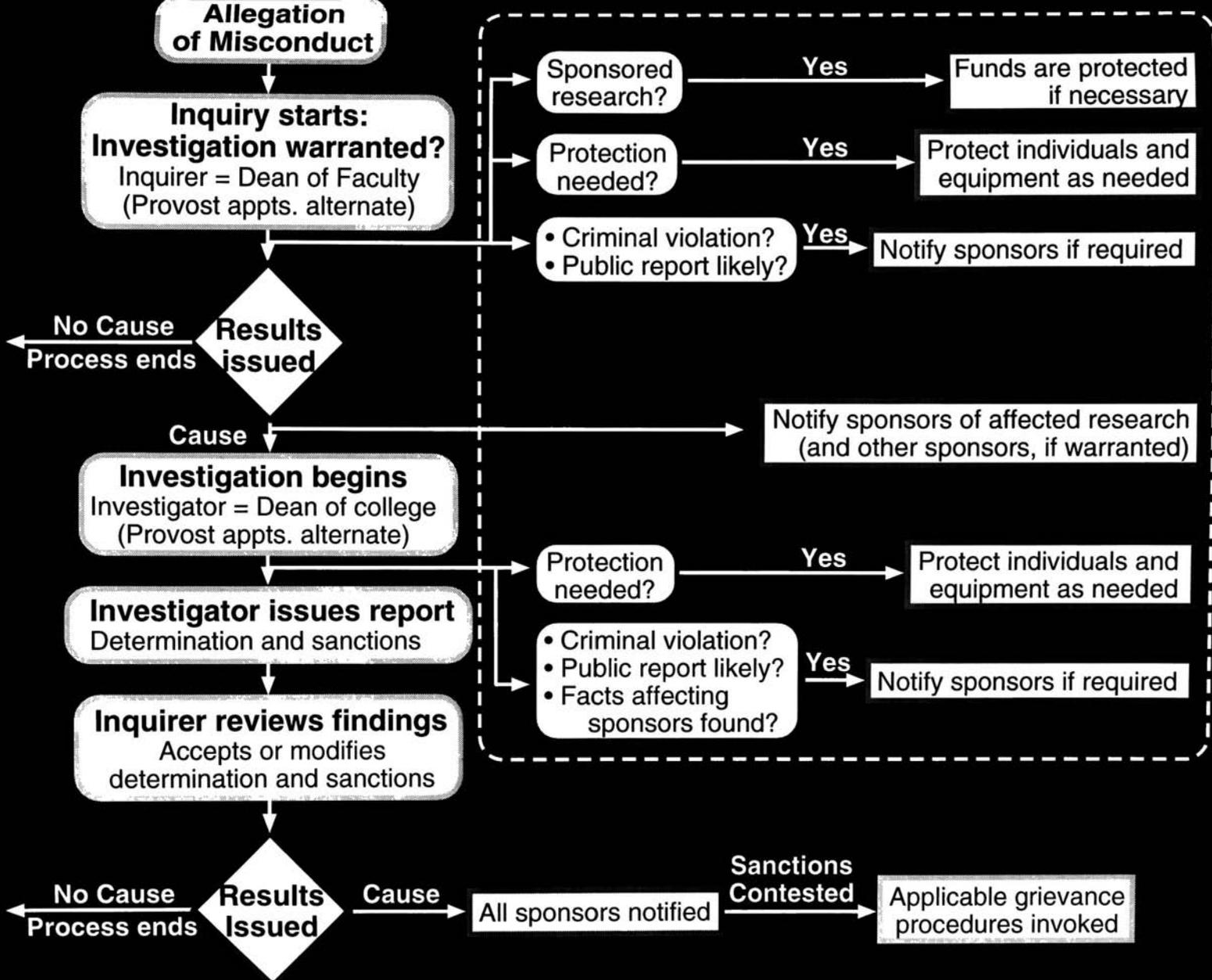
think the aim of that employee fund is to raise somewhere about \$10,000 to assist the people who lost their houses and possessions. Thank you.”

Speaker Pollak: “That concludes our business for today. We are adjourned.”

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Kathleen Rasmussen, Associate Dean and  
Secretary of the University Faculty



# Academic Misconduct

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## POLICY STATEMENT

Members of the Cornell University community, whether faculty, graduate or undergraduate students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and to meet the highest ethical standards. In all academic work they are expected to respect the facts, the appropriate standards of evidence, and the contributions and scholarship of others. While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the university will vigorously investigate allegations of academic misconduct.

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## REASON FOR POLICY

The search for truth underlies our academic values as an educational institution. Academic misconduct on the part of any members of the Cornell University community threatens and subverts the fundamental values of the institution as a whole. Each member is expected to promote such standards of integrity in interactions with other scholars, and to participate in review procedures and disciplinary actions as may be appropriate in the case of reported violations of these standards.

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## ENTITIES AFFECTED BY THIS POLICY

Faculty, Staff, and Students of the Endowed and Statutory Divisions of the University. This Policy covers undergraduate, graduate or extramural students only insofar as their actions are not already covered by the *Code of Academic Integrity*.

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## WHO SHOULD READ THIS POLICY

- Faculty, staff and students involved in scholarly or academic research

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## WEBSITE ADDRESS FOR THIS POLICY\*

<<http://WWW.UNIVCO.CORNELL.EDU/policy/AM.for.html>>

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\*The Policy Department web pages house the most current versions of all standardized university policies.

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## RELATED DOCUMENTS

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University Policies	Other Documents
Campus Code of Conduct	
Faculty Dismissal Procedure	
Faculty Handbook	
University Policy 4.6, Standards of Ethical Conduct	
University Policy 6.2.10, Establishment of College-Level Academic Grievance Procedures	

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## CONTACTS

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Direct any general questions about University Policy 1.2, Academic Misconduct, to your department's administrative office. If you have questions about specific issues, contact the following offices:

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Subject	Contact	Telephone	E-mail
Campus Code of Conduct	Judicial Administrator	(607) 255-6492	
Complaints Concerning Suspected Academic Misconduct	Dean of Faculty	(607) 255-4843	
Policy Clarification			

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## DEFINITIONS

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These definitions apply to these terms as they are used in this policy.

<b>Academic Misconduct</b>	Any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication.
<b>Inquirer</b>	The person who conducts the Inquiry and, if necessary, assigns the appropriate disciplinary action after the Investigation is complete.
<b>Inquiry</b>	A preliminary review of allegations of academic misconduct following the process described in these procedures. The Inquiry is designed to gather sufficient information and facts to enable the Inquirer to determine whether or not a full Investigation is warranted
<b>Investigator</b>	The person who conducts the Investigation.
<b>Investigation</b>	A systematic inquiry into allegations of academic misconduct through the process described in these procedures.

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## PROCEDURES

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### **What Is Academic Misconduct**

Academic misconduct includes any act that violates the standards of integrity in the conduct of scholarly and scientific research and communication. This includes, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own; deliberately falsifying or fabricating data, citations, or information; forging of academic documents; abusing the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic misconduct, or otherwise facilitating such acts; or other practices that seriously deviate from ethical standards that are commonly accepted within the scientific and scholarly communities for proposing, conducting, or reporting research. Academic misconduct also includes any form of retaliation against a person who, while acting in good faith, provides information about suspected or alleged misconduct.

◆ **Note:** Academic misconduct does not include honest error or honest differences in interpretations or judgments of data.

### **Disclosure of Academic Misconduct**

Members of the Cornell University community are obligated to report suspected acts of academic misconduct. The initial report of such an allegation, whether on the part of a faculty member, a member of the staff, a student with a university appointment, or any other person with a university appointment, should be made to the Dean of the Faculty.

### **Inquiry**

Upon receiving such a report, the Dean of the Faculty will conduct a preliminary Inquiry into the allegation or other evidence of possible academic misconduct. Should the Dean of the Faculty have a real or apparent conflict of interest with the case, the Secretary/Associate Dean of the Faculty will serve as the Inquirer. Should the Secretary/Associate Dean of the Faculty have a real or apparent conflict of interest with the case, the Provost will appoint a member of the professorial faculty to serve as the Inquirer. The purpose of the Inquiry is to gather sufficient information and facts to enable the Inquirer to determine whether an Investigation is warranted. If the Inquirer does not have the necessary and appropriate expertise for this task, s/he will appoint other personnel to assist in the conduct of the Inquiry.

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**PROCEDURES, CONTINUED**

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Such an Inquiry should normally be concluded within 60 days of receipt of the initial report of alleged academic misconduct. In the course of the preliminary Inquiry, the Inquirer:

- will take all reasonable precautions to protect the interests and the reputation of the individual against whom the allegation was made and the person who made the disclosure;
- will conduct interviews with complainant, subject or subjects, and others as necessary or appropriate for purposes of the Inquiry;
- will prepare a written report that summarizes the evidence reviewed and interviews conducted; documents the reasons for exceeding the 60 day inquiry period (if applicable); and includes the conclusion of the Inquirer as to whether an Investigation is warranted;
- will provide a copy of the report to the subjects of the Inquiry and the complainant for written comment; which comments, if any, together with the report, will become a part of the record of the Inquiry.

If the allegations involve sponsored research, the Inquirer will discretely notify the Vice Provost for Research at the start of the Inquiry. At this time, the Vice Provost for will advise the Investigator of applicable government regulations regarding the investigation of Academic Misconduct (see Government Procedures.) The Vice Provost for Research will also take appropriate interim administrative actions to protect funds and ensure that the purposes of the financial assistance are being carried out. Should the Inquirer be informed that the alleged incident will probably will be publicly reported, s/he will notify the Vice Provost for Research. During the course of the Inquiry, the Vice Provost for Research will notify and submit reports to sponsors as required by sponsor regulations.

Whether or not the allegations involve sponsored research, should the Inquirer become aware of immediate health hazards or the need to protect any individuals, funds, or equipment affected by the Inquiry, s/he will notify the Vice Provost for Research, who will undertake the appropriate interim actions. Should reasonable indications of possible criminal violations be found during the Inquiry, the Inquirer will notify the Vice Provost for Research and University Counsel within 24 hours. The Vice Provost for Research will **notify sponsors** of these actions or violations as required by sponsor regulations.

In the event the Inquirer concludes that further investigation is not warranted, s/he will terminate the Inquiry. In such case, the report of the Inquiry will be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which the file will be destroyed.

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**PROCEDURES, CONTINUED**

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Should the Inquirer decide to terminate an Inquiry involving sponsored research for any reason before its completion, a report of the planned termination, including a description of the reasons for the termination, will be submitted to the Vice Provost for Research. The Vice Provost for Research will notify sponsors of this decision as required by sponsor regulations.

**Investigation**

Should the allegations, in the judgment of the Inquirer, warrant further investigation, s/he will refer the matter to the Dean of the college or the head of the appropriate administrative unit in which the subject is appointed, within thirty days of the completion of the Inquiry. Upon receiving such a report, the Dean or unit head will conduct an Investigation into the allegation. If the Dean or college head has a real or apparent conflict of interest with the case, the Provost will appoint a member of the professorial faculty to serve as the Investigator. An Investigation must be undertaken if the Inquiry finds that the allegation has substance.

◆ **Note:** A conclusion that an investigation is not warranted requires a determination either that 1) the facts alleged, if true, do not constitute an act of academic misconduct, or 2) the Inquiry established that there is no reasonable cause to believe that academic misconduct has occurred.

The Inquirer will also notify the Vice Provost for Research and University Counsel of the upcoming Investigation. Before the Investigation begins but after the Inquiry ends, the Vice Provost for Research will **notify sponsors of the affected research** as required by sponsor regulations. The Vice Provost for Research may choose, in his or her discretion, to notify all sponsors of the individual(s) under investigation. The Vice Provost for Research will seek assurances that information regarding the Investigation will be kept confidential by the sponsors. At this time, the Vice Provost for Research will also advise the Investigator of applicable government regulations regarding the investigation of Academic Misconduct (see Government Procedures.)

The Investigator will conduct a thorough examination and evaluation of all relevant information to determine if academic misconduct has occurred. The Investigator may designate an ad hoc committee, a standing committee, or other personnel to assist in the Investigation. The Investigator will ensure that personnel with the necessary and appropriate expertise are included in the Investigation, and that no person with a real or apparent conflict of interest is appointed to the Investigation.

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**PROCEDURES, CONTINUED**

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The Investigation will include but need not be limited to:

- examination of pertinent documentation, including relevant research data and proposals, publications, correspondence, etc.;
- interviews of all principals and witnesses, whenever possible;
- preparation of written summaries of interviews to be provided to the interviewed party for comment and/or revision and to be made available to sponsors as required by sponsor policy;
- maintenance of documentation and summaries of interviews as part of the investigative file;
- consultation with experts from within or without the University, as deemed appropriate;
- preparation of a written report that includes: (a) a description of the policies and procedures under which the investigation was conducted, (b) a summary of the evidence reviewed and interviews conducted, (c) the actual text or an accurate summary of the views of any individual(s) found to have engaged in academic misconduct, (d) the findings regarding academic misconduct and the basis for these findings, (e) recommended administrative actions to repair any damage the misconduct may have caused, and (f) recommended disciplinary actions ranging from reprimand to termination, and submission of the investigative report to the subject(s) and the complainant for written comments; which comments, if any, together with the report, will become part of the record of the Investigation.

Should the Investigator be informed that the alleged incident will probably be publicly reported, s/he will notify the Vice Provost for Research if the allegations involve sponsored funds. During the course of the Investigation, the Vice Provost for Research will notify sponsors and submit reports as required by sponsor regulations.

Whether or not the allegations involve sponsored research, should the Investigator become aware of immediate health hazards or the need to protect any individuals, funds, or equipment affected by the Inquiry, s/he shall notify the Vice Provost for Research who shall undertake the appropriate interim actions. Should reasonable indications of possible criminal violations be found during the Investigation, the Investigator will notify the Vice Provost for Research and University Counsel within 24 hours. The Vice Provost for Research will **notify sponsors** of these actions or violations as required by sponsor regulations.

Should the Investigator uncover facts that 1) may affect current or potential sponsored funding for the individuals under investigation; or that 2) the research sponsors may need to know to ensure appropriate use of funds

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**PROCEDURES, CONTINUED**

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or to otherwise protect the public interest, the Investigator will promptly notify the Vice Provost for Research, who will notify sponsors of these facts as required by sponsor regulations.

A final written report, including the comments, if any, of the subject, will be submitted by the Investigator to the Inquirer. The final report will be made available to sponsors as required by sponsor regulations. The Investigation should normally be completed within 120 days after referral by the Inquirer. If, based upon the report, the Inquirer concludes that academic misconduct has not occurred, the Investigation is terminated. In such case, the report of the Investigation will be maintained in the confidential file of the Dean of the Faculty for a period of three years, after which, the report will be destroyed.

Should the nature of the Investigation make it impossible to meet the 120 day time limit, the Investigator will prepare an interim report or request for extension as required by the research sponsors. This report will include an explanation for the delay, an interim report on progress to date, an outline of what remains to be done, and an estimated date of completion. The Investigator will supply this report to the Vice Provost for Research, who will submit the report to the sponsors, as required by sponsor regulations.

If the Investigator decides to terminate an Investigation involving sponsored research for any reason before its completion, a report of the planned termination, including a description of the reasons for the termination, will be submitted to the Vice Provost for Research. The Vice Provost for Research will notify sponsors of this decision as required by sponsor regulations.

**Disciplinary Action**

The Inquirer may, in his or her discretion, either accept or modify the findings and recommendations and prepare findings or recommendations of his/her own. Before reaching a final decision concerning any modifications, however, s/he will explain the rationale for the decision in a written communication to the Investigator and will consider the Investigator's response to those modifications.

Should the Inquirer, based upon the report, conclude that academic misconduct has occurred, s/he will recommend such administrative action as may be appropriate to repair any damage the misconduct has caused (notice to publishers, etc.) and such disciplinary penalty as deemed appropriate. Possible penalties range from reprimand to dismissal, depending upon the seriousness of the offense.

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**PROCEDURES, CONTINUED**

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Should the Inquirer conclude that disciplinary action is appropriate, applicable university procedures appropriate to the class of researchers to which the accused belongs will be invoked. For this purpose, s/he will forward a copy of the report and his/her recommendation to the appropriate university administrator for imposition of discipline.

◆**Note:** The subject may appeal any disciplinary action using applicable grievance procedures.

**Confidentiality**

All individuals who are involved in the complaint reporting and/or investigation process are obliged to maintain confidentiality of the proceedings. Throughout the Inquiry and Investigation of alleged academic misconduct, those conducting the reviews shall take all reasonable precautions, consistent with the need for a complete and comprehensive review, to maintain confidentiality and to protect the rights and legitimate interests of both the person making the disclosure and the subject(s) of the review.

After the Investigation (or Inquiry, in the case where the Inquirer determines that no Investigation is warranted) has concluded, the Inquirer in concurrence with the Vice Provost for Research may publicly release information regarding the findings of the Investigation if warranted by the circumstances.

The Dean or unit head will undertake diligent efforts to protect the positions and reputations of those persons who, in good faith, make allegations of scientific misconduct. When the allegations are not confirmed by the Investigation, or when the Inquirer determines that an Investigation is not warranted, the Dean or unit head will also undertake diligent efforts to restore the reputations of persons alleged to have engaged in misconduct.

**Reporting**

The Vice Provost for Research will notify and submit reports to sponsors upon completion of the Investigation when:

- it is concluded that academic misconduct has occurred, or
- the sponsor was previously informed of the Inquiry or Investigation and it is concluded that academic misconduct has not occurred, or
- it is required by sponsor regulations.

This report will describe the policies and procedures under which the Investigation was conducted, the findings of the Investigation, a description of the disciplinary actions, and any other information or

**PROCEDURES, CONTINUED**

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documentation that may be required by the sponsor, including the full written report of the Investigation.

**Government Procedures**

In cases where academic misconduct is alleged to have occurred in the course of research subject to applicable governmental regulations (e.g., violations which may occur in the course of research sponsored by the National Science Foundation and/or the National Institutes for Health), the requirements of such governmental regulations will apply and supplement and/or, to the extent inconsistent herewith, supersede the provisions of this policy. In that event, applicable governmental time periods for conducting the review process, reporting procedures, and other substantive and procedural requirements will be followed.

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## RESPONSIBILITIES

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The major responsibilities each party has in connection with the University Policy 1.2, Academic Misconduct, are as follows:

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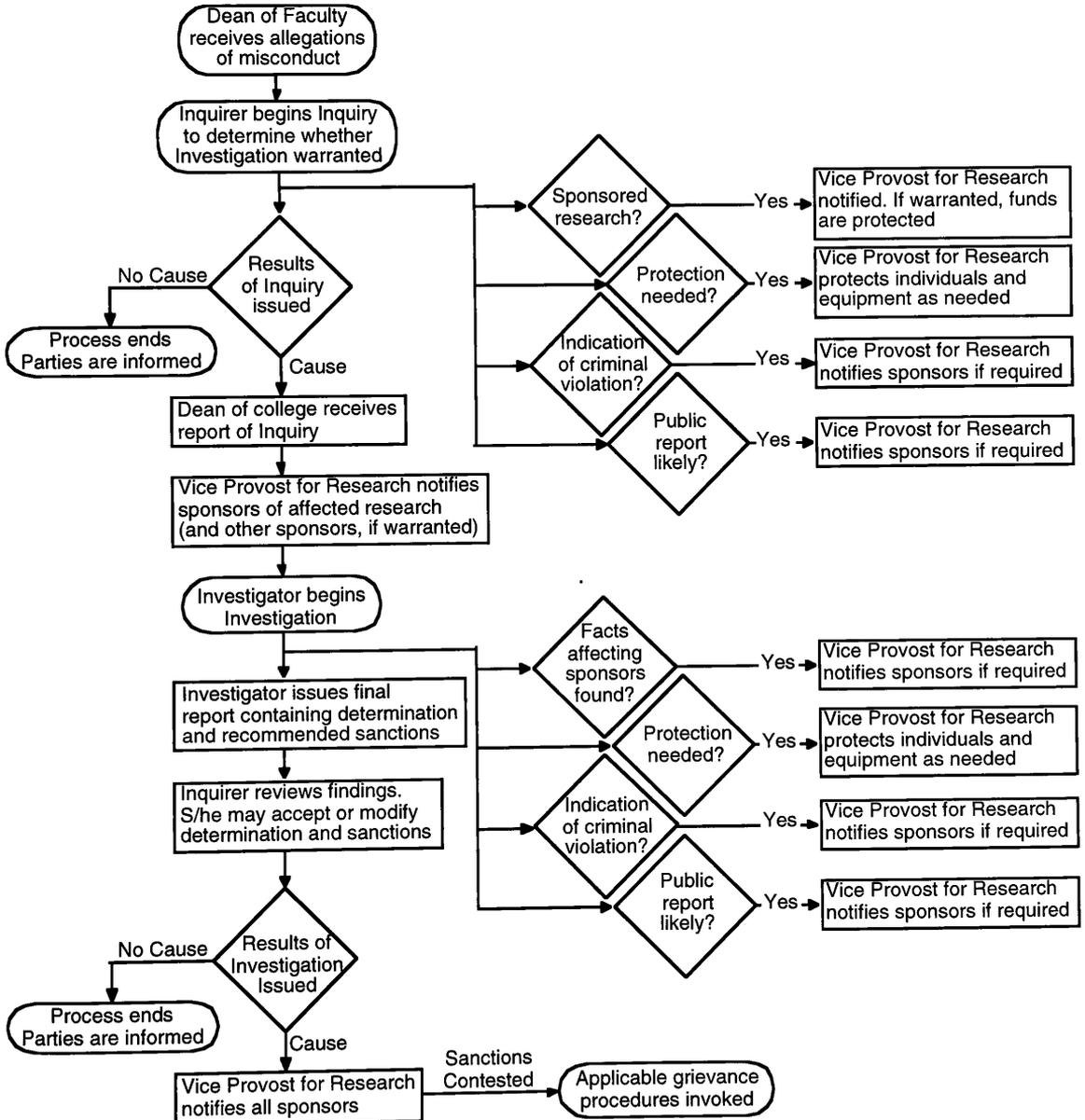
<b>All Faculty Members, Staff Employees and Students Involved in Academic Research</b>	Read and understand these procedures.
<b>Deans, Department Heads and Supervisors</b>	Inform employees under their direction or supervision of these procedures. Notify Dean of the Faculty when they receive reports or complaints of academic misconduct.
<b>Dean of the Faculty</b>	Receive complaints of academic misconduct and initiate Inquiry process.
<b>Inquirer</b>	Gather sufficient information to determine whether or not an Investigation is warranted. Review and accept or modify the findings and sanctions recommended by the Investigator.
<b>Investigator</b>	Conduct a thorough investigation to determine whether or not academic misconduct has occurred. Recommend administrative and disciplinary actions in cases where academic misconduct has occurred.
<b>Provost</b>	Appoint alternate Inquirer or Investigator if the Dean of the Faculty or the Dean of the college has a real or apparent conflict of interest.
<b>University Counsel</b>	Provide counsel, as necessary, to the Inquirer and Investigator during the investigation process.
<b>Vice Provost for Research</b>	Protect individuals, funds and equipment during Inquiry and Investigation, if necessary. Submit reports to sponsors.

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## APPENDIX

### Flow Chart

#### Complaint Investigation Process



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**MINTUES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, November 11, 1998**

Speaker John Pollak, Professor of Animal Science: "Okay, I'm going to start the meeting although, at the moment, we are slightly shy of a quorum. So we'll start off with Dean Cooke and a few of his comments and I will let you know when we do achieve the quorum."

### **1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "My remarks will be rather brief to save as much time as possible for the discussion of the Division of Biological sciences issue.

"We have agreed to sponsor, jointly with the Academic Leadership Committee, a session on December 9. I've been in touch with some of you who have been asked to be discussion leaders or note takers in that session. It is on a Wednesday from noon to 4:00 p.m. It precedes our December meeting of this body, which is at 4:30 p.m. We are going to be dealing with two topics selected by the UFC. One is on the 'Undergraduate Experience' and the other is on 'Distance Learning.' Both of them have considerable importance to us and, in both areas, change is afoot. Here's the agenda. A preliminary session with remarks by the President. Then former Vice Provost Kenneth King is going to talk about 'Distance Learning.' There will be a summary of the COFHE study - a survey made of the graduating seniors last December. It's a huge volume. Bob Johnson is reading through it and will summarize for us the comments of the students. And there will be a presentation by Professor Kramnick on enhancing on-campus housing. The bulk of the afternoon will be spent in discussion groups of about ten faculty members each, with a discussion leader and a note taker in each, and with, hopefully, two students in each session. They will have some background materials and all of you have been invited and I urge you to attend. This is an important trial for us to see if we can use this mechanism as a way of broadening the level of interest in issues that we need to discuss. There is a sign-up sheet outside, if you haven't already signed up or indicated that you would be attending. There will be summaries presented at that session, but I would also ask some of you to scan the data of the session and share your findings with this body at the 4:30 meeting. Any questions?"

Speaker Pollak: "Okay, I do believe that we have achieved a quorum. So we will be an official meeting right now. So we'll open it up to questions for the Provost. Do you have anything you want to say first?"

Provost Don Randel: "No."

### **2. QUESTIONS FOR THE PROVOST**

Associate Professor Brad Anton, Chemical Engineering: "Last year I served on a committee to draft a resolution to establish a council to advise you on research expenditures and in the course of looking into that issue, we learned that you have at

your disposal, on the order of \$5 million a year to use to stimulate new initiatives and so forth. . ."

Provost Randel: "That's an inflationary statement (laughter)."

Professor Anton: "It was on that order, right?"

Provost Randel: "Its about half of that, actually."

Professor Anton: "Okay, well, better yet (more laughter). On the other hand, we also learned that you control something on the order of \$40-50 million a year that is spent on facilities, new construction and renovation of existing facilities on campus. Is that roughly correct?"

Provost Randel: "Control is a funny word. Most of what we do in new construction is funded by gifts that are raised for that specific purpose and that are not part of any regular revenue. What there is a regular revenue stream for is renovation and maintenance, and that the Trustees have enjoined us to increase."

Professor Anton: "That raises intriguing possibilities. If we could make a small decrease, say 10%, of the expenditures for facilities, we could double or triple our flexibility to make new research initiatives. So what brings this to my mind is that in my own department of Chemical Engineering in Olin Hall, we are renovating a room in our basement of 680 square feet - about 24 by 30 feet - maybe the size of the stage up there in front. It was a storage room, and we're renovating it for use as a computer lab. The renovation includes tile floor, ventilation, which is just to hook up to an existing ventilation system, one of those cheap drop ceilings and some light, some network wiring and a 110-volt power wiring. There's no oak trim in this room, nothing fancy happening. Nothing like in Sage, or the nicer places. There's no furniture going in or anything. The cost for this project is \$4,900 for the design work and \$42,500 for the construction, for a total bill of \$47,400. About \$70 per square foot. This is not like some SCUD missile cruise strategic defense buster, it's not like a hospital surgical suite, it's not even like a wet chemistry lab, which would have a hood, and a sink and a drain in it. This is an empty room with some tile and some paint. This cost of \$47,000 seems outrageous, and if you compare this to renovation costs in other buildings where similar work is done, we estimate that it is roughly double what it should cost. And this is not an exception. Two years ago, we renovated another room in our building, 375 square feet, in the same manner for the same state of final repair for \$21,000, and other people I've talked with can tell similar stories of having an office carpeted, or checking into having an office painted or any of these kinds of things. My questions are, what fraction of this \$40 or 50 million a year ends up being contracts that are awarding within Cornell to Cornell's own Planning, Design and Construction crews? And my second question is, would you audit their operations, comparing them fairly to independent contracting companies that offer the same services and results, and publish the results for everyone to see? And finally, if savings could be realized by using independent contractors for these kinds of jobs, would you apply those savings to the research budget?" (laughter)

Provost Randel: "Those issues have been raised frequently by people, including me. We do not design major construction projects internally, nor do we build internally. Those are competitive sealed bids in most cases, certainly on the endowed side. On the statutory side we operate on somewhat different rules because we don't control that process. The State University Construction Fund does. The harder problem is smaller things that you are talking about for which you don't get a major contractor. You are not going to get a bunch of competitive bids to do a 500-square foot job. And are those things more expensive? I would also volunteer, that when we get outside bids for major projects, there is a substantial hunk of money for what is called 'Cornell costs,' managing the project, etc. We have steadily challenged this. Our Board of Trustees has, within the last year in fact, insisted on a presentation to the Buildings and Properties Committee by the Facilities group to ask 'How can you justify these costs? What's going on in there?' So it's something that we try hard to pay attention to. I would be lying to you if I said that I was happy about what we have to pay to get things done. At the same time, we operate in an environment that is quite different than one that you or I would be operating in if we were running a small business and had 500 square feet to renovate. I mean we wouldn't pay \$70 a square foot for that. There are all kinds of codes and compliance issues and what it costs us, I mean literally costs us, on a project-by-project basis, to deal with the municipalities of which we are a part. In many parts of the campus, if we want to do anything, we have to deal with the City of Ithaca, Village of Cayuga Heights, Town of Ithaca, all of whom have requirements for major kinds of studies. It takes people to do those things, sometimes outside consultants. Stuff you have to produce, like an environmental impact statement, is really quite substantial. So, without wishing to deny for a moment that we should continue to scrutinize all of that, there are many things that come into play there, and if you mess with one little piece of equipment in a building, you find yourself obliged to do other things as well. I can assure you, I've said for 25 years, which I believe is how long 'Facilities' has been an enterprise unit, that if one is not careful, to set such a service organization on the campus up as an enterprise, is simply a way of cutting the budgets of the people who are their customers because the system allows them to pass costs on to you and as long as their books are balanced, they are okay. We have to monitor that. I hope and believe that we can do better, but I'd be lying to you if I said that that problem is going to be easily solved. The Facilities group, I think you show, that the number of employees that they have is really markedly down in recent years. That's progress."

Speaker Pollak: "In the back."

Professor William Lesser, Agricultural, Resource, and Managerial Economics: "My question has to do with our ongoing discussion about the structure of the Biological sciences. We have had two opportunities to discuss and we will be completing that discussion today. During that period we've had the opportunity to get a broad view from the faculty and other administrators there about what their perceptions of the issues and solutions are. And this afternoon, Vice Provost Garza will be presenting his synopsis of the issues and the possible applications and remedies thereof. What we haven't really heard from is the view of the central administration regarding these matters, which takes on critical importance because you all are going to be making the final decision. Therefore, I was wondering if you could kindly answer three questions. First, what are the major current limitations regarding the teaching and research in the biological sciences that are leading to this consideration? Two, how can this structural

change remedy those problems? And three, what do you hope to receive from the Senate discussions in this area? Thank you."

Provost Randel: "Maybe I should take them in inverse order. What we seek from the discussion of the Senate, indeed, what we have been seeking from the discussions in various other orders, is a sense of the Faculty's view on how we ought to proceed on this matter. And in that sense, I clearly can't give you a view of what the central administration is going to do because we partly await the outcome of this discussion as well as many others. I think after this one, we will begin to proceed to set down on paper what we ought to pursue. The second one is about the Division itself. The fact is that any decision that is taken as to whether to have a Division or not have a Division is merely the first of many decisions that will need to be made, and all that follows is going to entail a good deal more discussion on the part of the Faculty. Having a Division or not having a Division is not going to make us good in biology. Which brings me to the first question which is why should we be thinking about this at all? And that is because (a) Cornell has a very considerable investment in biology already; and (b) is probably the science of our times. The rate of change in those fields is astonishing. The amount of work that is being done in them increasingly affects every other science that we are in. We have had a powerful Physics Department for a very long time. There have doubtless been many years in that glorious history when physicists wouldn't have taken much of an interest in biology and now they find themselves compelled to. And one could go on and on. Our motives here are simply to be as strong in the biological sciences as we have been in a variety of other fields and will need to be if we want to be a distinguished university in the years to come. We have pockets of great strength in these fields and we have other sectors in these fields where we are not as strong as we need to be given the changes that have taken place in biology. So the goal of the entire enterprise of which this is really only a part, and a part which will not fix the problem, is to be as good as we can possibly be in fields that we cannot afford to ignore."

Speaker Pollak: "Other questions?"

Associate Professor Randy Wayne, Plant Biology: "Since J and K are options that we are discussing today, actually, it's just administrative structure. It has nothing to do with biology necessarily. If the Trustees gave you the opportunity to revamp the Provost's Office, given the choice of J and K, what would your questions be to them?"

Provost Randel: "I guess I haven't really understood the question."

Professor Wayne: "If the Trustees gave you an option to divide your office into small departments without a large group that goes straight to the Trustees or to have one powerful person with groups that were ill defined, what would your question be to them?"

Provost Randel: "I think that's a trick question (laughter). I think that the scales of these two problems are incommensurable and it's hard to imagine how an answer to that question, if I could figure out what it could be, would be relevant to the questions before."

Speaker Pollak: "Okay, any more questions?"

Assistant Professor Penny Becker, Sociology: "I would like to follow-up on the first question, which I thought was excellent and which, pardon me, I don't think you answered. Why can't there be accountability? Why can't there be accountability structures built in? Twenty-five years seems like a long time to be thinking about a problem without coming up with a constructive solution. So why can't there be an internal audit, which I think was one of the specific points asked? Or why can't there be other mechanisms? For example, why can't departments petitioning to do certain kinds of renovations be authorized to seek outside firms who would then be responsible for obtaining all the necessary permits, and do a cost comparison? Why can't we explore concrete solutions? It strikes me that if you did an exit poll of the faculty who have left recently, the impenetrable bureaucracy is one of the things that they perceive as unique about Cornell, different than at other universities. So why can't those concerns be addressed in a more concrete way? I want to echo that I thought his question was great, and I guess I'd like to hear more about it."

Provost Randel: "Well, these things are certainly examined. I mean there is no project over half a million dollars that doesn't get examined by the Board of Trustees and bids compared and costs compared, and we have people on that committee, the Buildings and Property Committee, who are operators of huge quantities of midtown Manhattan real estate, and who really know what it costs to build things and to maintain them, and we are steadily challenged by those people. So, it's not as if nobody's paying attention. And I think that one would have to say, once again, as I reported, that if you asked Vice President Kraft about what happened in his organization, even going back ten years or so, there have been very substantial reductions in the size of the staff, and reorganizing the duties of those people. I think we always have to strive to do better on that front, and I didn't mean to suggest that in 25 years nothing has happened. The other thing that has to be said about the conditions under which we operate is that we have unions on this campus, and there are circumstances in which we are, because of our labor agreements, simply not under the liberty to go out and hire people who could come and do it cheaper. Another thing that one has to reckon with is that liability issues that have to do with working on the University campus are very substantial, and lots of modest-size contractors can't afford to carry the kind of insurance that we would have to insist that they have on their work. Once again, I don't mean to say that we shouldn't continue to bear down on that, and as I say, we have members of the Trustees and administration who are steadily trying to do better, but you get a case like this, and it sounds absurd, I grant you."

Speaker Pollak: "Quick question, Kay."

Professor S. Kay Obendorf, Textiles and Apparel and Faculty Trustee: "I'm one of your faculty-elected Board of Trustee members who serves on Buildings and Properties, and it's my opinion that this question does tap on one of the problems, but we the faculty are part of that problem. To say the least, we want it all. We want investment in our research, we want faculty salaries, and we want a very complex and diverse physical facility and equipment. And it's a trade-off and I really believe that we have such a complex physical facility for all of the things that we the faculty want to do. I don't think it's the administration causing the buildings and properties. But it's part of the equation

and it is our appetite as the faculty for all of these things. I don't know whose building I should vote against so we could have more money for faculty salaries and research."

### **3. APPROVAL OF THE OCTOBER 14 FACULTY SENATE MINUTES AND THE OCTOBER 21 UNIVERSITY FACULTY FORUM MINUTES**

Speaker Pollak: "Okay, we'd best move on. You had an opportunity to look at the minutes on the web. Are there any corrections or comments relevant to those minutes? Seeing none, we'll pass for you a unanimous ballot to approve those minutes and we'll call on Kathleen Rasmussen for the Nominations and Elections Committee report."

### **4. REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "This one is blessedly brief; the next one probably will not be so blessedly brief. The Nominations and Elections Committee has appointed Elizabeth Regan to the Academic Freedom and Professional Status Committee and Bud Tennant to the Local Advisory Council to replace someone who resigned. Any questions or comments?"

Speaker Pollak: "Okay, seeing none, we'll also accept that. We'll move on now to the main part of the meeting which will begin with a presentation by Vice Provost Garza. While he's speaking, you should be formulating your opinions and thoughts. We are going to limit you to one presentation, maximum of three minutes. If you start to go over that, I will try to cut you off but you will absolutely be cut off after five minutes. So please prepare your thoughts and recognize that as the protocol we will be following."

### **5. PRESENTATION ON THE DIVISION OF BIOLOGICAL SCIENCES**

Cutberto Garza, Vice Provost: "The update I provided that was posted on the web was in two parts, for those of you have not had an opportunity to look at it. The first outlined the salient goal strategies, concerns, and views that have been expressed most often by the various groups whose input has been received. The second outlined the key characteristics of the options that remain under consideration. I hope you reviewed part one. The two options that remain have been narrowed down from approximately eight that have been presented to or by the faculty in the past two weeks. The two are most similar to options A and C that were presented at an earlier meeting. Both, however, have been modified in response to input from the faculty and from various college administrators. The options remaining have been labeled K and J with the hopes that we wouldn't get to Z.

"Although the focus of the reorganization is the present Division of Biological sciences, I want to stress that any reorganization must acknowledge the context of the broader life sciences. This broader context and the on-going program reviews will undoubtedly influence the implementation of any decision that may be taken. It is very important, also, for me to stress that it is not my intent to signal, or send any signal, that minimizes the expected impact of the ongoing program reviews on future strategies for assuring greater collaboration across colleges in curricular matters or in research and extension

activities that relate to the life sciences. This is especially true in determining future directions in the broader life sciences that are reflected in new hires, faculty performance reviews, and ultimately in tenure decisions and investments that relate to facilities and other infrastructure.

"Thus, both options that I will present assume that the central administration will play a major role in convening the units on the Ithaca campus with interests in the life sciences. Among the aims of this convening role are to implement campus-wide planning in the life sciences, assuring enhanced coordination of searches in new hires; promote effective mechanisms for anticipating new directions; and facilitate campus-wide initiatives in teaching, research, and outreach, in all of the life sciences. The on-going program reviews are expected to inform how all of these aims can be met most effectively. Now it's also extremely important to acknowledge that selection of an administrative structure -- in fact it was raised by one of the questions today -- is only the first step of a complex problem. The implementation of any decision will require your involvement and especially involvement of departments/sections that would be affected by any decision taken most directly.

"Now even a cursory review of the two remaining options suggests that many details will require faculty input. I listed some examples of that input on the Web. If you have not had a chance to review that, I certainly would request that you do so. Before going on, I would also like to take this opportunity to thank the faculty that are here, and those that are not, for their help and support in this last phase. I have to again stress how useful it has been to get your input and to stress to you how thoughtful and how civil that input has been throughout this process. I think that the faculty that participated in that are to be commended.

"Let me begin by going over the options that we have before us. The first option, Option J, is most similar to Option A that had been presented before. It eliminates the Division and creates new departments, reporting to the colleges, or college: (1) Molecular and Cell Biology reporting to either Arts and Sciences or CALS, and a similar reporting structure for (2) Genetics and Development, (3) Ecology and Evolutionary Biology, and (4) Neurosciences and Behavior; (5) Physiology to the Vet School; (6) Bailey Hortorium to CALS; (7) Plant Biology to CALS; and (8) Microbiology to CALS. Now, the discussions have not been held with the colleges solely responsible for the units numbered 5 - 8. Thus, how these units would be managed has not been entirely determined, nor have their prerogatives as departments been discussed. In essence, this would provide us with four main divisions at most, but we really have anywhere from 3 to 8 departments that would be created that could emerge from this reorganization. These 3 to 8 would follow the usual university models in hiring, promotions, etc. The major exception would be that the departments with dual-college affiliation would not be permitted to offer a separate undergraduate major. This also requires some discussion since faculty lines for at least four of these departments come from two colleges. We might have two co-equal deans, or a lead dean with a secondary dean, and the responsibilities have not been worked out for either the lead dean or the secondary dean. If indeed, we were to go with an option like this.

"The undergraduate biology major would be retained as a single major under the administrative responsibility of a Director of Undergraduate Studies. Under this option,

the Director would be appointed by and report jointly to the deans of Agriculture and Life Sciences and Arts and Sciences. A structure would be developed by these two colleges that would enable the director to receive the full cooperation of core departments in the designing and staffing of the teaching program, and provide the support necessary to enlist the participation of biologists throughout the University. The intent of this is to make sure that there is a much wider University participation in the biology curriculum than currently occurs, or is perceived to occur. A committee would advise the Director of Undergraduate Studies with representation coming from departments responsible for core curriculum and representatives from departments of other undergraduate majors in the life sciences. Among this group's major responsibility would be the full integration of all of the campus biologists in the biology major teaching program. Lastly, the third major component of this would be the committee to advise the University in the area of basic biology. The Provost would appoint this committee and it would be made up of senior members of the Cornell faculty, deans from selected colleges, and external senior scientists from both the public and the private sectors. Members of this group with Cornell affiliations would be expected to meet more frequently. Given the wide University interest in achieving greater coherence across the life sciences, however, I fully expect that the role and composition of this group will be rethought once we have all of the biology program reviews or life science reviews completed.

"I'll move on then to the other option, Option K. This retains the Division of Biological sciences with a Director appointed by the Provost. The Director of the Division would be responsible for allocating faculty lines and resources that are assigned to the Division. The intent is not to create another autocrat. I think we'll keep the ones we have; let's not try to create anymore. The intent, when we say 'responsible for faculty lines,' is that those would be determined by an Executive Board that would advise the Provost. That board would be appointed and chaired by his or her designee. Its members would be the deans of the College of Arts and Sciences, CALS, and at least one other college, and the Director of Biological sciences. Once those resources are assigned to the Director, one would expect to hold the Director accountable for their use.

"Now, one would expect that the development of faculty lines assigned to specific areas of scholarship, the development of search plans for new faculty, the allocation of resources for major facilities, would all be done after consultation with the board with a final decision of the Director being reached in consultation with his or her faculty. Existing sections will be organized into areas of scholarship that would be led by individuals appointed as Associate Directors, to stress responsibilities to the Division as a whole, and secondarily, to narrow areas of scholarship. It is my expectation that we would try to limit those areas to three or four, certainly from the number of eight that is present now, to try to create a culture that would be more responsive to the rapid change in biology and would enhance the training of our students for their future rather than for our past. We would retain a single undergraduate major. An Associate Director of Undergraduate Studies would be appointed by and report to the Director of Biological sciences. The structure would be developed, in this case, by the Executive Board, to accomplish exactly the same aims that I reviewed for you under the previous option. In terms of getting wider participation of all biologists on campus, a committee would be chaired by the Associate Director for Undergraduate matters. The committee

would here consist again of the various representatives and be responsible for the undergraduate major, but also representatives of other departments with majors in the life sciences, in the effort to achieve wider collaboration in the biology major teaching program involving all biologists on campus.

"Lastly, a committee to advise the University in the area of basic biology, having the same function and composition that I described earlier, but here again, expecting that both the role and composition will change once the program reviews are over and we are able to determine how best to achieve the type of collaboration and cooperation across colleges that I described earlier."

Speaker Pollak: "Okay, we'll open it up to comments, questions, queries?"

## 6. DISCUSSION OF BIOLOGICAL SCIENCES

Professor Howard Howland, Neurobiology and Behavior: "I'd like to speak at the podium. This is the last scheduled discussion before the fate of the Division of Biological sciences is decided. We have two options before us, and each is frustratingly vague in its detail. But its purport is clear: Option J will abolish the Division, Option K will preserve it. Thus, in this short time, I propose we examine whether the Division should stand or fall. Dr. Garza identifies the concerns of the stakeholders and from these, it's clear who supports J and who supports K. He writes of the Deans' concerns. 'College responsibilities for implementation of research and teaching activities presents strong arguments for keeping the reporting structures as closely tied to the colleges as possible.' Thus clearly, the Deans support Option J, the dissection of the Division in their departments and their colleges. What are the implications for the sections? Close ties of my section, the section of Neurobiology and Behavior, to CALS may implement the recommendations of the Dean of CALS that, and I quote, 'Investments in the Neurobiology program should be monitored and focused by the college so as to maintain teaching capacity and research activities that support the College's mission, such as the control of insect pests.'

"On the other hand, were Neurobiology and Behavior to fall into the Arts College, it is unclear how our mission would be framed or in the words of the recent Humanities report, how our section might be 'reoriented in a more intellectually challenging direction when the bounds of its disciplines were reconceptualized.' Those who believe that the sections of the Division will be preserved in several colleges are, I think, in for a rude awakening. But their faith is nothing compared to those who think that the biology curriculum, which serves the largest major in this University, will survive the breakup of the Division. I have chaired the Curriculum Committee of the Division, and served as a representative on the CALS Curriculum Committee. I know the pressures to which the biology curriculum is subjected. If the Division is dissolved, I predict that within ten years, that curriculum will look as if it has been put through a meat grinder. The figure of a Director of Undergraduate Studies in Option J, who must go with hat in hand to the deans and department chairs to attempt to hold together what pieces of the biology curriculum he or she can, is worthy of a Russian novel. The person who takes this job must either be a cynic or a suicide.

"So who then favors Option K, preserving the Division? The administration knows that the large majority of the faculty of the Division favor its retention. Why? Because we endorse the goals that, as Garza says, 'Nearly everyone endorses.' One, enhancing basic biological sciences at Cornell and two maintaining a single, strong undergraduate major. We believe that only an intercollegiate structure can coordinate and nourish biology and only such a structure can maintain a strong, undergraduate major in the biological sciences. Listen to the advice given to us by the External Review Committee, hand-picked by the President. They wrote, 'We recommend that there be designated a Vice Provost for biological sciences, responsible for guiding the development of the biological sciences at Cornell.' And, 'It will be argued that the establishment of integrated, strong leadership for the biological sciences at Cornell would violate traditional administration patterns in funding possibilities and hamper established missions of some of the Colleges.' To that assertion, we reply with a question. They ask, 'Does Cornell want to become the intellectual leader first in research and teaching in the 21st century, or is Cornell too timid and too hampered by tradition to meet this challenge?' And the Deans, according to Garza, think that, 'Strong departments most often develop and support strong academic programs.' Well, our Division of Biological sciences was once strong and it did develop and sustain strong academic programs. It even sustained a strong undergraduate program in the last ten years, when its Directorship was failing. Is this not a mark of a successful organizational plan that can carry on even when its Directorship was weakened to the point of near incapacitation?

"Ladies and Gentlemen, this is an historic decision that holds the seeds of success or failure of the University in the next century, to say nothing of the current Presidency that is rushing to this decision. Seldom has come before this body such an illogical, parochial, ill-thought-out and, in its effect, downright destructive proposal of Option J, which would abolish the home of basic biology on this campus, scatter its parts to three colleges, and throw away more than 30 years of progress in unified biology at Cornell. With all my heart, I urge the administration to reject it."

Professor Douglas Haith, Agricultural and Biological Engineering: "I canvassed my faculty this morning, and, in fact, we had a meeting about this. It was a little bit embarrassing to see that the reaction of my faculty was basically, 'How can there be two such terrible alternatives offered to our faculty?' And I had no real good answer to that because to a man or a woman, our faculty found both of these alternatives extraordinarily defective. Option J is defective primarily because of its devastating impact on the undergraduate program. Just being teachers, we could not understand how an effective undergraduate program could be organized under that context. On the other hand, we were just as unhappy with Option K. The reason we were so unhappy with that is we frankly could not understand how a University organized around strong colleges, strong departments, who long have had traditions for the excellence of their academic programs wanted to go with some new, extra-college, extra-department structure, in which now we would be putting power into something that none of us understands. We don't understand the implications of where that would go. I know that some of us had real concerns about what its implications might mean for our own departments and our own college graduation requirements, and they seem severe to us. The final thing that my faculty asked me, and I didn't have an answer for this either, is why wasn't the most reasonable option proposed? Of course, everyone wanted to know what that was, as do most of the rest of our faculty. Why

wouldn't all the goals be satisfied by putting the Division of Biological Sciences into a college, left unsaid which college? I understand it would be a very problematic issue. I realize it would take extraordinary courage on the part of the administration to do that, but if the entire Division were in a single college, I maintain that all of our goals would be accomplished, and I could not answer my faculty's question as to why that alternative was not proposed."

Speaker Pollak: "Next?"

Professor Ray Wu, Biochemistry, Molecular, and Cell Biology: "I would like to point out that in the Biological Sciences Division, there are about 100 faculty members; whereas there are 400 faculty members in CALS for a total of 500 faculty members. The Division of Biological sciences would, in a way, cause a division between the faculty of the Division and the faculty of the College. In fact, many of the Ag college faculty members are doing basic research, so I think that the decision is quite arbitrary. So, I'm in favor of J, which should unify all of biology into one group and don't call it a division. I think that the teaching part could be organized as it is now and it shouldn't suffer if it's organized correctly."

Speaker Pollak: "More comments?"

Robert Lucey, E.V. Baker Professor of Agriculture and Senator-at-Large: "They've mentioned 'outreach' through the document, but they don't define it. It doesn't fit any of the categories, in my mind, and I'd like a clarification on that."

Vice Provost Garza: "Extension and other activities that relate to external bodies. I'm going to make sure that all three missions were represented rather than speaking only to our mission in the life sciences to teaching and research. Most of the Division, by now, is devoted primarily to those two missions. Looking at the broader life sciences, though, we need to keep that firmly in mind."

Professor Lucey: "You'll need to do a better job than you've done so far."

Vice Provost Garza: "Well, there are lots of details, I grant you. We just have not had the necessary capabilities to get to that point. I certainly am very anxious to get this decision made so that we can bring greater specificity to either option."

Associate Professor Jeff Doyle, Bailey Hortorium: "After Professor Howland's comments, what I have to read is going to be a bit bland in comparison, but it is along the same lines. That a substantial majority of the Division faculty rejects models that eliminate the Division has been quite clear from the beginning, from the first hostile receptions of the Task Force Report to the period when written commentaries were accepted, and in meeting with Vice Provost Garza most recently in the open University Faculty Forum. Of course, we've never been asked to vote formally, either as individuals or even as units on this important subject. Despite this, models proposing the elimination of the Division continue to crop up regardless of the number, seriousness or vehemence in the objections of the Division's faculty and in the absence of faculty support for such models. Option J is the latest of these. I find Option J to be flawed for two major reasons. First, eliminating the Division poses unknown and

largely unexplored and unconsidered risks to the major. These concerns have been articulated by many people, particularly Professor Howland's group, from the earliest stages of this process. I have yet to hear any refutation from those who favor elimination of the Division. Like all the incarnations of the Task Force recommendations, Option J assumes that the major can be maintained unscathed by the creation of a new interdepartmental bureaucracy. Yet Option J states that several current sections, such as the Bailey Hortorium and the section of Plant Biology, may be permitted to have their own majors. This is an honest admission, the first in the history of this model. But separate departments are likely to pursue separate paths, not only in research, but in teaching and advising as well. As I pointed out previously, the effect on a single biology major is significant because faculty in these sections advise a disproportionate number of students in the largest program of study major, in general biology. Several are also part of the small cadre of freshman faculty advisors in the Division. Second, Option J will further balkanize, not unify, basic Biology at Cornell. As pointed out in the meeting two weeks ago by Professor Paolillo, the original Task Force recommendation included a research institute that was meant to fill the void left when the Division was eliminated. Although the institute concept had many flaws, and I am glad it has been eliminated, there is no comparable unifying entity in Option J. I therefore believe that Option J will further neither of the two principal missions for which the Division was created, to maintain a unified undergraduate major, and to unify basic biological research. Both of these areas are as critical today as they were at the time of Morrison's report, I thus urge the administration to reject Option J and all other models in which the Division of Biological sciences is eliminated and move forward with whatever reorganization of the existing Division is warranted."

Professor Peter Stein, Physics: "Peter Stein, junior Senator from Physics (laughter). It is indeed, an historic moment, and I feel goose bumps. I feel like I'm in 1861 listening to a historic debate between Lincoln and Douglas. We have on the one hand, the abolitionists and on the other hand, the preservationists, and both of them indicate dire consequences if we adopt either course, that the Union cannot stand if we adopt the other course. But the problem, it seems to me, that while in the Civil War, the issue was slavery or not slavery, it doesn't seem to me that the real issue that we ought to be addressing is Division or no Division. The real issue that isn't discussed a lot, even though Vice Provost Garza did refer to it extensively in his remarks, the real issue is that we have 500 people, 500 faculty members on this campus, some of whom are in my own department, who do biology, and yet the word 'biology' is used to describe what 100 people do in the Division. It seems to me that the fundamental problem is what ought we to be doing on this campus, here in Upstate New York, not with the Medical School that has a long-standing tradition of applied biology, with a pre-eminent Vet College and 500 faculty members, what ought we to be doing in biology in the next millennium? And that, to me, seems to be a question that we have hardly addressed. And I have the feeling that somehow, what we're talking about, what everyone is talking about, is the form rather than the function. And the question is does form follow function? Or does function follow form? It seems to me that what structure we have should depend on the grand vision for how the efforts of these 500 faculty members are organized, what they ought to be doing. Somehow we should come to that conclusion, and then it will be clearer to see what sort of structure we need to carry that out. It really does seem to me that this is an historic moment, but it's the wrong historic moment. We're asking the wrong question at this historic moment. The

question we really ought to be asking is, 'How are we going to do this emerging new science of biology in the 21st century, what is it we want to do, and how do we need to be organized to do it?' Not the inverse question of 'How ought we to be organized' and then 'What science will we do?' As one of my favorite Vice Provost's says, the question is not what science do we do with the structure that we have, but what structures do we need to do the science? First we have to know the science and then we can know the structure. And, as I wrote to him in a letter, it seems to me as a non-biologist, that we may be in the problem of first deciding on a skeleton, and then deciding on whether it is a mouse or a horse that we want to build."

Professor Richard Galik, Physics: "Rich Galik, the younger but senior Senator from Physics (laughter). One thing that I think is a hallmark of the last few decades and will be of the next few, is the flexibility and cross-pollination (no pun intended to the Department of Botany), between applied and basic, between various aspects of Biological sciences, that will be necessary. I really see that Option J makes that more difficult. Option J will make departments that tend to make things more parochial. I also sit on the College of Arts and Sciences EPC and I've sat on the FCR and its EPC for the University, and I have to agree with the speakers before that having individual departments with houses in both Arts and Ag will make a very difficult time."

Speaker Pollak: "Other comments? Any new comment before we recognize any previous speaker?"

Professor Richard A. Baer, Natural Resources: "I have a question. One of the concerns of our department is how service courses will be provided that students of Natural Resources need? And I have a question for those of you in biology. Which model is more likely to work well in terms of providing Biology instruction to people who will not be biology majors but who will need biology to do Natural Resources to or to do other work that we do in the Ag College?"

Speaker Pollak: "Who would like to address their opinion on this?"

Professor Robert Turgeon, Plant Biology: "I teach the introductory biology course for non-majors. My personal preference is to go with the Division. It can't help but bring us together and formulate the general curriculum that could be delivered to people outside. I don't think that we have any other mechanisms to do it. And I think it would be a lot easier than individual structures."

Speaker Pollak: "Other comments?"

Professor Elizabeth Earle, Plant Breeding: "We've been hearing a number of fairly compelling or at least impressive arguments for retaining the Division. I think what concerns people that would grant the validity of those arguments is that Option K seems to raise or heighten the wall around the Division, separating it from 400 other biologists on campus. I mean, it's not so much about having your Division -- that might be a matter of concern -- but separating it more from the Colleges and putting those biologists in a distinctive reporting relationship with the Provost could be very troublesome and I think it should be thought through very carefully before we go in that direction."

Professor Emeritus Robert Sweet, Fruit and Vegetable Science: "I'd like to speak to the roots of how we came to have a biological sciences group as far as CALS is concerned. It started when Sputnik went up in 1957, which created an enormous response from the public, and typically, the politicians responded by throwing money at it. And the money was for research but it was for basic research, and the applied, problem-solving research that was typical in CALS at the time, did not qualify. There were groups that felt that their work was more basic and (these were the attitudes of my colleagues in CALS) they felt hampered by being tied to Agriculture and wanted out, but those positions were obtained from public funds on the basis that they were going to help agriculture, either through teaching or research or outreach. There were years of acrimonious debate, and finally a compromise was reached and Dean Hull backed it. CALS faculty could, on their own option, decide to be associated with biological sciences primarily or stick with their departmental arrangement. This allowed a significant number of faculty to become more divorced from problem-solving research and there was no concern at that time about teaching undergraduates. It wasn't even considered. This was a split between applied research and basic research, and here's the money. The money dried up, and here we are. I am pleased that one of the concerns is teaching and teaching at the undergraduate level. The question that was raised over here about service courses for people who are not planning to be biologists but need training, these are issues of great importance. I don't know the best way to do it, but we shouldn't forget our roots. We chased money and money still will play an important role in what happens to biology at Cornell. I wish it well."

Professor Richard Harrison, Ecology and Systematics: "Professors Howland and Doyle seem to invoke a majority rule of democracy as one of the reasons for keeping the Division as it is now. The majority of faculty within the Division favor that option. It is also the case that a vast majority of the faculty of the Division of biological sciences are also passionate about defending their current turf, namely the section in which they reside. And I think that one of the difficulties of the Task Force was that we could come to no resolution of how, within a Division, how Biology could be reorganized such that we would not be fragmented into eight sections. I would contend that eight sections even within a Division are as evil as eight Departments cutting across a college. What we need to confront in a decision about this structure is how we can bring biologists together and I think that there is a lot of resistance within the current Division, even should it be retained, to congeal it into two or three or four units. And Vice Provost Garza has alluded to that problem and talked about the fact that we might have anywhere from three-eight units within a future Division or three-eight departments within Option J. And whichever option is decided upon, I think that it is essential that we reduce the number of units that represent basic biology on this campus."

Speaker Pollak: "Any other comments?"

Professor Becker: "There is just one thing that I wanted to address that was said earlier, that wouldn't it be nice if only we could just pick one of those options and then we could go work on the details. I just don't think that's terribly responsible. The only way you can decide which one is best is by confronting head-on the detailed implications, for example, for the undergraduate major. If it isn't spelled out exactly what are the responsibilities of the people in these departments that don't have their

own major, if their responsibilities to the major aren't spelled out-- particularly for the departments that could have their own major -- what are their responsibilities to a joint major? And what incentives are you going to offer people if there isn't a formal responsibility to contribute to the major? What incentives are you going to offer to people to cross-list courses or to teach extra courses or service courses. So I think that without having a detailed statement of how the curriculum would look like under Option J or Option K, it's hard to take the big leap and commit either way."

Professor Wayne: "I'll ask this just one last time for the Provost to take a vote on Option J or Option K and an option for no change of everyone in the Division."

Professor Joseph Ballantyne, Senator-at-Large: "I'm persuaded by the arguments that I hear that the undergraduate curriculum would be best served by the central presence of something like a division, Option K. I'm also concerned that, as you pointed out, Option K seems to have the flavor of raising the walls between the 100 in the Division and the 400 outside the Division. And it seems to me that a modification of Option K, which provided for some kind of more permeable barrier on the research level, would be very important. I compare it with the relationship that exists in Engineering and the Physical Sciences, where we do have, through the Material Science Center and the Nanofabrication Facility, a lot of interchange among departments and across colleges in research because of these centers. And I'm inferring that the extent to which that has occurred, say with the Biotech Center is not as great as it might be. And if Option K could be configured so that a very permeable interface between the Division and what's outside the Division could exist, and we can draw folks into common research efforts, then I think that it would be a good situation."

Professor Ron Hoy, Neurobiology and Behavior: "I think that are problems with Randy Wayne's suggestion that no change should be one of the options."

David Shalloway, Greater Philadelphia Professor in Biological Sciences: "I just want to support both Ron Hoy's comment and the comment by Rick Harrison and say this in a slightly different way. First off, I think it's important that both these options, as flawed as they may be, in my view are better than what we've got. So we are making progress, whether it's the right question or not, because what we've got doesn't really work. This talk about the Division's Undergraduate program as if it's such a great thing and that this Division as a unit is making coherent decisions. A point of fact is that it is pretty well accepted that the Division has calcified into sections that are just as well departments that preserve their own boundaries at the level of faculty hiring, at the level of research direction, and the level of what undergraduate courses are taught, and how they are taught. The main point that concerns me and other people in my section is that we need some serious change here and that a Division itself -- preserving the Division or eliminating the Division -- as I said both of these are better than we've got if by preserving the Division, we strengthen the Division. But it's important that if the Division were to be preserved, this decision would not be taken as a decision to preserve the status quo. The Division has been unable to do the hard things that need to be done. It has been unable to unify groups, it has been unable to be flexible and change direction in terms of changes in the science that have occurred, and it has been unable to direct the Undergraduate Program. I won't bore you with details, but I think that those within the Division who have been involved in this understand that sections

stand on their own turf. So what has been encouraging to me about what has been going on in the last months has been the involvement of the central administration. I know that there are these voices that say, 'Let us biologists handle this ourselves,' but frankly, we have not done a very good job of that and we need a kick in the pants. I hope that the involvement of the central administration will not end, and Bert Garza indicated that it wouldn't. I think it is essential that we get as many external reviews as we can get. We need as many people as possible outside our internal group to bring some objectivity and to break the Division outside of the mold it has been stuck in."

Professor Terrence Fine, Electrical Engineering: "I am so confused by this that I find myself in agreement with the junior Senator from Physics (laughter). I don't understand how to craft the structure since I don't know what the ultimate intellectual goal is. What is the unity of biology? Is it a counterpart to all of the physical sciences? It seems ridiculous to treat all of the physical sciences as one program. Is biology a more narrow focus for you? It's hard to believe with 500 faculty members. I don't think you could find 500 faculty members to agree to a narrow focus on anything. What I don't understand is how to think of this at an intellectual level when we're talking about what is trying to be achieved here. I don't understand that, therefore I don't understand what makes sense here. Now, do I believe that a Division is the right thing? Given that there have been so many changes in biology since the Division was formed, one can be skeptical that the same structure is going to service the rather radical change in intellectual outlook of the past 30-35 years in biology. But how that should change, I have no clue."

Speaker Pollak: "Okay, I'll open it up to comments even from previous speakers."

Professor Doyle: "We heard from representatives of the three largest sections in the Division, all endorsing some kind of merger system in which there would be a smaller number of sections, that's Biochemistry, Ecology and Systematics, and Neurobiology and Behavior. The question I have is if there are problems in the Division how, and somehow these problems will be solved by merging, are they talking about merging with each other? I'm from a very small section, the smallest in the Division, and I don't have problems with the current Division structure. We've been very successful and I don't see how we're going to be more successful by merging with anybody else. And I'm very curious if these larger sections are just interested in merging with one another to form bigger units, or are they pointing the finger somehow at the small sections as being the problem, Genetics and Development, for example, or Microbiology, or Bailey Hortorium? I'm not sure I understand what the point of mergers is unless it would involve these larger groups."

Professor Shalloway: "I'd like to respond to that." The question, as I see it, comes down to how does one make scientific decisions about how to allocate scientific resources? And if I look within my section or other departments that I know about, then I would say that an optimal size of how big a unit can be that can get together in a room and have a real scientific discussion about what direction to move in, I would say that that number lies between 20 and 30. One hundred is too big, so there's no way that a Division of 100 faculty can escape dividing itself into some sort of sub-groups that are going to harden. I would also suggest that ten is too small. So, precisely, what the formation of units should be, I don't know. I have ideas, but that will be discussed. I

would say that the real question is, what units are going to get together in rooms and internally make resource allocations?"

Professor Andrew Bass, Neurobiology and Behavior: "I'd like to say that any discussion about ideas of merger are very much driven by the ideas expressed by Professor Stein about the identification of future goals and not driven by administrative structural thinking but by goal-oriented thinking. Perhaps these should be better defined if we are to be leaders at the turn of the 21st century."

Professor Howland: "Well, I think that this discussion demonstrates that there's a lot of work to be done but I also think that it's also very clear which one of the dichotomous decisions that we have before us today we should take if we want to do this work in a sensible manner, and that is to preserve the Division. To Professor Stein, whose remarks I very much appreciate, I wish we had time to formulate things in the manner that we have to do, but I think that there are two things that mitigate against us. One, the pressure of the curriculum, which we have to maintain; and two the Division offers the greatest hope for preserving rationality, and the very schedule that has been put upon us by the administration. Those are the realities we face, Peter, and in the press of the moment, we've been told that the decision is going to be made and the rational thing we can say is, 'Take Option K' because Option J will destroy us far more."

Associate Professor Alan McAdams, JGSM: "I found the discussion to be educational. I think that I've learned a great deal. I think that Lisa Earle, along with Peter Stein, have raised some fundamental questions. And the question of the permeability and the ability of whatever structure is created to bring together all 500 members of the biology faculty is extremely important. Things have to be permeable. From what I've heard, I also agree with the averment that Joe Ballantyne made, that the curriculum question seems to be best served by Option K. It still must be open and permeable to permit the participation by all 400. I would also agree with Mr. Garza that we're not going to be setting things in stone by the decision that is made now, but the question is, at this moment, what is the best base from which to start toward the mobilization of all 500 Cornell faculty members to achieve true leadership in the biological sciences when we have identified what science most needs to be done. I hear a consensus, of course, I'm an optimist."

Professor Harrison: "I'd like to clarify my suggestion about mergers. Jeff Doyle asked why our sections were proposing such an option. I think the underlying reason is flexibility and the ability to move in new directions, when such directions are warranted. Many of the Senate members who are not biologists may not realize that, first of all, Cornell traditionally has had enormous strength and continues to have enormous strength in Organismal and Evolutionary Biology. I think that all others agree within the Division that we do not want to compromise that strength. On the other hand, we are less strong relative to our peers in Biochemistry, Molecular Biology, Genetics and Development, perhaps. Yet those are the disciplines that have grown enormously in the last two decades. Yet, and I can say this because I am chair of Ecology and Systematics which is an Organismal and Evolutionary department, that Biochemistry has shrunk in that period rather than grown. The number of faculty members in that section is now smaller than it was a decade ago. Why is that? Well, it's because within the Division, we are all entrenched as sections and we refuse to give up

our turf. There is no, and there has not been any, really serious discussion as to moving lines from one section to another. We hinted at it, and the executive committee I served on has approached it occasionally, but not seriously. I think that David Shalloway's, Andy Bass', Ron Hoy's and my concerns come from what we see as a solidification of the current structure and the underlying components of that structure. I think that what we are doing now has failed. I was a member of the Task Force, and I'm considered a strong proponent of the 'department' model. I can say publicly that, at this point, I'm not sure I care whether a department model is the outcome or a strengthened Division is the outcome, but I care passionately that we change our ways so that we can move forward and deal with intellectual issues, as Peter Stein suggested. I see Randy Wayne's defense of the current system and the other faculty members' defense of the current system is going to lead us in exactly the wrong direction."

Speaker Pollak: "Okay, we have time for one more comment because we do have Good and Welfare and other new speakers out there."

Professor Mikhail Nasrallah, Plant Biology: "I do not understand the claims that were made about the walls that the Division makes around itself. I would cite the specific point that the former Director was approached about the Genomic initiative and he set up faculty from all across the units and colleges to go ahead with the initiative and it is still going and prospering. The teaching is also carried out in the same way whenever there are possibilities and interest from outside the Division, and they are welcomed. Those are facts. So I do not go along with these walls that would seem to take form from the Division. I do not think that they exist."

Assistant Professor Kathleen Whitlock, Genetics and Development: "I wanted to end on a positive note. I'm a new professor here and I did my Ph.D. at the University of Washington, and I just wanted to comment on what excellent undergraduates Cornell produces and despite all the comments about the teaching program, which I'm sure there are problems with, the students from the outside are perceived as excellent undergraduates, and everyone is happy to have Cornell undergraduates in their schools for graduate school. Along with future goals, my understanding is that molecular biochemistry ideas are lacking funding at Cornell and that has driven many people to mobilize. I agree that some kind of cohesive unit should be retained, like the Division, but I think that it should be opened up to other departments that would like to belong. I also think that we should be careful in drawing lines and the things that I see here is that part of Cornell's excellence is that it has an agricultural school and basic biology. It's unique in that way but we tend to draw lines between people who are out in the fields and in the lab. I think that is dangerous because they're both strong parts of biology. Different, but strong. Finally, I'd just like to end this by saying that I hope this ends soon because the longer we drag on this decision, we're going to lose professors. I'm sure there are people here who have offers from other universities who are going to get sick of this and leave. So let's get this over with."

Speaker Pollak: "That wasn't a very positive ending (laughter). We have two for the Good and Welfare. Locksley?"

## 7. GOOD AND WELFARE

Professor Locksley Edmondson, Africana Studies and Research Center: "Africana Studies has been much in the news lately. I just wanted to urge my colleagues here -- many of whom have been following the Humanities Report that was released and those of you who haven't -- I urge you to follow it because it is a matter that concerns us all as academics, as fellow colleagues. It can be picked up at various places in the liberal arts college. My understanding was that it has been discussed at length not only in Arts and Sciences, but also has been raised at the Deans' Council, and has also been mentioned to the Board of Trustees. I want to recognize for the records the very controversial, evasive nature of the report, if only for the record. I also want to make it clear that this is something that is not simply a concern for ethnic studies departments. There are a number of other departments that are equally outraged with aspects of the report. For example, a professor in Medieval Studies was quoted as saying that most people feel that this report is slanderous, poorly researched and a bad document. That is one review and not everyone may agree with it, but I just wanted to tell you that the report was constructed over eight months without any consultation with any members of our faculty, and we were told that because of constraints of time that they couldn't visit us. We were told that this was a speculative report but it comes out with very firm and clear recommendations as to the future of the Humanities. This sort of thing is not meant to build collegial enterprise and good relationships. It is not only uncollegial; it is also unprofessional. I also want to add that the Dean of Arts and Sciences has now stated that the debate has now been canceled over the report and according to the news yesterday, if he was quoted correctly, it was clear that he was blaming the victim. So I just make this comment and I do hope that despite this lament, that we will all learn something from this about the college programs. We should treat them with respect and do the proper investigation and research and we should not manufacture facts out of our heads and then come out with concrete proposals. I think this is simply something that any senator ought to agree with, at least in principle."

Speaker Pollak: "Okay, one last item, Mary Beth?"

Mary Beth Norton, Mary Donlon Alger Professor of American History: "Yes, I asked for some Good and Welfare time to remind the Senate that the United Way campaign is drawing to a close. I have some figures from Susan Murphy's office; she is the head of the United Way this year on campus. As of last week, the faculty Cornell goal had reached 69%. The United Way Campaign continues until Thanksgiving. She would like to remind us all of the importance of the United Way agencies, with respect to our campus as we have just seen with the help that the American Red Cross gave to the students of the burned down Collegetown building, where an enormous service was done to the campus community. She's very pleased that Cornell faculty and staff have increased their donations this year and have, therefore, freed up \$70,000 of the Challenge grant. In fact, 58% of the donors have helped get access to the Challenge grant money. So I just wanted to call the attention of the Senate to the importance of the United Way Campaign and I hope that as Senators, we can speak to other members of our departments about it. Thanks."

Speaker Pollak: "Bob Cooke would like to make a closing remark."

Dean Cooke: "I would like to respond to Professor Edmondson's comment and indicate sympathy with the concern that he has felt that Africana Studies, among others, was

not consulted. I think that there was a mistake made, an honest mistake, but nonetheless, a mistake. I would urge all parties to the conversation to go back to an early point and, I know that the open forum is closed, but go back to earlier conversations and be sure that as much agreement can be reached and that there's clear understanding of all parties before it becomes a public issue again."

Speaker Pollak: "Okay, it is six o'clock, and we stand adjourned."

Respectfully submitted,

Kathleen Rasmussen, Associate Dean  
and Secretary of the University Faculty

MINUTES OF A MEETING OF THE FACULTY SENATE  
Wednesday, December 9, 1998

Professor John Pollak, Animal Science, and Speaker: "I guess we will start with some comments by the President. I would ask that when you have a question that you raise your hand. We do have a hand-held mike so that we can hear the question clearly. This room (Statler Auditorium) is a little long and many of you have chosen to sit near the door. So, please make sure you raise your hand so we can bring the mike to you. With that, I'll call on the President to come up and answer questions."

**1. REMARKS BY AND QUESTIONS FOR THE PRESIDENT ON BIOLOGICAL SCIENCES**

President Hunter R. Rawlings, III: "Thank you. I thought I would make a few brief remarks and then I'd be happy to answer any questions you might have concerning the decision on the organization of biological sciences at Cornell. Let me begin by saying that I think the life sciences in general, the biological sciences, are exceptionally significant today for two obvious reasons. First, this is one of the most eminent areas of research in the world. The changes that are occurring in biological sciences are astounding and I expect to see that continue for the next twenty or thirty years at least. So, this is an area of tremendous intellectual activity, discovery, breakthrough, and it is clear that it is an important area for Cornell to be very much invested in. Second, Cornell already has a very strong investment in the biological sciences. We have about 400 faculty members here, depending on the way you define 'biology', who are engaged in activities within the sphere of biological sciences. It is an exceptionally large investment, and one in which we want to make the most possible progress.

"These two facts made a decision on the organization of biological sciences especially critical for us because by almost everyone's testimony, the organization we had was not working well. People disagree on why it wasn't working well, but just about everyone agreed that it was not working well. There are numerous reasons for that, but I won't go into all of them. I thought I would just give a couple examples of my reading of the problem based on a lot of information that we've received in the last nine months or so. First, a lack of strong leadership in the biological sciences. Second, unclear upward decision-making processes; that is, too many people required to make the decision and poor alignment between responsibility for decisions and the authority to make the decisions. That clearly was a problem. Third, inadequate interaction between Division faculty and non-Division faculty. That is, there has always been such interaction, but it has been perceived by many to have been inadequate. Fourth, very clear problems of resource allocation among sections, particularly in setting priorities within the Division of Biological Sciences. All of these were significant problems recognized by nearly everyone who talked or wrote about the issue.

"Something needed to be done, and two schools of thought coalesced. One was to enhance the Division and try to solve the problem by making the Division stronger by giving it stronger leadership. The other approach was to dismantle the Division and to create departments along more traditional lines within colleges. Clearly, there is strong

sentiment on both sides and very intelligent people of good will disagree on this matter and we had many suggestions along both lines.

"We feel that it is better to disband the Division and move into a departmentalized structure which looks more like the rest of Cornell for several reasons. First, with the change to departmental structure, we give clearer reporting relationships for decision making, clearer accountability, and clearer means of prioritizing and making decisions. That is probably the principal reason for the decision to move to a departmental model. Secondly, we begin to conduct our biology programs in a way that is similar to that in which we conduct our own programs at Cornell through colleges and departments rather than through an exceptional structure. Thirdly, we also have the opportunity, thereby, to convert smaller units into larger, more powerful ones that bring together faculty members in closely related disciplines as in the case of Molecular and Cellular Biology and Genetics. We will, I believe, no longer be out of step with the way biology is organized in most other universities. Fourth, through this departmental organization, we will also be able to focus attention and some resources upon a critically important enabling core of modern biology: Molecular, Cellular, Developmental, and Structural. This department will now have a clear mandate, a clear mission, leadership, a clear reporting line, and a core of strong senior faculty in order to develop the way it should to become nationally competitive for faculty, for graduate students, for research grants, and for private fund-raising opportunities. That, I think, is essential if Cornell is to be at the forefront of biology, in particular the enabling area of Molecular, Cellular and Developmental Biology.

"Now, we can do this, I think, without weakening other areas of biology. It is certainly not our intent to signal, in any respect, a desire to weaken or diminish other areas of biology which are also of extreme significance for this decade and the next, and the one after that. It is essential that Cornell maintain its strong investment in the biological sciences generally, and that we continue to have very strong Organismal biology at Cornell. We do not have to weaken our commitment to the broad undergraduate biology major. In fact, we intend to see it strengthened through the addition of faculty members teaching in the program who have traditionally not taught in the program. I am happy to say that we have invitations from departments such as Entomology, which now want to engage in teaching the undergraduate biology students on campus, as well as a strong interest from the Vet School. We intend to take full advantage of those opportunities and we are grateful for those offers from those corners.

"I also want to emphasize that the Provost's office will play a major role in insuring that colleges collaborate closely in creating the new departments and in supporting the undergraduate biology major. Vice Provost Bert Garza will play the lead role in this work and will help us maintain a broad institutional view of the biological sciences and ensure that there is close coordination, cooperation, and collaboration across college lines.

"In summary, I would like to see biological sciences flourish in the different colleges at Cornell with strong faculty leadership as we have in the physical sciences, and with inter-college bonds of the kind that we have built across campus in the physical sciences. That will certainly be our work over the next few years. Thanks for the opportunity, and I would be happy to take some questions."

Speaker Pollak: "Okay, do we have questions or comments? If so, raise your hands."

Professor Howard Howland, Neurobiology and Behavior: "Thank you, Mr. President. I'm sure I echo the sentiments of the house when I thank you for coming here to answer our questions, and I'm glad we broached the topic of decision making because that's the substance of my question. It's well-known that you're an expert on Thucydides, and as such, you may remember this famous passage from the Funeral Oration of Pericles, where Pericles is trying to distinguish the Athenians from the surrounding oligarchies and despotism, and he says, 'well, I guess I don't know it by heart and I'd better read it.' (laughter)

President Rawlings: "Well, I can do the rest of it for you in Greek."

Professor Howland: "He says, 'If we Athenians are able to judge at all events, if we cannot originate and instead of looking upon discussion as a stumbling block in the way of decision, we regard discussion as an indispensable preliminary to any decision.' Now Pericles didn't say, 'And the decision should reflect the discussion,' but I think that's a fair interpretation of his meaning. Now, Mr. President, you've made two very important public decisions for this university. The first one, after not much public discussion, concerned putting all of the freshmen on North Campus. In taking that decision, you surprised us, because that particular course of action had not been discussed publicly at all. Indeed, I think that at the time the decision was taken, financial implications had not been totally investigated. Secondly, in the decision we're talking about today, you decided after long public discussion to abolish the Division of Biological Sciences. That was one of the alternatives that was discussed. Still Mr. President, you surprised us because as a result of that discussion, many of the faculty in the Division, and in the Senate, and indeed many of your counselors, had come to the opinion that the Division should be preserved and not abolished.

"Well, those decisions are behind us now. They're past us, and they raise questions about your future decisions. My question is, do you agree with Pericles that the discussion is an indispensable preliminary to all wise decisions, or are you following some other ancient classical tradition -- Odyssean perhaps -- since we are in Ithaca, where a tradition that requires secrecy and surprise, and above all, the helpful intervention of the Gods?"

President Rawlings: "Thank you very much. I especially appreciate not only the reference to Thucydides but also the use of Thucydides. Yes, I am certainly very much a student of Thucydides and Periclean democracy, in fact. I do agree strongly that discussion is a strong preliminary to decision making. On both of the topics that you mentioned, Cornell has had considerable discussion. On the issue of housing, we have had thirty years of discussion, in fact, and thirty years of reports -- twenty six in all on student housing -- but very little in the way of action. So it was important not only to have the discussion, but also to render the decision. The decision I eventually made was very prominently discussed on campus before I made it. The Cornell Daily Sun published a long and supportive editorial on housing the students on North Campus. I was pleased to have, in that case, a lengthy, strong, and student-oriented recommendation along the lines of what we eventually decided. That case is a good one for preliminary discussion leading to decision and in this case, an actual

recommendation from a student publication with a good deal of authority. In the particular case of biological sciences and the organization thereof, we also had very lengthy discussion over many months, not many years, but we also had report after report and I appreciate all of the letters that individual faculty members wrote, and reports that we've had. In this case, as you've noted, it came down to two essential options. One of those in favor of retaining and enhancing the Division, the other in favor of disbanding the Division. Our own task force at Cornell, which consisted of a number of faculty members as well as administrators, recommended this course of action which I eventually took. Other committees recommended different courses of action. So we had opposing committee reports, and we had many faculty members on both sides. This is a case where, again, we tried to listen very carefully over a long period of time and then to make a decision."

Associate Professor Randy Wayne, Plant Biology: "I have a large comment. The history of science shows that the vast majority of advances in science have come from individuals or small groups. Indeed, Einstein suggested that refugee scientists should seek jobs as lighthouse-keepers, so that they may find the isolation necessary for scientific work. In an article entitled: 'In praise of smallness how can we return to small science?' Chargaff wrote, 'We all know that what is cannot be otherwise. The existence of anything weighs the scales most unfairly against anything else that could have been in its place, but is not.'

"If this be true, then the way the Division of Biology was set up, weighed the scales most unfairly against everything else that could have been in its place but was not, and thus, in spite of the fact that the majority of the students and the faculty spoke in favor of maintaining the division, you sought to change it. Likewise, the structure you have set up by presidential proclamation will weigh the scales most unfairly against everything else that could have been in its place but will not be.

"I would like to comment on an aspect that I believe will be diminished in what you have called the 'post-division era'. That is, academic freedom and the spirit of the independent investigator. Again, according to Chargaff, 'Science is the application of reason, and mainly of logic, to the study of the phenomena of nature. Therefore, the most important scientific tool is the human brain. Each brain sits on its own head, and the all-important unit of research is the individual scientist.'

"If the most important unit in research is the individual scientist, what is the value of centralization? It has been argued, equally strongly by Socialists and Capitalists that: (1) science exists to serve the material wants of human beings and (2) a central authority, knowing the material wants of the community, could efficiently and quickly switch researchers to the most immediate problems of the day. In this way, overlap would be avoided, and trivial investigations would no longer take up time and money. However, the thinking of economists does not typically take into consideration support for the creative and original investigators, who, in the main, have discovered the phenomena necessary for technological progress. According to John Baker: 'The proper function of a research team is to work out the consequences after an independent worker or two or three scientific friends have opened a new line of investigation. There will be plenty of people who will want to follow the new line. Indeed, one notices a strong tendency for scientists to ask, 'What is being done?' They might as well ask

frankly, 'What is the fashion?' The original investigator on the contrary asks himself, 'What is *not* being done?' The people who want to follow a new line often do excellently in teams and they can be fitted satisfactorily into planned research. They have neither the wish nor the ability to think originally, though they are often talented, well equipped technically, and possessed of a great love of knowledge. If science is to flourish, however, encouragement must be given to people of independent spirit, who want no master. The desire to know is widespread among men: the desire to know specifically that which is not known is on the contrary very rare.'

"Your decision will have a negative effect on the current and future biology students and faculty for two reasons. Firstly, you have sent a very clear and resounding message that the President of Cornell University has a better grasp of 'what is biology?' than do the majority of the one hundred faculty members in the Division. This lack of respect is extremely demoralizing to the faculty, and I'm sure you're aware that faculty morale has plummeted ever since the college and university administrations started to micro-manage biology. Given that each faculty member pursues his or her own difficult, demanding, and underpaid profession to a large extent because we enjoy what we do, a lowered morale would have an adverse effect on our ability to teach, advise, and do research. Secondly, your decision will have a negative effect on academic freedom; and in destroying the environment where the brain can function creatively to discover new phenomena and laws.

"I believe that the transference of power from the faculty in the Division to Day Hall sends a chilling message to all faculty members in the Division of Biology. That is, the first question that must be asked when pursuing biological research will no longer be, 'How can we better understand the biological basis of life?', but 'Will the proposed research bring in a substantial amount of money to Cornell?' That is, Day Hall will support work on biological projects that have short term economic gains -- that is sell buyology . . ."

Speaker Pollak: "Senator, do you have much more there?"

Professor Wayne: "A little more."

Speaker Pollak: "You can submit that in writing to the Secretary and if you have a question at the end, you can address it now." (The complete text of Professor Wayne's comments is attached as Appendix A.)

Professor Wayne: "Okay. In order to alleviate my anxiety that you are only looking at biology as a cash cow, and not as an intellectually satisfying and important enterprise, which incidentally provides the knowledge for technological advances, perhaps you can describe to me one or two areas of biological research that currently are not well funded, because they are at variance with existing knowledge, yet in your opinion have significance for increasing our basic understanding of life, and long-term potential for satisfying the material needs of human beings."

President Rawlings: "Well, let me say that I appreciate your comments and I certainly hope that this decision will not cause morale problems for the faculty member. I'm sure that there are a number of faculty members that are disappointed with this decision

because they prefer that we maintain and enhance the Division. On the other hand, there are a number of faculty members who are very pleased with this decision, as one might expect, and who feel that it is an important element in their decision to stay at Cornell. We have opinions on both sides of the fence, and we expected that no matter which way we made that decision. I do also . . ."

Professor Wayne: "Do you have a proportion of the number of people who felt the two different ways?"

President Rawlings: "I do also strongly agree with your view that we should pursue science and knowledge for their own sakes. It is certainly my very strong view that we should not allow funding opportunities to weigh anywhere near as heavily as intellectual discovery. That to me is what the University is about, what it should be about, and what it should always be about. As a member of the Humanities faculty, I have more reasons to believe that than perhaps most others. So I think that is a value that I share most strongly with you. I also agree that its impossible to predict in a given year, where research is going to go in different disciplines, and that is why we support so many at Cornell because it is extraordinarily difficult to know when a particular discipline is going to start issuing the results we've seen issued by many in the biological sciences."

Professor Wayne: "Can you answer the question? Which other intellectually stimulating areas of research that don't make money are you aware of?"

President Rawlings: "Yes, my own area of research, Classics."

Professor Wayne: "I meant in biology, this is about biology."

President Rawlings: "Oh, in biology. I'm sure that there are many fields in biology."

Professor Wayne: "I just want an example."

President Rawlings: "I'll just say many."

Speaker Pollak: "Okay, we've run over, and you do have a plane to catch, so we appreciate your coming and we'll move to the next item on the agenda. Dean Cooke will make a few remarks."

President Rawlings: "Thank you."

## **2. REMARKS BY THE DEAN OF THE FACULTY**

J. Robert Cooke, Dean of the Faculty: "I will be brief. We've made substantial progress on the Colloquium on the Future of the Research University. At one point we thought it would occur at the end of next semester, but now have decided that the proper planning time will move it to September. Here are the members of the Planning Committee if you wish to communicate with them: Robert C. Richardson, Chair; Dale Bauman, J. Robert Cooke, Dale Corson, Robert Cowie, John Hopcroft, Walter LaFeber, Sally McConnell-Ginet, Frank H.T. Rhodes, Fred Rogers, and Mary Sansalone. We have

made tremendous progress in finding speakers of national stature to participate in that. In the same vein, here is a reference that I would like to recommend to you if you're interested in reading something on the future of the university: 'Reinventing Undergraduate Education' by the Boyer Commission, and it's on the Web site <<http://notes.cc.sunysb.edu/Pres/boyer.nsf>>. There is a handout with the table of contents (Appendix B, attached), and I think that it's one reference well worth taking seriously."

Speaker Pollak: "Okay, we'll move on to the next item, which is questions and answers with the Provost."

### **3. QUESTIONS AND ANSWERS WITH THE PROVOST**

Speaker Pollak: "Okay, do we have questions for the Provost?"

(Unknown): "Did you have a nice Thanksgiving?"

Provost Don Randel: "Yes." (laughter)

Speaker Pollak: "Well, that put us back on schedule."

### **4. APPROVAL OF MINUTES OF MEETING OF NOVEMBER 11, 1998**

Speaker Pollak: "Okay, you've all had an opportunity to review the minutes from the November 11 meeting. Are there any corrections or changes to those minutes? We did have some grammatical corrections and changes that were submitted. I checked those over with the Senator. There were no content changes so we'll just accept those in if there's no objection to doing that. Seeing none, we'll accept the minutes for November 11.

"We'll now hear the Report from the Nominations and Elections Committee. Kathleen?"

### **5. REPORT OF NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "I have the report of the Nominations and Elections committee for today's Senate meeting:

- Faculty Advisory Board on Information Technologies  
Donald Greenberg, AAP  
Tim Mount, CALS
- Faculty Advisory Committee on Admissions & Financial Aid  
Peter Schwartz, H.E., Chair
- Faculty Committee on Program Review  
Peter Stein, A&S, Chair

- Minority Education Committee  
Dorothy Mermin, A&S
- University Faculty Library Board  
Julie Blue, Vet.  
Keith Dennis, A&S
- University Hearing Board  
Leigh Phoenix, Engr.
- West Campus Initiatives Committee  
Jennifer Gerner, H.E.

Are there any questions or comments?"

Associate Professor Robert Corradino, Physiology: "Considering the discussions we've had this afternoon on distance learning, I wonder if you could remind me of what the Faculty Advisory Board on Information Technologies is charged with?"

Associate Dean Rasmussen: "That group is a policy making group that has worked with Information Technology on the campus; that is, the computing environment on the campus and the support and instruction on the campus."

Professor Corradino: "Do we have, or is there any indication that we should establish a Committee on Distance Learning?"

Associate Dean Rasmussen: "There has been a task force appointed, chaired by David Lipsky, former Dean of the ILR School, that produced a report, but there is not now an active committee on distance learning."

Dean Cooke: "We do intend to form such a committee shortly."

Speaker Pollak: "Other questions or comments? Okay, if there are no objections to the nominations, we'll accept them. Seeing none, we accept."

"Now we'll move on to the report of the Academic Leadership Series. There will be two: the first by Peter Schwartz on Distance Learning, and then a report by Dave Galton on Student-Faculty Interaction."

## **6. REPORT FROM ACADEMIC LEADERSHIP SERIES**

### **a. Distance Learning**

Professor Peter Schwartz, Textiles and Apparel: "Thank you. This information is literally off the press, and I used Microsoft Word, version 0. The Academic Leadership Committee ended its meeting approximately an hour ago, and one of the topics was distance learning. One of the questions that each of the discussion groups were asked during the breakout session was to try to identify issues that the Faculty Senate should

look at, and I've broadened it to some issues that are related to the faculty that we may want to look at.

"Basically the distance learning discussion centered around two groups: one was the business of distance learning, and that was much more relegated to the administration, or within the purview of the administration although it does have implications for the faculty. The second, and far more important, is the education mission of distance learning, and whether the technology can improve by learning and whether interactivity is a benefit. There are a number of individual issues that were brought up as to courses or enrichment programs being offered through distance learning, and I will go through them in no particular order. One was the issue of credit, academic credit in particular, and whether courses should be offered for Cornell credit, whether the credit would be equivalent to the learning experience and the credit given on campus, and whether that credit would lead ultimately to credit towards a degree wholly or partly through distance learning. As part of the degree, each college and certainly the graduate school, has residency requirements. There was some discussion as to whether it is desirable to have some residency requirement in the distance learning atmosphere or should the degree be wholly off campus and individual. There was a question on reward or the value of the work done in distance learning. The effort that the faculty member would have to put into a quality, distinctive Cornell distance learning environment, and how that credit would be valued in a typical academic reward structure. How would a distance learning course equate with refereed publications, how would it equate with a course taught on campus? Also the issue of time was tied up with the issue of rewards. The course will take substantial faculty time -- how will that be allocated and accounted for? There was an issue on content that centered on two items: Who owns the content of the distance learning course? If it's on disk, does the faculty member own that content? More importantly, who controls the content? Who has the authority to add or delete items from the course?

"One of the positive features of distance learning is that this will allow us to increase our audience and increase our revenue without increasing the physical structure or the number of individuals physically taught by a faculty member. In terms of that, if there are revenues, how will they be distributed? There are issues of quality and quality control. What is the ultimate quality control mechanism for distance learning courses? There were questions of the intellectual property rights, again, as to who owns the course. And the other question was if you have a popular course, who markets that course? Is it marketed by Cornell or are the faculty individual entrepreneurs? An example that was used was textbooks. A faculty member writes the textbook and derives royalties from it. There was a need that in any of these courses that there be some clear commitment from the University to help develop and maintain the courses.

"Obviously, the Faculty Senate cannot address all of these issues. It's up to the Senate to determine which to address."

Speaker Pollak: "We'll save questions until both of them have gone."

## **b. Student-Faculty Interaction**

Professor David Galton, Animal Science: "In the beginning of this semester, a committee was appointed on the Cornell Undergraduate Experience. Through this committee, which I am a member of, and what I've heard as summary points from the ALS on student-faculty interaction, I would like to suggest that there may be three areas that we need to address and look at from the perspective of faculty providing input for the environment of the undergraduate experience here at Cornell. First, and the main one, is to have a sense of community for both students and faculty. This is a major topic of concern and also of discussion by faculty, students, and the administration. What we need is to be really proactive in this area to make sure that we are delivering what is needed to improve the sense of community on behalf of our students and faculty involved in undergraduate teaching. Students want interaction with faculty and it is just a matter of providing an environment that will enhance the student-faculty interaction. There is much discussion as to how that may done. There were many ideas presented this afternoon at the summary of the ALS meeting that the Undergraduate Experience Committee will take into consideration and will try to work with the administration and student organizations to deliver. Another aspect is that, at times, we bring the students to our world rather than looking at the students' world and looking at what they really need and what they'd expect. I think it's a matter of providing training and leadership to the faculty on what are the expectations of the faculty as advisors, teachers, and participators of activities outside the classroom. Also on the student side, how they could better interact with faculty that may be intimidating at times. For example, Faculty Fellows serve a tremendous purpose in interacting with the students but, as was indicated by a former dean in our group today, the poor student who sits next to the Faculty Fellow has to do the discussion while other students have their own discussions. It is a matter of how we can join with the students to improve the interaction.

"The second item is an item of importance to our committee, one that we worked on this fall and we hope to bring to the Senate for consideration next semester, and that is for the University Faculty to identify, recognize, and reward teaching quality and advising. There is much concern on how to improve advising, what are the rules and the expectations of the students and faculty in advising, and what are the reward structures for the faculty that are committed to undergraduate teaching as compared to graduate teaching and research. Advising is an area that comes to the top of importance."

"The last area is faculty input to address the issues and needs of the undergraduate experience at Cornell. We have a tremendous amount of data, but we are lacking on the faculty side. We need more ideas to have a better program of undergraduate teaching. These are the three areas: first, to enhance the sense of community for students and faculty in the undergraduate experience; second, to identify and to reward and recognize teaching and advising quality; third, to seek further faculty input for better decisions. Thank you."

Speaker Pollak: "Does anyone have a question or comment for them? None? Okay. We'll move on to the resolution that is before us on Faculty-Administration Partnership: Improvement of Faculty Salaries. Kathleen Rasmussen."

## 7. RESOLUTION ON FACULTY-ADMINISTRATION PARTNERSHIP: IMPROVEMENT OF FACULTY SALARIES

Associate Dean Rasmussen: "Today's resolution deals with a specific issue that this body has discussed previously, namely faculty salaries. On this occasion, this issue is considered within the context of the faculty-administration partnership that has been fundamental to the development and operation of the Senate. My remarks, which are made on behalf of the UFC, the Senate's executive committee, will focus on the broader context. Paul Sherman, who chairs the Financial Policies Committee, will follow to discuss the specifics of the salary issue. I will trace the history of this partnership, point out some of its successes and failures, and introduce the relevant portions of the resolution that is before you today.

"The primary reason for replacing the Faculty Council of Representatives with the Senate was to establish a partnership with the administration. The timing seemed right as a new administration was being inaugurated. The concept of a faculty-administration partnership was enthusiastically embraced by both the President and the Provost. To this end, the document that established the Senate, the Organization and Procedures of the University Faculty, recognizes the context in which this partnership must operate:

University leadership functions best when it is. . .able to strike the delicate balance between the twin needs for broad consultation and timely decision making.

"It also recognizes the faculty's stake in this partnership:

By long tradition the faculty believe that their views should profoundly influence the course Cornell will follow. . .

"Finally, it describes the role of governance in this partnership:

The appropriate role of faculty governance is to facilitate communication between the faculty and the administration,. . .thereby building a faculty administration partnership that will serve as a firm foundation for effective leadership.

"In the three years of the Senate's existence, we can point with some pride to examples of successful partnerships. The Faculty Committee on Program Review is now functioning successfully, the Faculty Committee to Advise the Provost on All Tenure Decisions has nearly completed a year's worth of reviews, and the Provost and the Nominations and Elections Committee have worked together well, for example, to provide faculty for search committees for new deans.

"Today's resolution is about an area in which we have not been so successful in creating a true partnership with the administration, namely faculty salaries. Unfortunately, there are additional examples of areas in which this faculty-administration partnership has either not materialized or has actively failed. As a result, the UFC is increasingly

concerned that this partnership is not occurring on issues that are critical to faculty. Some of these may be coming forward for Senate action in the future.

"It is important to define exactly what we mean by the term 'partnership'. For this purpose, we distinguish between *notification*, *consultation*, and *partnership*. Notification means finding out after the fact that something has already occurred. This is the situation that occurred when the proposal to build a new dormitory on North Campus was announced. Consultation means seeking advice. An example of this is the recent decision-making process about the future of the Division of Biological Sciences. In contrast, partnership means sharing fully. Today's resolution seeks partnership in the development of policies on faculty salaries. In particular, the resolution states that the Senate believes that:

.. It is both appropriate and in Cornell's best interest for the Faculty to be fully involved in a partnership with the administration on all major fronts.

..

and

.. It must not only be consulted, but also substantively involved in the formulation of major policy and selection of major priorities involving Cornell's faculty, academic programs, curricula, and students.

"In summary, this resolution asks that the administration extend to the issue of faculty salaries that behavior that is fundamental to the university's future success and that has been exhibited in other areas recently.

"Paul Sherman will now present the latest data on faculty salaries, which is the basis for the remainder of the resolution."

Professor Paul Sherman, Neurobiology and Behavior: "The resolution that Kathy was just speaking of goes on to say the following: 'One critical area that could benefit immediately from a unique partnership is faculty salaries. The Senate believes that progress is not proceeding rapidly enough toward average salaries in both the statutory and endowed units that are competitive with those at peer institutions in whose faculty are ranked similarly in quality.' I'd like to give you some understanding of why the Financial Policies Committee and the UFC has made this statement.

"We started two years ago with a general principle. It's a principle that is broadly applicable to our administrators, to our staff, and to our faculty. This general principle is that faculty compensation should be commensurate with faculty quality based on published rankings of institutional quality. The latest published rankings on institutional quality were from the Research Council in 1993. These data have been evaluated in various ways and we have taken the most conservative evaluation which is the evaluation that ranks Cornell the lowest, and yet even in spite of that, Cornell is ranked 9<sup>th</sup> in its quality of faculty in Change Magazine rankings, up from 11th in 1982. Now one approach given the idea of parity in faculty salaries commensurate with quality in order to maintain the quality of the University Faculty is to simply look at our salary ranks relative to that set of five institutions ranked above us and the five

institutions ranked below us (Figure 1). To do so, we would simply take the average salaries published every year from the AAUP publication, Academe. We would simply combine the data for statutory and endowed Cornell for an average and compare them to those institutions. When we do that, according to the 1998 data published last April, the top in this list is Stanford with \$112,000 a year on average. The average for Cornell is about \$83,000 a year. Obviously, we're at the bottom. Now there are various problems with this sort of way of doing it. One, the endowed and statutory sides of Cornell are very different schools. Two, private schools and public institutions across the country pay salaries according to very different scales. And so it seems appropriate to divide these up and compare quality of peers in the public institutions with Cornell's public institutions and quality of peers in the private institutions with Cornell's endowed institutions. Let's start with the data for the endowed colleges. We will separate them by ranks and look at the four schools ranked above and the four schools ranked immediately below Cornell in the latest NRC rankings (Figure 2). The data are shown for assistant professor at the top, associate professor in the middle, and full professor on the bottom. You could see the schools, Penn, Chicago, Stanford, Northwestern, Duke, Columbia, Princeton and Yale. These were ranked immediately above and immediately below us in the NRC rankings. In the assistant professor category, Cornell ranks right in the middle, right where it ought to be in essence. In associate professors, Cornell goes much further down, and in full professors we rank at the bottom. The disparity is almost \$30,000 in salary at the full professor level and these are average salary figures.

"Now in order to look at the data for statutory Cornell, it's a little bit more difficult trying to arrive at a peer comparison group. Peter Stein, however, when he was Dean of the Faculty, contacted the deans of CALS, Human Ecology, and Vet Medicine and asked them for a list of schools that they regarded as peer schools. He was very quickly able to zero onto a group of nine schools that were seen to be peers by all of these deans. (Although it was generally acknowledged that Cornell is at the top of the list.) Now Cornell statutory, as you know, is a very unusual organization. It isn't really comparable to any other school, but these are the schools that the deans regarded as the most appropriate comparison schools. We looked at the salaries in those groups, and again, this is the 1998 data (Figure 3), and we were expecting, given what the deans thought of the quality of their schools relative to these schools, that Cornell would be ranked at the top. In terms of assistant and associate professors, again, Cornell ranks at the bottom of assistant professors although the gap is not very great and ranks near the bottom for associate professors, and again the gap is not very great. It ranks at the bottom in full professors, and the gap is quite significant -- about \$10,000 per average professor. One other comparison that seems appropriate here is Cornell salaries compared to the other SUNY centers in 1998 (Figure 4). The data are a little unusual because the data for Stony Brook and Buffalo include the Health Sciences faculty (these are the published data -- we had nothing to do with that) and Cornell's does include the Vet Medicine faculty so there might be some equivalence there. Among assistant professors, Cornell is ranked second among the SUNY schools, but the disparity among the centers is insignificantly small. Among associate professors, Cornell ranks lower and the disparity is not much. Among full professors, Cornell does rank the lowest and the disparity is about \$5,000 on average.

"These are the 1998 data and these are the data which led us to continued concern about this issue about which I spoke to you last spring. The situation has not gotten to where

it is overnight. There has been a long and gradual decline in faculty salaries and that is seen in this graph prepared by Peter Stein. It started in 1972, and the way to read this graph is that the zero line is if Cornell's salaries would be equivalent to those at the eight private peer institutions -- so this is for Cornell's endowed side (Figure 5). The zero point would mean that we were at the average salaries of all of those peer institutions together. Starting in 1972, we were about 3% low; there was a slight increase and then considerable decline. There was a slight upturn in 1988-89; and there has been a slight upturn in the last year. We're delighted to see that, but the general trend is as you see it. At present time, Cornell's average salaries in the endowed side lay about 17% below the average of the peer comparison group. Now if we look at statutory Cornell, the data are a little bit harder to interpret (Figure 6). Here's what happened. The zero line is once again the line where Cornell's salaries are equivalent to the peer institutions identified by Cornell statutory deans (this graph has a mistake, it should read Cornell statutory not Cornell endowed.) The point is that the graph is above the zero line in the late 1980s and early 1990s, and then it plummets, so that at the present time in the statutory schools, Cornell is about 7% below the average and, as I told you before, the deans of those schools thought that we ranked at the top of that statutory comparison group, which would mean that salaries should be at the top.

"Now we presented many of these data, except for the 1998 data which weren't available last spring, to the Provost and the President last spring. If you will remember, last spring there was a motion passed by this body having to do with faculty salaries and the last line in the motion was 'be it further resolved that the Faculty Senate would urge the President and the Provost to meet with the Financial Policies Committee at an early and mutually convenient date to discuss how these changes can be achieved.' We had that meeting last May. It was a very cordial meeting and I left the meeting with a sense of enthusiasm -- a positive feeling about the whole thing. We got across many important points. We presented the material that I just presented to you and I thought that there was general agreement. My committee members felt the same way. The approach of comparing quality of peers was a reasonable one, that breaking down salaries by ranks was a reasonable one, that cost of living differences were not on the table because quality is not associated with cost of living salary adjustments but rather with straight pay, dollars on the barrel. There was a reiteration that not only was this a reasonable approach, but that salaries were a high priority with this administration and so we left the meeting with a real sense of great enthusiasm and a sense that this fall we would be starting to discuss the issues of priorities with faculty salaries and try to make some progress. We felt that when we came back this fall, we would be dealing with the following issue that was part of our previous resolution, 'That these changes should be brought about by setting priorities of current teaching resources, including consideration of the relative amounts spent on construction, support staff, and administration, to reflect the need for salary parity among peers across the professorial ranks, rather than by increasing tuition faster than at peer institutions'.

"We met with the administration early in this semester and frankly I have to tell you that I thought we were back to square one all over again. We were presented with a list of all institutions, not just peer institutions. They were not broken down by ranks and cost of living was back in the equation. There was no discussion of a target or a goal of attempting to achieve a parity of faculty salaries. It was just, 'Here it is.' Now, I don't think that our administration is oblivious to this problem by any means. I think that

they understand it and they have said again and again that it is a priority with them. Their approach has been that there would be a program -- which is in its third year now -- that there would be a 5% increase per year for five years and they've let us know that that's what they can afford. The Financial Policies Committee and the UFC have a different target in mind and that is parity with quality peers as I showed you before. There is a gap between the two approaches and we feel that the gap needs to be set down and discussed. We were expecting substantive discussions this fall; we did not achieve these substantive discussions. And that is the basis for the resolution before you today to get involved in this partnership again.

"In particular, we're very concerned that if the current program of the administration continues, and this upward trend at the end of the graph continues, it would take approximately 25 years to achieve the goal of parity with quality peers if nothing else changes and no other schools raise their salaries faster than we do. We're worried about the future of Cornell University under those circumstances. How can we maintain the quality of faculty when we're not paying our faculty what they're worth? People have said, 'Well, it hasn't happened yet'. To me, that's like the captain of the Titanic saying, 'We haven't seen an iceberg yet.' When departments start to decay due to the loss of certain individuals, they can start to fall apart very rapidly. So we feel that the entire future of the University is at stake here.

'The same thing could be said for statutory salaries. It would take us 20 years to achieve salary parity with peer institutions, but it would take about 10 years if we had the 5% increase in salary pool, which we do not. It has been sometimes said that the statutory school salaries have to do with what is going on in Albany, but it seems to me that our administration ought to be finding ways to shield the faculty from what's going on in Albany. In other words, we should be solving this problem and moving forward and getting out of the cruel line shown in this graph. I don't think it's good enough to say that we can't do anything about it. The main point is that this resolution is offered not only to raise faculty salaries -- although we regard this in the UFC as a significant problem -- but to try to bring back the partnership in the discussion which has been singularly lacking. We thought we had it going last spring, but it fell apart this fall. So the rest of the resolution says the following, 'To attack this problem in a spirit of cooperation and partnership, the Senate asks the Administration to develop, together with the Financial Policies Committee, faculty salary targets for all ranks in both units, as well as a schedule and financial strategy for meeting these targets. The Senate instructs the Financial Policies Committee to report on the status of this joint effort no later than the April 1999 meeting of the Faculty Senate.' Thank you."

Speaker Pollak: "Yes?"

Professor Locksley Edmondson, Africana Studies and Research Center: "The single most important statement in this resolution is the last one. 'The Senate is increasingly concerned that the partnership is withering rather than flourishing.' And I think that it should be emphasized and underlined, especially for the President and the Provost (and I'm sorry that the President wasn't here to hear this part of the discussion). We have some significant dissatisfaction about the process regarding the biological sciences. The process to be more open, perhaps. There are some statements about how the residential community issue was arbitrarily conceived a year ago after a previous

attempt a year before to impose another arbitrary rule. Today we had some discussions in the Academic Leadership Series and it is significant to note that a survey of 1998 seniors states that 'The administration's responsiveness to student concerns has one of the lowest scores of the questions.' This is a summary from the Dean of the Faculty. Another report to the ALS today from Bob Johnson points out, 'Many students are cynical about administration sensitivity to student needs.' He goes on to mention, for example, that students cherish and want to keep Balch and Risley dining. I think you understand exactly where I'm leading. There is a cumulative concern from different levels -- students and faculty -- about an administration perceived, with good reason, as very activist, very proactive, extremely decisive, but sometimes with very flawed procedures regarding the process often seeming to be just too autocratic and too unilateral. Therefore, it's worrying on the one hand, but pleasing on the other hand, to see that something dealing with the technical issue of faculty salaries has been broached in a much larger way which concerns the sense of community. We cannot have a sense of community if there are lingering reservations about the autocratic and unilateral decisions of the present administration."

Professor Sherman: "I'd like to thank you for that comment because that's exactly the spirit in which this resolution is offered. It is meant to be a partnership and to try to reestablish in one specific area something that we think would benefit the entire University because I think there's a shared sense on all of the committees of a shared loyalty and love for the place and I worry that if we don't do something, we will end up like the Titanic."

Speaker Pollak: "Okay, we have several back there."

Associate Professor David Stipanuk, Hotel Administration: "I wondered about the deadline that the committee chose being in April and any considerations the committee had on possibly moving the date up. My concern is that if progress is not reached in this regard, and the April date is used, I question if we're not going to lose the opportunity to respond as a group and possibly take further action that would be less quiet in tone than what's there. Are there any thoughts or observations that the Committee had?"

Professor Sherman: "We thought that would give us plenty of time. We hadn't thought of it this way. Some members of our committee and the UFC are here. Would any of them like to speak to this?"

Professor Peter Stein, Physics: "I think that the reason that the April deadline was chosen is because there is a May Senate meeting, and the feeling is that this is not a simple question and it's not the sort of thing where you snap your fingers and come to a solution. I think that, in fairness, we have to allow as much time as possible to allow the process to work. On the other hand, it can't go on forever, and that's why the compromise of April was chosen."

Associate Professor Risa Lieberwitz, Industrial and Labor Relations: "I wanted to follow up on Locksley Edmondson's comments in terms of the broader meaning of this resolution, specifically for faculty salaries, that needs to be addressed. The resolution is not only to tell the administration that we're not only seeking to be consulted and to be negotiated with in a meaningful way about this issue or other issues that we request

this partnership to be initiated, but also that we as a Faculty Senate expect that the administration should take the initiative to seek our input and to negotiate with us as faculty rather than having us read in the paper that the administration intends to do X,Y, or Z on a certain issue, and then we have to run to the administration and say, 'But wait, wait, we really do want to negotiate about this.' Rather than have this on a case-by-case basis, this resolution seeks to have the administration build into its processes an automatic response of when the faculty should come into it and who should be consulted, how can the student groups be brought in, and how do we have that as an institutionalized and automatic response."

Professor Douglas Haith, Agricultural and Biological Engineering: "I sympathize with my colleagues about the broader implications of this regarding administration and faculty cooperation, but let's not lose sight of the salary issue. I have not seen any evidence at all that the administration has gotten the point that you cannot maintain a first-rate faculty with second-rate salaries. Until that point gets really made and they really believe it, I am not sure that we will make real progress on this, and for me, that's absolutely the bottom line of this discussion."

Speaker Pollak: "Other comments on this discussion? Are you ready for the question? All those in favor of supporting the resolution signify by raising your hand. All opposed?"

The motion carried as follows:

*The Senate believes that it is both appropriate and in Cornell's best interests for the Faculty to be fully involved in a partnership with the administration on all major fronts as priorities are chosen and a vision of the future is crafted.*

*One critical area that could benefit immediately from a renewed partnership is faculty salaries. The Senate believes that progress is not proceeding rapidly enough toward average salaries in both the statutory and endowed units that are competitive with those at peer institutions whose faculty are ranked similarly in quality.*

*To attack this problem in a spirit of cooperation and partnership, the Senate asks the Administration to develop, together with the Financial Policies Committee, faculty salary targets for all ranks in both units, as well as a schedule and financial strategy for meeting these targets. The Senate instructs the Financial Policies Committee to report on the status of this joint effort no later than the April 1999 meeting of the Faculty Senate.*

*The Senate believes that it must be not only consulted, but also substantively involved in the formulation of major policy and selection of major priorities involving Cornell's faculty, academic programs, curricula, and students. The Senate is increasingly concerned that the partnership is withering rather than flourishing.*

Speaker Pollak: "We do have Good and Welfare. There has been a request for the time by Kerry Cook. I'll ask her to come up to the podium since she has an issue she would like to discuss."

## 8. GOOD AND WELFARE

Associate Professor Kerry Cook, Soil, Crop, and Atmospheric Sciences: "I'm representing the UFC here in the Good and Welfare section. As you all know, there is considerable concern and reason for that concern that Cornell could do better at being a place where people with different backgrounds, cultural identities, academic interests, and political ideas can interact constructively and freely express themselves. I would suggest that how a university handles these issues, collectively being referred now as the 'Campus Climate Issue', is central to its character and this is especially true for Cornell, perhaps, which was founded as a place where anyone could find instruction. Given the importance of this issue, it seems appropriate that the faculty be a central force in determining this aspect of Cornell's character. Of course, a number of faculty are already involved in this issue as individuals. However, through the Faculty Senate, we have a means of collectively weighing in on the issue, and the UFC would like to invite the Senate to provide input for developing some possibilities.

"One example would be a statement or a resolution from the Senate about the need to have a safe, nurturing environment that maximizes the intellectual and social growth of everyone on campus and encourages the free and open exchange of opinions and ideas. Another possibility is that we could suggest that we, the UFC, could perhaps suggest ways that the faculty in general could play a more active role in this issue. To get a sense of the Senate's reaction to these ideas, I invite you to make any comment during this section especially telling us whether we should proceed in thinking along the lines of a statement or some kind of action on behalf of the faculty. Thank you."

Speaker Pollak: "Before we open it up to input, Brian Chabot wants to comment."

Associate Dean Brian Chabot, College of Agriculture and Life Sciences: "I would say to Kerry, 'Si!', because I know that as a community we seriously need to address these issues, particularly issues of respect, tolerance, and openness to people of different ideas and handling that in a respectful and tolerant way. The community has heard in response to a series of events that have occurred in the past weeks from several organized groups representing students, representing employees, representing the Greek system, and representing the University administration. In some important sense, I think that the Senate has missed an opportunity to provide leadership on these issues by being silent. I have been concerned about this and have expressed those concerns to Bob Cooke. I learned in the last session, the ALS series, that the students are very much concerned about the silence of the faculty. This is an issue that is being discussed in the dorms currently. So in some sense, the opportunity has not been lost. I also learned from Andy Bass, who is a Faculty-in-Residence individual, that there is a great deal harassment, what he characterizes as hate crimes, that go on routinely -- a lot unreported -- so that the faculty are generally unaware of the extent of this problem and the impact on individual students. We do have an opportunity to forestall future incidents and to address them in a more timely way. I would certainly encourage this group to develop a resolution or some statement on these issues. Thank you."

Speaker Pollak: "Peter?"

Professor Stein: "I am really unaware, I must say, of what Brian is talking about. And I'm willing to bet that a lot of people in this room are unaware of it. So I'm suggesting to the UFC that we have a report that outlines openly and frankly at the first meeting of next semester what it is we're talking about. I think that these are serious matters and I don't think that we will do ourselves any favor by speaking about them in a way where you really can't understand what's going on. Rather than a resolution, I'd be interested in an exposition."

Professor S. Kay Obendorf, Textiles and Apparel: "I think we can study and have reports, but I'm like Brian, and I think that we should quit being silent and before our students go home for the break, we should make a statement to the campus and possibly to the Board of Trustees in January."

Associate Professor Jeremy Rabkin, Government: "I want to agree with Peter Stein. I could not follow what the proposed resolution or statement were about. It's very confusing to me. I think that Peter is right and that many people are in that situation. I think to make a resolution which is so abstract and general, which is just saying that we're all in favor of tolerance, is useless. On the other hand, I did not interpret Peter's suggestion as 'Let's delay and study it.' I think it would be a real contribution to have some semi-authoritative findings on what we are talking about. Just to add one other thing -- I think it's obvious that some of the characterizations and claims that are made about harassment are politically motivated. People are saying, 'We are victims of harassment, therefore we need Latino Studies' or 'therefore we need this, that, or the other thing.' I'm not saying that all things are false, but given that there is some skepticism on the part of many people, I think it would be a real contribution if we had a committee to look into this and present findings."

Speaker Pollak: "Other comments? Yes, down in front."

Professor Lieberwitz: "I think that sometimes saying something more than once can be helpful, so I'm going to jump in here. I do think that with the discussions about the incidents of racial harassment and homophobia on this campus that have been going on, and other problems of this sort that have been going on for a long time and, more recently, that it is time for the faculty to step in and say, 'Okay, let's examine this. Let's examine the experience of the students of different races and different sexual preferences. What are the experiences of different groups on this campus And report about that.' I think it's very useful to be followed with figuring out what we as a faculty can do to help create an environment where we respect all individual's rights to be here, to learn, to be free from harassment, and to have this university where we respect each other and openly discuss issues as opposed to having an environment where we have people who are afraid of incidents of racial harassment and homophobia that they have been faced with. I think that this can be the start of something really constructive where we go beyond resolutions where we make statements, but don't follow up, and an important role the faculty should take."

Speaker Pollak: "In the back?"

Professor Edmondson: "I planned to leave ten minutes ago, but I'm glad I stayed. Let me say one thing. I think that it's entirely appropriate for this body to express concern."

But after all of the special reports that we have seen in recent times about incidents of racial harassment, for one Senator to imply that minorities are going around making things up, is insulting. You are being very insulting, let me tell you that right now, Jeremy. Now let me proceed. It would be quite appropriate for the Senate to express itself. We don't have to be more specific at the moment. We could also try to get more specific information so that later we could follow up with more action that we might want to take as Senators or as faculty members to try to alleviate these incidents and make a better climate of racial harmony on this campus. Don't you ever believe that this country has yet solved this awful history of bigotry which rises ever so often."

Speaker Pollak: "Other comments? I think it would be beneficial if we had a straw vote of directing the Dean of the Faculty to move forward in this area in whatever appropriate manner it is he would take. All of those in favor of that please raise your hand."

Professor Rabkin: "Wait, what are we voting for?"

Speaker Pollak: "We are voting to move forward with some kind of report, some kind of a movement if there is interest from this group. Again, a show of hands to indicate to the Dean that we should move forward with some kind of action. Are there any other Good and Welfare?"

Professor Rabkin: "Locksley, I was not saying this about any Senator. I was just responding to what I see in the newspapers, such as the Cornell Sun. I'm not at all saying this about Senators or about professors or administrators."

Speaker Pollak: "Okay, we are before 6 o'clock, I need a motion to adjourn. Thank you."

Respectfully Submitted,

Kathleen Rasmussen, Associate Dean and  
Secretary of the University Faculty

Comments by Professor Randy Wayne at Faculty Senate Meeting  
December 9, 1998

The history of science shows that the vast majority of advances in science have come from individuals or small groups (Bush, 1963; Alberts, 1985). Indeed Einstein suggested that refugee scientists should seek jobs as lighthouse-keepers, so that they may find the isolation necessary for scientific work. In an article entitled: "In praise of smallness—how can we return to small science?" Erwin Chargaff (1980) wrote, "We all know that what is cannot be otherwise. The existence of anything weighs the scales most unfairly against everything else that could have been in its place but is not."

If this be true, then the way the Division of Biology was set up, weighed the scales most unfairly against everything else that could have been in its place but was not, and thus, in spite of the fact that a majority of students and faculty spoke in favor of maintaining the division, you sought to change it. Likewise, the structure you have set up by presidential proclamation will weigh the scales most unfairly against everything else that could have been in its place but will not be.

I would like to comment on an aspect that I believe will be diminished in what you have called "the post-division era." That is, academic freedom and the spirit of the independent investigator. Again, according to Chargaff, "Science is the application of reason, and mainly of logic, to the study of the phenomena of nature. Therefore, the most important scientific tool is the human brain. Each brain sits on its own head. Hence, the all-important unit in research is the individual scientist."

If the most important unit in research is the individual scientist, what is the value of centralization? It has been argued equally strongly by Socialists and Capitalists that: (1) Science exists to serve the material wants of human beings; and (2) a central authority, knowing the material wants of the community, could efficiently and quickly switch researchers to the most immediate problems of the day. In this way, overlap would be avoided, and trivial investigations would no longer take up time and money. However, the thinking of economists does not typically take into consideration support for the creative and original investigators, who, in the main, have discovered the phenomena necessary for technological progress. According to John Baker (1945): "The proper function of a research team is to work out the consequences after an independent worker or two or three scientific friends have opened a new line of investigation. There will be plenty of people who want to follow the new line. Indeed, one notices a strong tendency for scientists to ask, "What is being done?" They might as well ask frankly, "What is the fashion?" The original investigator on the contrary asks himself, "What is *not* being done?" The people who want to *follow* a new line often do excellently in teams and they can be fitted satisfactorily into planned research. They have neither the wish nor the ability to think originally, though they are often talented, well equipped technically, and possessed of a great love of knowledge. If science is to flourish, however, encouragement must be given to people of independent spirit who want no master. The desire to know is widespread among men: the desire to know specifically that which is not known is on the contrary very rare."

Your decision will have a negative effect on the current and future biology students and faculty for two reasons. Firstly you have sent a very clear and resounding message that the President of Cornell University has a better grasp of "what is biology?" than do the majority of the one hundred faculty members in the Division. This lack of respect is extremely demoralizing to the faculty, and I am sure you are aware that faculty morale has plummeted ever since the college and university administrations started to micro-manage biology. Given that each faculty member pursues his or her difficult, demanding, and underpaid profession to a large extent because we enjoy what we do (Gratzer, 1998); a lowered morale will have an adverse effect on our ability to teach, advise and do research.

Secondly, your decision will have a negative effect on academic freedom; and in destroying the environment where the brain can function creatively to discover new phenomena and laws.

I believe that the transference of power from the faculty in the Division to Day Hall sends a chilling message to all faculty members in the Division of Biology. That is, the first question that must be asked when pursuing biological research will no longer be, "How can we better understand the biological basis of life?", but "Will the proposed research bring in a *substantial* amount of money to Cornell?" That is, Day Hall will support work on biological projects that have short term economic gains—that is sell buyology spelled: SELL-BUY-ology. This will send a message to faculty and by example to our students—not to be independent thinkers, but to work on projects whose results are certain enough to garner large monetary rewards. After all, according to Albert Szent-Györgyi (1972), "A discovery must be, by definition, at variance with existing knowledge." And who is going to throw large sums of money at something that is at variance with existing knowledge? To paraphrase Szent-Györgyi (1974), the current policy may do its greatest harm by making faculty and students avoid problems that do not have short-term monetary benefits. We will be, according to Chargaff (1978), a faculty of "lost souls teaching the young to lose theirs."

While you could assert that the newly erected structure makes it easier for scientists to ask for aid and support of new ventures, I believe that the current administration at Cornell has demonstrated beyond a reasonable doubt that it is far more concerned with the short term value biology has in making money for Cornell than the long term value biology has in discovering new and unexpected knowledge. I lament the shift from a relatively democratic form of government in biology to a more totalitarian form. I am reminded of the fact that when biological teaching and research have been made to conform to the philosophy of a totalitarian state, the outcome has been negative (Sax, 1944; Baker, 1945; Lysenko, 1946,1948,1954).

When asked "What is science?" Richard Feynman (1969) answered that "science is the belief in the ignorance of experts." We must encourage independent thinking. One of the real values of science to American Society is its method of encouraging independent thinkers. According to Feynman (1955), "It is our responsibility as scientists, knowing...the great progress that is the fruit of freedom of thought, to proclaim the value of this freedom, to teach how doubt is not to be feared but welcomed, and discussed, and to demand this freedom as our duty to all coming generations."

Science needs freedom....

In order to alleviate my anxiety that you are only looking at biology as a cash cow, and not as an intellectually satisfying and important enterprise, which incidentally provides the knowledge for technological advances, perhaps you can describe to me one or two areas of biological research that currently are not well funded because they are at variance with existing knowledge, yet in your opinion have potential significance for increasing our basic understanding of life, and long term potential for satisfying the material needs of human beings.

If there be no answer, follow up with this statement: When asked what ideal qualities should be sought in the new director of the Institute for Advanced Studies, Einstein answered, "Ah, that I can do easily. You should look for a very quiet man who will not disturb people who are trying to think" (Bourne, 1982).

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The Boyer Commission on  
Educating Undergraduates in the Research University

**REINVENTING UNDERGRADUATE EDUCATION:**  
*A Blueprint for America's Research Universities*

<http://notes.cc.sunysb.edu/Pres/boyer.nsf>

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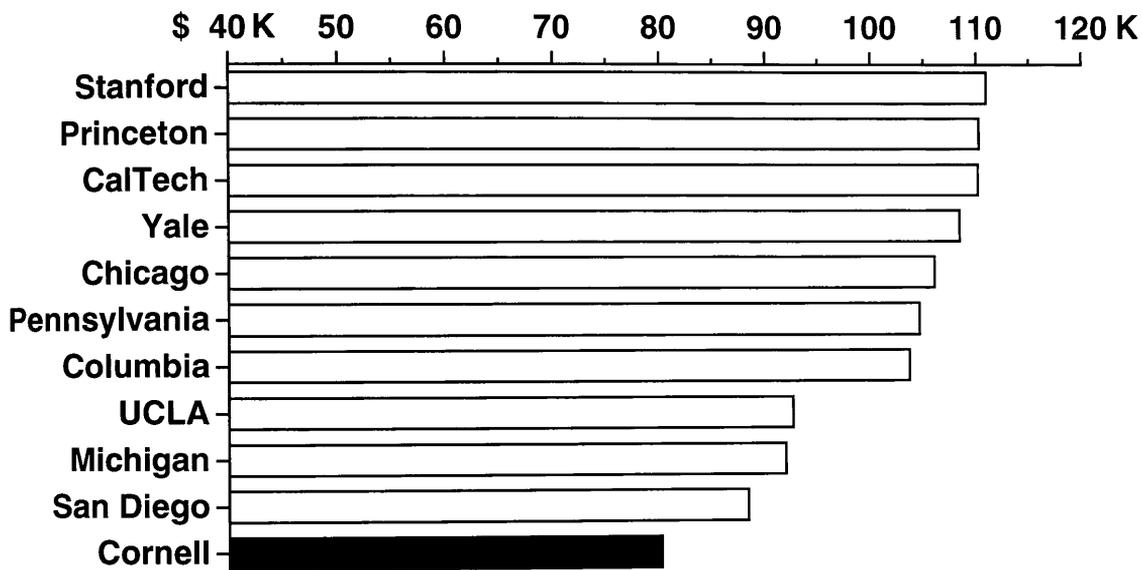
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## Full Professors

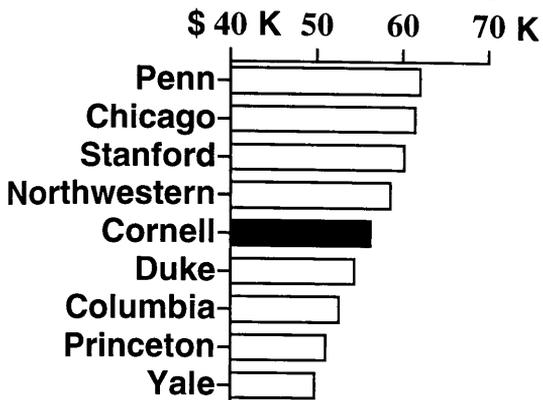
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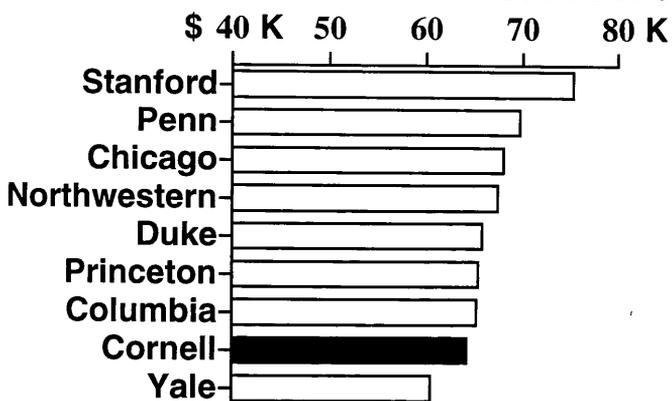
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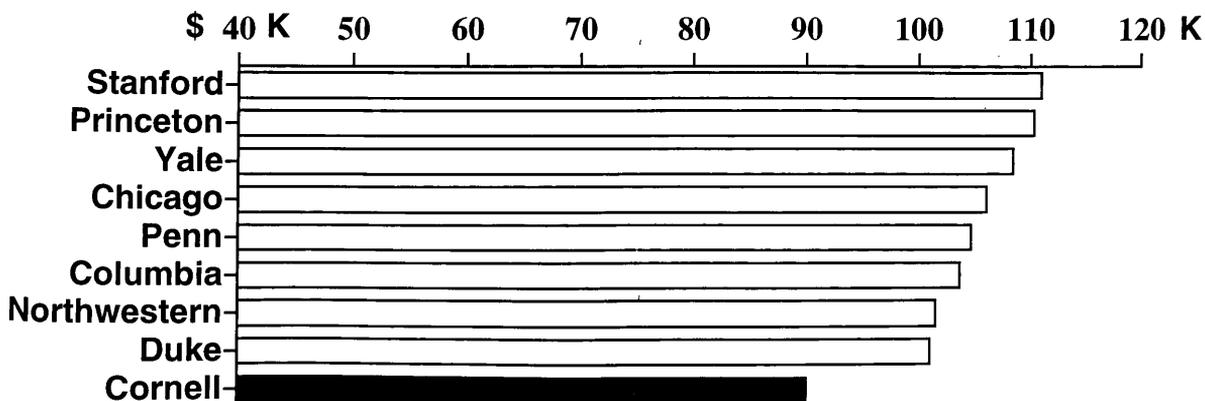
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## Associate Professors



## Full Professors



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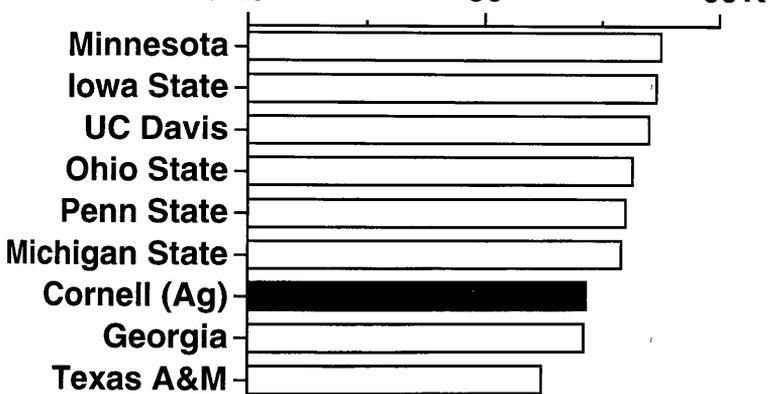
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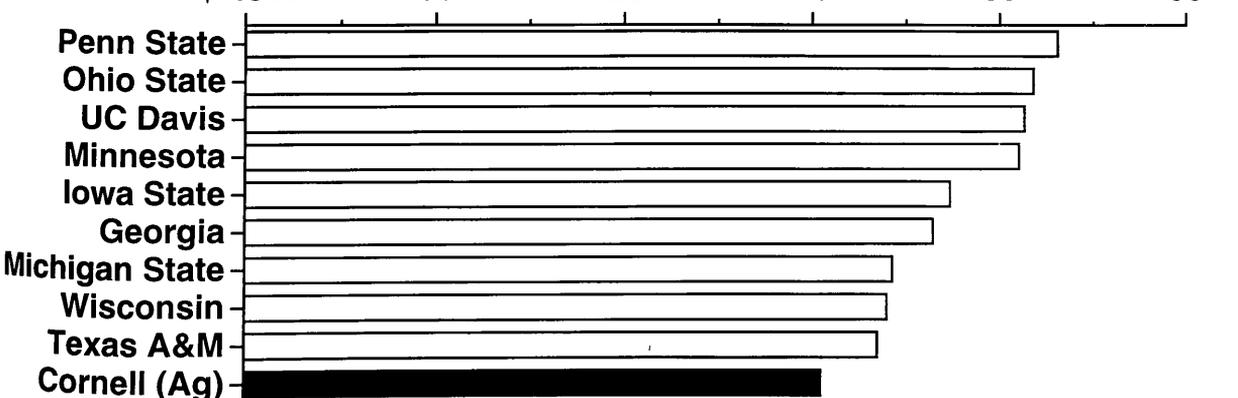
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### Full Professors

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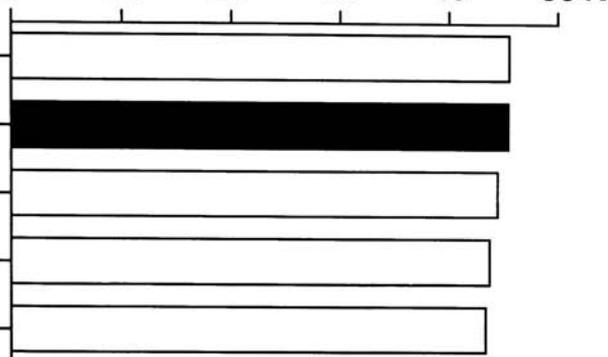


# 1998 Salaries, SUNY Centers

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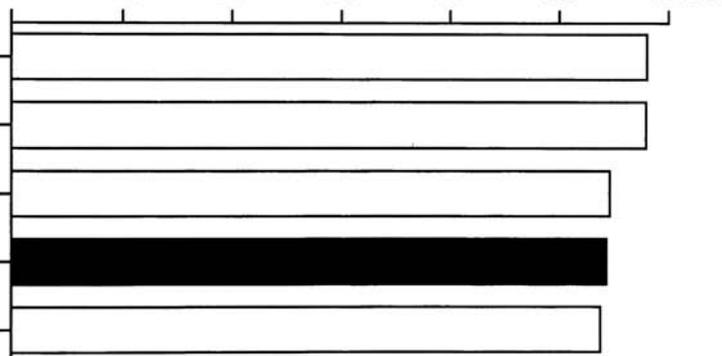
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## Associate Professors

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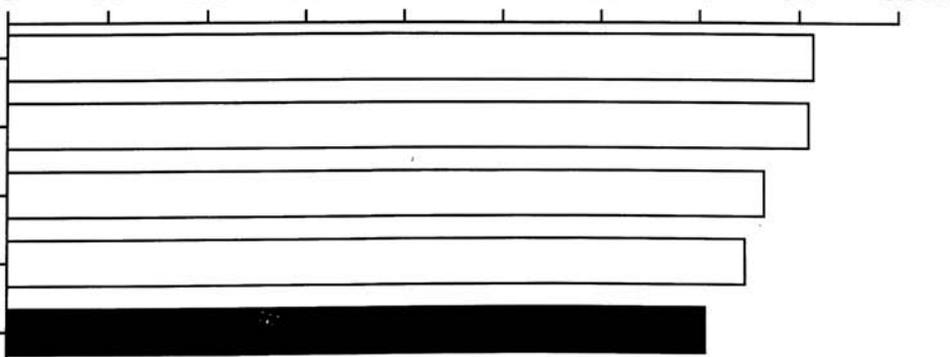
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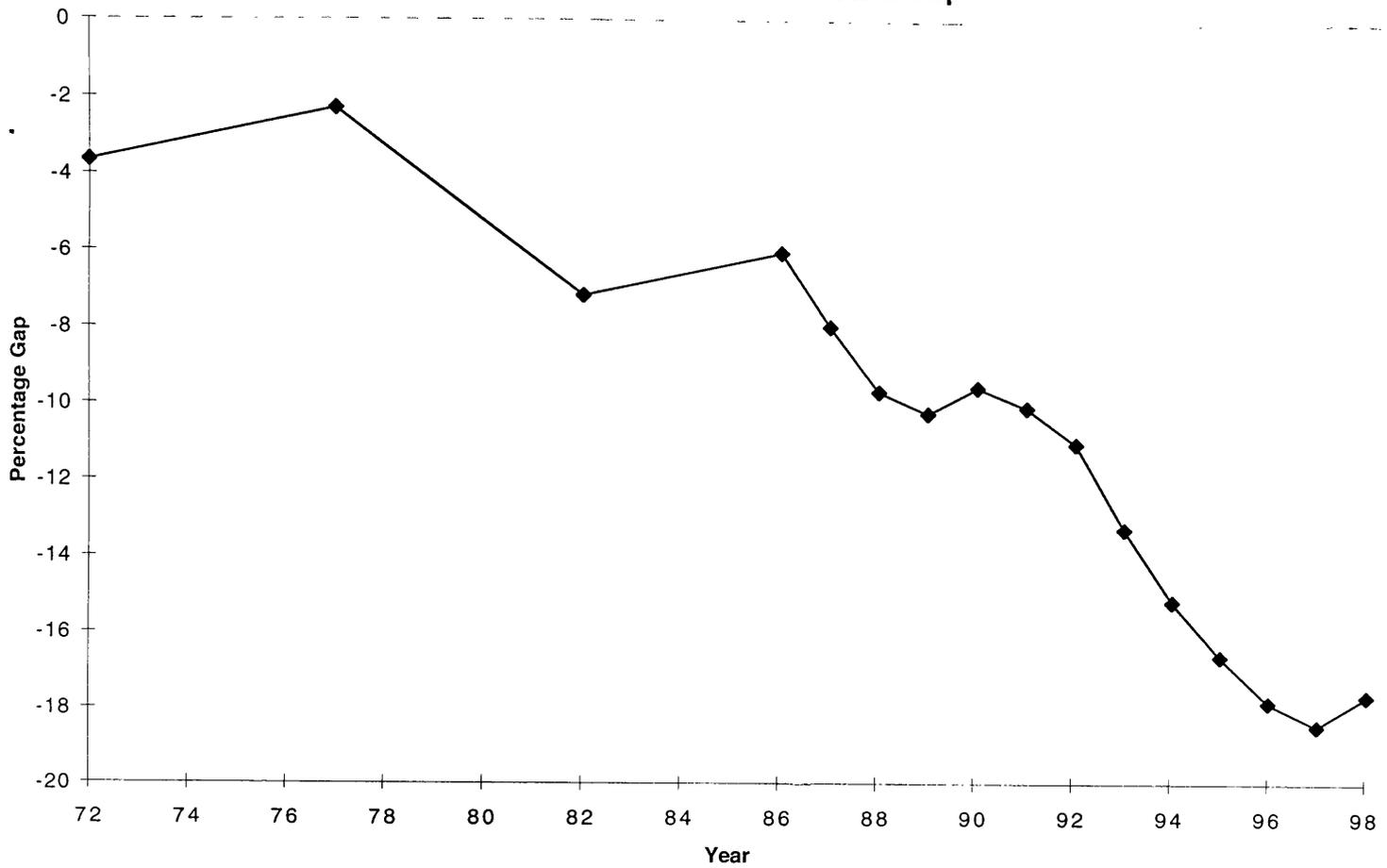
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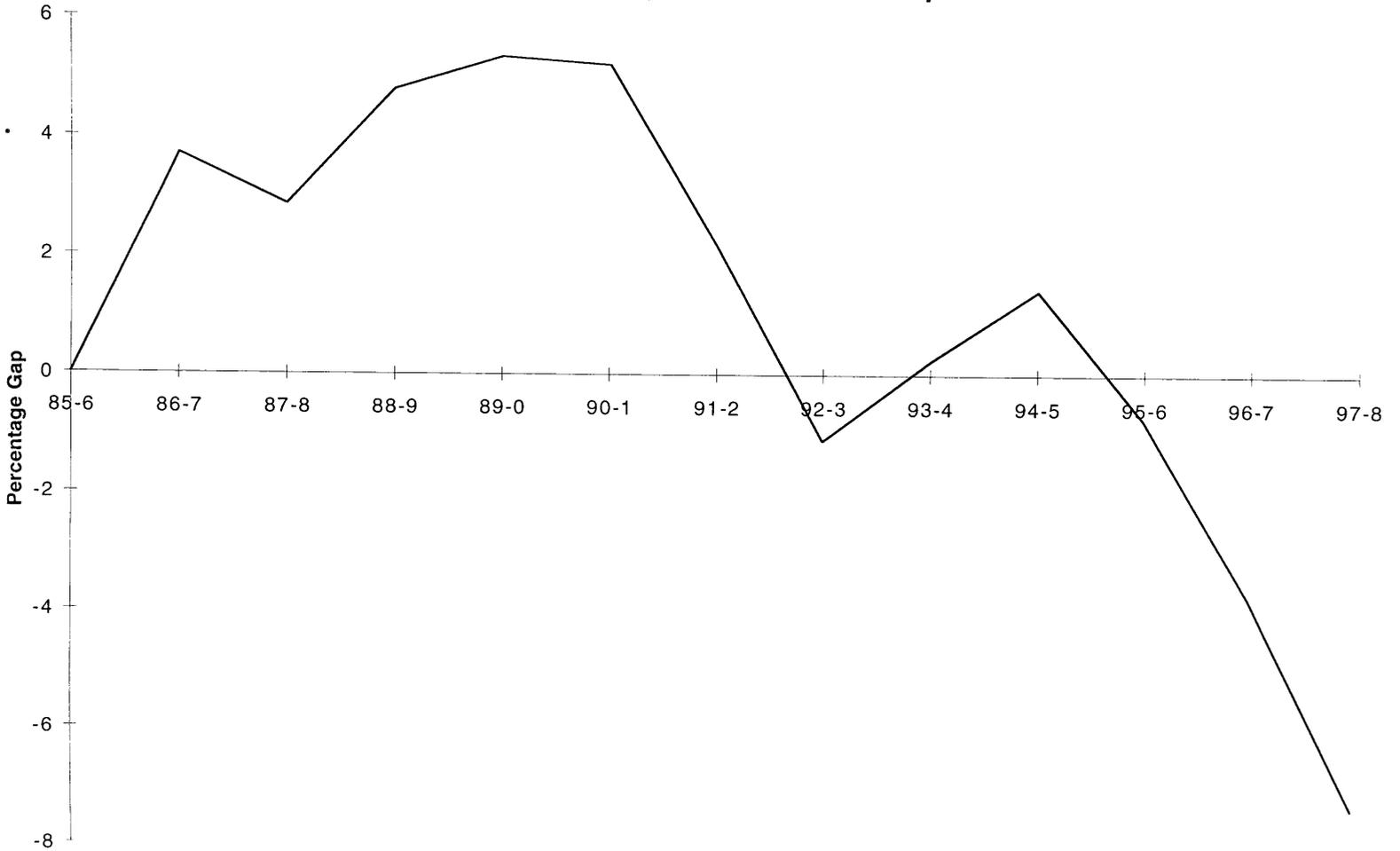
Buffalo  
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Binghamton  
Cornell



### Full Professor Salary Gap Cornell Endowed vs. Private Peer Group



# Full Professor Salary Gap Cornell Statutory vs. Public Peer Group



**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, February 10, 1999**

The Dean of the Faculty, J. Robert Cooke, called the meeting to order and called for the approval of Professor Melissa Hines, Chemistry & Chemical Biology, to serve as Acting Speaker because John Pollak is out of town. Professor Hines was accepted as Acting Speaker and she then called on Dean Cooke for his opening remarks.

**1. REMARKS FROM THE DEAN OF FACULTY**

J. Robert Cooke: "I will move through this quickly, so stop me if you want some detail. We have on our website an explanation of the change in the payroll and what happened to December 31<sup>st</sup>. Associate Professor Alan McAdams has spent a significant amount of time interacting with faculty members on this. The conclusion is that it was done properly, but if you have questions, he's present and can respond to questions. Otherwise, I'll assume that I can skip on to another topic.

"Next is the faculty hockey team of which I was honored by being asked to be honorary head coach. Here is the list of the people (Appendix A, attached), 2 women and the rest men and 4 or 5 of them are over 50, and let me tell you that it is impressive to see people do that, and I'm completely envious of what they were able to do. They had two games, the first we lost 4 to 3, the second was won 10 to 0. The mayor was the coach for the alumni team. Anyway, it's a great event and I'm indeed honored to have been associated with it. It's lots of fun. I told them that there were two things that I watched enough of professional hockey to know. The first is that you have to be well dressed if you're coaching, and the second is that you have to have an absolute stoic, pan face throughout the game. I almost made the latter one and that was about the extent of my contribution.

"All right, we have two major events scheduled. We worked pretty hard over the break since our last meeting in December at which at the very end you gave us some instruction. You wanted something done on Campus Climate, so we have a major part of this meeting devoted to that. There are two other campus-wide events that I want to call to your attention. The first is a week from today at this regular time. You will recognize that it is scheduled at the backup time for this meeting so that I would have, at least, a hundred people who had that slot on their schedule reserved. It is a forum on the Strategic Plans for Athletics and Physical Education. There's a write-up in the Cornell Chronicle. There will be 30 minutes for a presentation by the Director of Physical Education and Athletics and the Chair of the Faculty Committee on Physical Education and Athletics and some other faculty members from that committee. There will be 45 minutes for prepared questions. We have asked that the Student Assembly, the Employee Assembly, and you to supply questions. I would like those in by tomorrow, if at all possible, because I'd like to share them with the panel so that if they have to do some homework it'll be possible. We'll also have 15 minutes of questions from the floor in case someone is not part of the planning process. Here are some of the issues that might interest you. There's a call for additional resources. Where does this priority fit among the other priorities of the University? There's a call for a better win/loss record. How will that affect the present/future balance of intramural versus

intercollegiate sports? How much of an additional investment will be needed to attract a net improvement in alumni support? Do we know the cost required to produce a program that provides a sense of community and attracts fans? What additional pressures are likely to be made on admissions standards, if we're not going to add athletic scholarship? I would also like to call your attention to how we are already experiencing pressures to lower or change admission procedures. I would unfairly call it lowering the standards; those who are asking for it would not characterize it in that way. There's also a call for an administrative modification on whether intramurals and intercollegiate sports would be handled in a separate program. This, I would repeat, is a draft plan and is for discussion. It does not mean that it will happen. It means that it is under consideration and could happen.

"In connection with today's theme on Campus Climate, we have organized a University-wide Faculty Forum for March 17, which is the week after the March 10 meeting. The title of the session is 'Cornell 1969: Key Issues Then and Now.' It will be built around a scholarly book by Professor Downs from Wisconsin, who was a student here in '69 and who has spent multiple years writing this book. It is being published by Cornell Press and copies will be available for sale at the foyer of Call Auditorium, if you wish to buy it. You will have the first chance to get a copy since it is not yet available to the general public. The participants are President Rawlings; Professor Downs, the author of the book; President Emeritus Dale Corson, who was Provost at the time of the events of '69; Kenneth McClane and Walter LaFeber who were also here; and so was I. In fact, I served as second speaker of the University Senate for the first full year.

"Two more things, quickly, to bring to a close. Bob Harris has agreed to chair a planning group that would develop a dialogue on 'Campus Climate for Students: Diversity and Inclusion.' If everything goes as we expect, it would be done immediately after the break, and we would use the open forum on March 17 as a way of getting the focus on this. Here are the committee members, in case you wish to talk to them (Appendix B, attached). At the next meeting, I will ask Professor Harris to give a more detailed description, as we have those plans in place. At this moment, you need to know that we are imagining a conversation that would take place in every department on campus and we would supply the resources, much as for the Academic Leadership Series. The rest of the plans are still in progress, and Professor Harris will report to you at the next meeting.

"One last thing I should mention is that I had a conversation with a student on the issue of dissection of frogs. I am a late-comer to this conversation. What I proposed is that he identify the students who feel offended by the labs that they were taking. I will try to arrange a conversation either between the people who teach those labs or other knowledgeable people in the Biological Sciences community, to see whether there is any accommodation needed, whether the issue is widespread or is limited to a small number of people. I will ask that it be studied by a faculty committee, but we will ask them not to report until after I have had a chance to have that conversation so that I can understand what's going on. There are some strongly held beliefs by the students on the one side, who are asking not to use frogs for dissection and, on the other hand, the faculty who assert, which we have long asserted, that the faculty member is responsible for the content of his or her course. So that is a sense of the kind of issues that we'll be dealing with."

Acting Speaker Hines: "Okay, are there any comments or questions for Dean Cooke? Seeing none, before we continue on, I've been asked to remind you of some rules regarding Senate meetings. First is that all members of the University Faculty that are not members of the Senate shall be entitled and encouraged to attend any meeting of the Senate and to participate in debate, but may make no motions or vote. The second is symbolic of the records of meetings and it says that the official record of the meeting shall be kept by the Secretary who may use any means he or she finds appropriate to prepare an accurate record of the proceedings. All other participants, including members or visitors are prohibited from photographing, sound recording, video taping, or using any other electronic means to record the proceedings.

"Okay, so we'll continue on to the next item on the agenda, which is questions and answers for Provost Randel."

## 2. QUESTIONS AND ANSWERS FOR THE PROVOST

Provost Don Randel: "If I might report first, briefly, on the latest news from Albany. The good news is that the Chancellor has, in fact, with the permission of the SUNY board, requested the additional funds that will be required to at least make whole the salary agreements that were already negotiated and a number of initiatives as well. They are going to seek something on the order of \$100 million of new resources for SUNY. As you perhaps know, the Governor pushed way down what he was willing to allow for SUNY, and he did not include in his own executive budget any of what SUNY previously had requested -- virtually nothing. Having done that, SUNY can fight back with the legislature, and the legislature seems favorably disposed towards SUNY. Indeed, the questioning of the Chancellor was altogether friendly, more of the nature to animate him to say that the Governor's budget is inadequate, and the legislature needs to help us out. This puts the Chancellor in a slightly difficult position, of course. But he, having announced that he was leaving by the end of the year, felt free to say and his master on the board seem to not have prevented him from saying that, yes, SUNY needs more resources for a variety of things. My guess, although it is only a guess, is that the legislature will succeed in restoring a good deal of what SUNY had previously planned to ask for and that the Governor will compromise and, having pushed it way down to start with, it will come up to a steady state.

"The SMART New York Initiative thing, which is SUNY, Cornell, etc., has now been scaled back, and all this started at \$50 million a year to create a fund to go after matching grants with, then was \$25 million, and then at the request that was presented yesterday before the legislature, it was down to \$10 million. How much of that would come to Cornell remains to be seen, but it would hardly accomplish anything that we had hoped for originally. I'll keep you abreast of that.

"In the meantime, we are mounting a much bigger grassroots efforts with alumni and friends of the University. We need to engage much more broadly in a kind of retail effort. The process is somewhat different than in the legislature with the legislative committees becoming more publicly called in the budget process. So we have just now developed the letter that will go to lots of Cornell friends to say what they ought to be telling their own representatives, that faculty salaries is the first on that list. There are

only four items on that list that we want people to carry the message about. Simultaneously we're trying to do what we can with the executive branch as well. The President and the Chairman of the Board are working on this very steadily. Are there any questions?"

Professor David Rosen, Music: "This is a preamble and a two-part question. Contrary to all expert advice, the Dean of the Arts College proposes to dissolve the Department of Modern Languages and to reassign the teaching of modern languages to the area studies programs, that is, the literature departments. Although one could scarcely guess from the Dean's comments or the discussion at the Arts College meeting last week, this issue would have ramifications for the entire University. Forty-three percent of students who pre-enroll in DML come from outside the Arts College. Here's the question. Do you believe it is appropriate for the Dean of the Arts College to make such a decision unilaterally or do you believe that the stakeholders in other colleges should have a say as well? And do you plan to become involved in this matter?"

Provost Randel: "As for part one, I guess it depends a little bit on what we mean by 'say' and 'have a say'. I have already been involved in conversations with people outside the College who have expressed interest in this, and I'm sure that the College itself is perfectly aware of those conversations. The responsibility for language teaching is primarily that of the Arts College, and the Arts College serves many constituencies not just in language teaching, but in mathematics, and physics and chemistry, and a whole range of other subjects. I'm sure that the College will take account of the needs of the University. Half of what the Arts College teaches is taught to people outside of the Arts college. I think it is mindful of its responsibilities in that regard and I trust the leadership of the College to remain informed and to understand what those needs are."

Acting Speaker Hines: "Question in the back?"

Associate Professor Randy Wayne, Plant Biology: "Vice Provost Garza sent an e-mail to everybody on February 5<sup>th</sup>. Are you familiar with the e-mail that talks about the reorganization plans for biology by President Rawlings?"

Provost Randel: "Yes."

Professor Wayne: "It goes on to say that 'This change recognizes recommendations from faculty.' Exactly what do you mean by 'faculty' in this instance?"

Provost Randel: "What change is being discussed?"

Professor Wayne: "Well, as far as I can see, it's talking about the Task Force Report that talked about an advisory committee. It seemed to me that there were a majority of cases where the faculty was against the report."

Provost Randel: "If it's the memo I believe it to be, I'm hardly able to speak for its author entirely. If it's about the constitution of the advisory committee, which has been part of discussion for some time, I believe what Vice Provost Garza is saying is that having talked with faculty about the constitution of that committee, it has been determined that the membership should be somewhat broader than what was first thought. That memo

doesn't have to do with discussing the Task Force Report or that set of recommendations."

Professor Wayne: "Given the fact that the decisions that Day Hall seem to make don't represent the majority of the faculty, I'd appreciate either not getting these memos or, if I should continue to get these memos, please define when you say 'faculty,' what you mean by 'faculty.' To do that, I would encourage you to take votes."

Provost Randel: "And I recommend you consult the helpdesk at CIT that can help you arrange a filter on your e-mail, and you won't get anything that you don't want to get. "

Acting Speaker Hines: "Okay, we have time for one more brief question."

Professor Joseph Ballantyne, Electrical Engineering and Senator-at-Large: "This is just a question on the SMART New York fund that you just mentioned. Is that \$10 million over and above the state appropriation for the Electronic Interconnect Focus Center in Albany and RPI?"

Provost Randel: "Yes, this would be \$10 million in new dollars to be awarded to units in the SUNY system on some more or less competitive basis to use as matching funds for other kinds of projects, all calculated to increase the volume of sponsored research. There are other things such as the one that you mentioned. We have also pursued other initiatives with the executive and with certain other state agencies which we continue to pursue. The fact is, if you reckon a \$10 million dollar fund, and we as 10% of SUNY got \$1 million of it, that will not do the kinds of things we need to be doing to compete effectively in sponsored research. It will take more than that statewide, but it is a new separate pot of money."

### **3. APPROVAL OF MINUTES OF DECEMBER 9, 1999 MEETING**

Acting Speaker Hines: "You've all had a chance to review the minutes from the last Senate meeting. Does anyone have any objection to those minutes? If none, I'd like to call for unanimous approval? Then let's accept the minutes and now I'll call on Associate Dean Rasmussen to give the Nominations and Elections Committee report."

### **4. NOMINATIONS AND ELECTIONS COMMITTEE REPORT**

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "You have already seen this is the call to the meeting. These are the actions of the Nominations and Elections Committee since the last time that the Senate met:

**Affirmative Action Committee**  
Mary Brinton, A&S

**Faculty Advisory Board on Information Technologies**  
Michael Kazarinoff, CHE

**Faculty Senate-at-Large**

Michael Owren, A&amp;S

**Professors-at-Large Selection Committee**

Alison Powers, A&amp;S

**University Conflicts Committee**

Gregory Siskind, Medical College

**University Faculty Committee**

Peter Schwartz, CHE

"Are there any questions?"

Acting Speaker Hines: "Okay, if not, then I'll call on Dean of Students, John Ford, to give us a presentation on Campus Climate."

**5. PRESENTATION BY DEAN FORD ON CAMPUS CLIMATE**

John Ford, Robert W. and Elizabeth C. Staley Dean of Students: " I am on leave this semester working at the University of Chicago as an American Council on Education Fellow . I was delighted to accept Bob Cooke's invitation to speak at this Faculty Senate meeting today because I want to encourage faculty support and participation in efforts to make this a better community for our student body. We must not let differences in gender, ethnicity, religion, sexual orientation, class, or race divide our community. Building learning relationships, respect, and friendships across all of these differences merits our attention. But, because of the incidents last fall, my remarks today focus mainly on our commitment to minority students.

"Last semester there was a wave of racial harassment incidents targeted at our students of color. These racist e-mail messages, phone calls, late night street confrontations, and suspected arson attempts provoked fear and outrage on the part of many students, faculty and staff. These events prompted the administration to establish a hot line for harassment incident reporting, improve campus lighting, establish education and staff training programs, and enhance police patrols. Vice Presidents Susan Murphy and Hal Craft and Associate Vice President LeNorman Strong should be commended for their leadership in bringing about these and other campus-wide responses from the administration.

"But as the racial harassment crisis subsides, more faculty leadership is needed to help make this a more cohesive campus community for our diverse student body. Why? Because we need to make sure this is a good place for all of our students. Unfortunately, Cornell is gaining a national reputation as an uninviting place. Let me give you three examples.

"In December I received a call from Moses Jones in the U.S. Justice Department. He said that he had recently received several complaints about racial harassment at Cornell and that he was calling to offer assistance in providing campus education and staff training to prevent and control racial harassment.

"A few days after that, I got a call from a Cornell alum who is a guidance counselor at a New York high school from which Cornell has accepted many graduates. She said that she was getting calls from parents of currently enrolled Cornell students who were asking her if she thought they should take their sons and daughters out of Cornell to protect them from the racial harassment and late night stalking occurring on campus. These parents also asked her whether the high school was doing the right thing by encouraging qualified minority students to come to Cornell.

"Last week I had lunch with Lucinda Katz, the Director of the University of Chicago Laboratory School, where I was a student from kindergarten through the twelfth grade. Lucinda introduced me to several members of her staff, including the placement director who told me that many of their graduates over the years have had difficulties adjusting to racial tensions as students at Cornell because their experience with diversity at the Lab School had been so much better. My own experience at the Lab School gave me a lasting optimism about what can be done to foster and maintain a positive climate for a diverse student body where faculty, staff, and students embrace this as part of their education.

"The need to enhance our national reputation as a university which welcomes our diverse student body is not the only reason for increased faculty support and participation in efforts to improve the campus climate. According to Carol Geary Schneider, President of the Association of American Colleges and Universities, teaching college students how to function in a diverse society has become essential, not elective.

"A review of the research literature entitled, 'Diversity Works: the Emerging Pattern of How Students Benefit,' was published by the AACU in 1997. That report suggests what works in campus diversity efforts. For example, here are a few excerpts,

'The literature suggests that diversity initiatives positively affect both minority and majority students on campus. Significantly, diversity initiatives have an impact not only on student attitudes and feelings toward intergroup relations on campus, but also on institutional satisfaction, involvement, and academic growth.'

'Mentoring programs, involving both student peers and faculty, consistently result in improved adjustment, retention, and academic success rates for their participants.'

'Specialized student support programs and campus community have been pitted against each other. However, research results suggest that institutional commitment to both contributes to the educational success of all students. These findings underscore the capacity of individuals, groups, and institutions to thrive through acknowledgment of multiple affiliations and identities on campus.'

'Contrary to widespread reports of self-segregation among students of color on campuses, the research finds this pattern more common of white students. Students of color interact more with white students than the reverse.'

'The evidence continues to grow that serious engagement of issues of diversity in the curriculum and in the classroom has a positive impact on attitudes toward racial issues, on opportunities to interact in deeper ways with those who are different, on cognitive development, and on overall satisfaction and involvement with the institution. These benefits are particularly powerful for white students who have had less opportunity for such engagement.'

"What should we do at Cornell? I suggest that we consider each of the following initiatives. Students should be required to work with people different from themselves in classes or possibly in required discussion groups. We should develop a university-wide diversity course requirement. We should support existing programs, including the ethnic studies programs and the ethnic-theme program houses. We should participate in a new initiative, led by Professor Robert Harris and The Reverend Robert Johnson, that will engage students, faculty, and staff in every department in discussions of race and diversity. A fine example of this was set by the Johnson School's climate survey last spring which led to a day of 'Dialog on Difference' this fall. Both were designed to find out how comfortable various groups were at the School so that efforts could be made to improve the climate.

"Faculty leadership and participation in any or all of these kinds of efforts will follow in Ezra Cornell's footsteps when he said that he wanted Cornell to be a place where African-American students could study and learn, no matter what anyone might say in opposition.

"All of us need to consider these issues and work to help Cornell embrace all of our students. Thank you."

Acting Speaker Hines: "Any brief comments or questions for Dean Ford? If not, then let's move on to the Resolution on Campus Climate and I will ask Kerry Cook of the University Faculty Committee to introduce this resolution."

## **6. RESOLUTION ON CAMPUS CLIMATE**

Associate Professor Kerry Cook, Soil, Crop, and Atmospheric Sciences: "At the end of the December meeting, in the Good and Welfare time, I spoke to you on behalf of the UFC to see if you wanted the UFC to pursue ways for the Faculty Senate to contribute to the improvement of the environment for minorities on campus. While there was no dissent in a straw vote to pursue this issue, during the discussion time a couple of senators requested more information about the incidents that have been occurring on campus and about the degrading of the campus climate for diversity. While we didn't feel it was constructive or appropriate for the UFC to become investigators or interpreters of these incidents, steps have been taken to make the information easily available to you, mainly through Dean Cooke's efforts with the University Faculty website, where you can also find out about other faculty-based ways to address the issue. You've just heard Dean Ford's comments that Cornell is getting the reputation as an unwelcome place for minorities and, speaking for myself, I find that pretty embarrassing and totally unacceptable.

"Because timing was important and because some faculty did not seem to be aware of the incidents on campus, the UFC sent out a letter to the full faculty at the beginning of the semester. You all should have received this letter. The letter draws attention to the campus climate issue, it really defines the campus climate issue for the faculty, alerts the faculty to the problem in a general way, and guides them to the website. It also solicits ideas for faculty involvement.

"Today we are bringing before the Senate a Resolution on Campus Climate. The purpose of the resolution is to express the Faculty Senate's concern for and interest in the intellectual and social environment at Cornell as it relates to diversity. You should all have a copy of the resolution. I'll read through it.

*Whereas, Cornell University is committed to providing an environment that permits equal opportunity for all members of the community to fulfill their potential for intellectual and social growth and that also permits the free and open exchange of opinions and ideas, and*

*Whereas, the use of harassing speech or actions directed against particular individuals or particular groups of individuals on the basis of their race, ethnicity, sex, sexual orientation, national origin, or religion is not a legitimate part of that exchange, and damages the trust and mutual respect essential to the well-being of our community,*

*THEREFORE BE IT RESOLVED that the Cornell Faculty Senate urges the Cornell faculty to play a more active role in ensuring a safe and open campus environment.*

"Do I need to ask for unanimous consent?"

Acting Speaker Hines: "Yes, this has been amended, there is a slight change in the original wording, so we need to adopt this. I'd like to ask for unanimous consent of this small word change? Are there any objections? Then we'll adopt the amendment."

Professor Cook: "I'm a little worried when people see this resolution. They might think that it's a bit too much, a bit too apple-pie and motherly. But let me remind you that the faculty silence on these issues has been noted across campus, particularly by the students, and this resolution is being presented as one step in our speaking out to keep or maybe retain an inclusive society at Cornell. It's a bit of a tight rope walk to maintain an open society but I hope that the faculty speaking out through this resolution and in other ways, again, I'll refer you to the website, might help the campus climate for everyone at Cornell. Thank you."

Acting Speaker Hines: "Okay, the motion is on the floor. Are there any questions or comments?"

Professor Ballantyne: "Is there some sort of definition of 'harassing speech or actions'? Is any speech harassing?"

Associate Professor Risa Lieberwitz, Industrial and Labor Relations: "I'm on the UFC and we had a discussion about how to word this and there isn't one tight definition of what is harassing. One of the operative pieces here was the direction of the speech or

actions toward individuals or groups of individuals as opposed to a notion of general speech that is made at a rally or something. The notion is this derogatory speech or conduct made toward individuals or groups of individuals is both the content, in terms of the derogatory speech, and also the direction towards the particular groups of individuals or particular individuals."

Professor Gordon Teskey, English: "Does this resolution include a campus speech code?"

Professor Cook: "No."

Acting Speaker Hines: "Are there any other questions or comments?"

Associate Professor Walter Mebane, Government: "Again, this issue of harassing speech makes me extremely nervous. Putting things together seems to say that harassing speech, which is quite vaguely defined, means a lot of things and that it should be protected by academic freedom would be undesirable because it is dangerous speech. I don't know if it's open to amend this, but it seems to me that it is very hazardous. 'Harassing' speech will be up to the perceiver and we've all heard of people objecting to contents of lectures because they feel personally insulted or attacked."

Acting Speaker Hines: "According to rules of Faculty Senate, you cannot amend it without sending the amendment out a day in advance."

Dean Cooke: "Unless there's unanimous consent for a change."

Professor Mebane: "Well, I think that this issue of the vagueness of harassment and the movement towards particular groups as opposed to individuals puts this resolution in a very ambiguous and not necessarily positive light. I think that it would be unambiguous and positive to refer to harassing actions directly against individuals, which I think would cover all of the incidents that were complained about and so horrible in the fall. There is some ambiguity about actions versus speech, but I think that there is much less ambiguity for what that would mean. So, I would very much support a resolution that referred to harassing actions directed at particular individuals on the basis of race and sex, but that is too vague."

Professor Lieberwitz: "You know, I think that the concern for free speech and academic freedom is a real one and one that should be taken seriously. It's one that I take seriously, as well. It seems to me that there are two things to that. One is that we really were focused on the notion of when speech was included, not a general notion of speech that someone might hear at a rally and say, 'Well, I don't like that speech, it's harassing,' as opposed to speech directed at individuals in either a one-on-one, or let's say a one on a small group working together. So that the group reference here is one of individual as opposed to groups in general. So that was the attempt to take it out of the general speech being put out of that route."

"The other thing is that we didn't have any contemplation in our discussion about this leading to a speech code. This is put in there as background to recognize that this kind of speech directed at particular individuals either alone or in a particular group of

individuals, really does take away from the notion of a place where people can learn comfortably and safely. The faculty should play a role to be more active in trying to create an environment which would avoid that sort of degradation on either one-on-one or small group kind of basis. So there was an attempt to protect academic freedom and free speech. "

Associate Professor Robert Harris, Africana Studies and Research Center: "I understand Professor Mebane's concern. He seemed to ask for a distinction between individuals and groups. Yet, in some ways, this is in response to situations that occurred in the fall -- someone shouting racial epithets at Ujamaa Residential College that were not directed at particular individuals but were directed at the residents of that particular college. This is a situation that has been referred to the Judicial Administrator and is in process. Also, the situation of the fire being set in front of Akwe:kon, again, it's hard to identify that this is a situation threatening against particular individuals, although it was basically directed towards the residents of this house. That's why I think groups of individuals is included here as opposed to just actions or speech directed at identifiable individuals."

Professor Mebane: "I know I'm speaking out of turn, but I understand the intent, I just don't think it's necessary to add the language. All the residents living in that building would be named as targets. The intent here is to protect a targeted minority but the language there could easily be used to suppress or legitimately constitute a suppression of a protest by a minority against harassing acts by larger groups whom they cannot identify."

Professor Richard Baer, Natural Resources: "I would hope that if we're serious about diversity that we would also address intellectual diversity. I wrote the Provost and also Bob Cooke memos some months ago on intellectual diversity, and never received an answer. It's my experience that this university does not welcome diversity of ideas in many ways. I was introduced to this in a way that I would not have chosen five or six years ago when group of students came to me and asked me to help them deal with what they felt was severe discrimination against them as religious students, and politically conservative students in the College of Human Ecology. We met four or five times and talked about these issues, and then asked the Dean and the Associate Dean and a couple of department chairs if we could meet with them and discuss these issues. They would not even agree to sit down and talk with us about these issues, and it was not until about nine months later when President Rhodes contacted the Dean that they even agreed to talk with us about intellectual diversity of ideas.

"I think that if we're going to talk about diversity, we're going to have to look at what Universities are about. They're not just about skin color, as important as that is, or other kinds of diversity of people -- they're about diversity of ideas and there is enormous censorship by omission in this university. We make very little effort to get genuine diversity of ideas. Look at departments like government, where we have maybe roughly 30 faculty, and one conservative, Jeremy Rabkin. Where's some attempt to expose our students to some real diversity of ideas? The College of Human Ecology and the department of Human Development and Family Studies is an intellectual disgrace. They were totally closed to the idea of bringing in faculty who were intellectually competent to really bring in some diversity of ideas. But what about the kinds of

response from the administration when an issue, I think it was the Cornell Review, was snatched up and then disposed. I think our President got the Sheldon Award that year for precisely that action. I would hope that if we're going to talk about diversity, we talk about it in a way that is fundamental to universities, and that is diversity of ideas. In some significant respect, this university is a very narrow gauged institution and very hostile to certain kinds of intellectual diversity.

"We see it in other respects, such as the SAFC (Student Assembly Finance Commission) funding, which discriminates powerfully against religious groups on campus. The code says that if you're a religious group, you don't get funding. The reasons are that religious groups are often controversial and they try to proselytize -- as if environmental groups and animal rights groups and others do not do the same things.

"I welcome the discussion of diversity in the sense that we have talked about it, but I think that we do have some very serious problems. I would like sometime, Bob and Don Randel and others, even to have the courtesy of a reply to a six-or eight-page memo that I wrote you some months ago on the subject. I would hope that we would extend the discussion because universities are also, and I'm almost embarrassed to say this, but they're also about ideas, and this is a university where it is very, very difficult to get exposed to various kinds of ideas because they're simply not welcomed here and we may very well attempt to see that that happens. Obviously, we're too sophisticated to censor an individual faculty person after that person is here, but we make very little effort to get real diversity of ideas in many departments in this institution. I think in many cases what we call education is more like indoctrination than the kind of vital, lively encountering of different ideas that the university education ought to be."

Professor Locksley Edmondson, Africana Studies and Research Center: "I sincerely hope that conservatives are not being harassed by bigoted liberals, but this issue isn't about that. It's about harassment. This thing has no implication or any types of sanctions. Even if the Faculty Senate wanted to apply sanctions, there would probably be a problem with it. All it simply says is that in a community like Cornell, which is presumed to be intellectual, open to free exchange of ideas and tolerance, some exercises of free speech are less acceptable than others. You can argue that the people of the Klu Klux Klan have a right to speak, and many people do, but does it mean that we should be silent because of that right and that we still don't find that speech unacceptable? This is only saying that, and I want to say to you that you should try to put yourselves in the position of harassed minorities of living on campus with small children. We do not have an interest in proclaiming racism because we cannot fight it and many people do not realize that. So I'm just saying simply that it is a simple worded document that we find some patterns of speech and behavior not acceptable in this context, and we'll work to try to sensitize the community to reduce it."

Acting Speaker Hines: "Any other questions or comments? Yes?"

Mary Beth Norton, Mary Donlon Alger Professor of American History: "I wanted to align myself with the intent of this motion. I was utterly appalled in the fall when I heard about the incidents on campus. I regard my relationship with my students in my classroom as extremely important, and I found it really horrifying that some of these things were going on outside the classroom. I think it's extremely important for the

Senate to adopt this resolution and I put my emphasis on the resolution class, and how important it is to urge the faculty to play a more active role in ensuring the safe and open campus environment. I, myself, am more than willing to do that."

Acting Speaker Hines: "Any other questions?"

Professor Teskey: "I would like to see just the resolution at the end rather than the two whereas paragraphs. I share Professor Mebane's concern about the phrase, 'harassing speech.' I can understand that there can be speech which is unacceptable to the community, but it still disturbs me a bit. I teach a course on the Bible in which it could be thought that there are occasionally things that are offensive to blacks, Jews, women, etc. Often, harassing speech can only be defined as 'that to which somebody else takes offense.' Or we could get into an atmosphere where we are attempting to police language, and as a professor of English, I'm nervous about an atmosphere when language becomes policed. Criticized, yes, but policed, no. I'll mention one other incident and that would simply involve a tenure review case, where a letter from a student who was otherwise appreciative of the professor was otherwise disturbed at very coarse language that was occasionally deployed by the professor. We looked at the nature of the course, and realized that the language was being used for good reasons, but the student chose not to discuss it with the professor, from which an interesting dialogue could have arose, and chose to instead regard it as harassing speech and wrote a letter for a tenure file. So I remain nervous about the phrase 'harassing speech.' I understand what offensive speech is, I've heard it, and it is offensive and disgusting, but I'm nervous about putting that phrase in this document and because it can be abused."

Professor Peter Stein, Physics: "I consider myself a hawk on the issue of free speech and I do remember a year ago or however long ago it was, discussing very similar wording in the course of talking about the sexual harassment vote. And indeed, we had many debates in committee, and possibly on this floor, about a very similar phrase, namely, directed at particular groups, or particular individuals or groups. In fact, I argued against having the groups in there by just this same argument where people said that that extends it to general statements and the harassing speech should be only confined to when individual speech is confined to individual people. As an example, if it's only forbidden against one person, that if you say 'you're stupid and you're stupid, and I don't like either of you' then it would be okay' because you were doing it against two people, and that seemed silly. In that sense, I found myself on the same side of the issue with regard to sexual harassment as Professor Teskey does here. I think that Professor Edmondson hits the nail on the head because this is a very different situation. With the sexual harassment procedure, we were defining what is punishable and what actions would be sanctioned. And it seems to me that this is a very different situation than making a statement on what we think is desirable in a community. There are certain publications, and I won't mention names, that publish things that I think are reprehensible, but I certainly wouldn't stand up to their right to do it because that's part of free speech. Nonetheless if they ask my advice I would say that they were really damaging Cornell by publishing those things that you have a right to publish because you do poison the atmosphere here for a significant and important part of our constituency, and therefore, I would advise you against it. So I have no problem with the wording in this resolution because we are simply stating our opinion that it is

unwise and unhealthy for that broader classification of speech, which is legal, for people to do that. I have no hesitation myself for endorsing that view and voting for it."

Professor Terrence Fine, Electrical Engineering: "I'm very concerned by what Peter just said. I think he has opened a door that I would like to see resolutely closed. I strongly support the first and third paragraphs and I can support much of the second paragraph, but not all of it. I don't have any problems with 'actions'; I don't think that we have the right to set fires in front of other people's homes. That has nothing to do with free speech, academic freedom, or what have you. I am concerned about the extension of the harassing speech clause against groups, and I am very concerned about the defense of that, which was just made, that if we can come together as right-minded people about disliking something, we can have a faculty statement on the issue. It isn't exactly punitive, but it will have the Cornell stamp. I really think that's not getting it at all. I'm inclined to support most of it, but not all of it for reasons presented by Professor Teskey. Thank you."

Dean Cooke: "I just have a comment on parliamentary status, since there seems to be some confusion. The rules are that if you have an amendment, you must send it out to the other members of the Senate 24 hours before. We send ours out a week early, so if you have any changes you want brought before the body, send them to the Dean of the Faculty's office and we will send them out to the Senate so you have knowledge ahead of time. There are several options open to you, and I'm not intending to imply any course of action here, but you can adopt it as is, or you can reject it as is. Or you could send it back to committee if you feel that there are parts that are too objectionable, but you cannot change it."

Associate Professor Alan McAdams, JGSM: "Bob, I think that if we had unanimous consent, we could change it."

Dean Cooke: "Well, if you have unanimous consent, I think you should change it then."

Professor Barry Carpenter, Chemistry and Chemical Biology: "I've been working hard to figure out how this resolution could lead to an inhibition of anybody's free speech. I have been unable to come up with a scenario that could lead to that event, so I wonder if the people who have been objecting to the language on that basis could give me a plausible scenario by which freedom of speech could be inhibited by the passage of this resolution."

Professor Mebane: "I just wanted to say that I don't write plays, so coming up with scenarios is kind of hard. In general, a scenario that could be covered by this resolution would be if you have a student of color who wants to express his/her concern over the poor climate for students of color on campus, who might, in a conversation with a group of racially, ethnically, and gender mixed students, make strong arguments about how he or she feels oppressed by the racist environment, maybe naming some individuals with whom the person has had bad interactions. As a result of that, some of the students in the group hearing this person may protest against some proceeding in general and this resolution would only say that they would feel empowered to respond to that person's complaint by saying, 'I feel oppressed by your saying that there's a racist environment on campus and I'm a member of the group that you think is racist,

and so your speech is harassing me.' That's a scenario that concerns me that is not at all contemplated by the intention of this."

Professor Carpenter: "I'm failing to understand how that is at all related to what would actually be resolved."

Professor Mebane: "I'm sorry I assume that then a faculty member would feel obligated or at least encouraged to confront that student of color and say, 'You ought not to complain about the racist environment on campus because your complaint can be considered harassing.' You may laugh at this, but in fact, I've complained about harassment directed at me, in my department, to my own colleagues, and I've received just that response. So it's not far-fetched; it's a reality. So those complaining, may, in fact, be sanctioned for their complaints. I feel extremely powerfully motivated to support an action against and condemning harassing actions. Speaking from personal experience, it is a very damaging thing to have happened in this environment, as it has happened to me, and I'm clinging specifically to the hazards of bringing in challenges to free speech as part of what is an excellent proposal otherwise. In fact, I'm in a quandary as to whether it remains unamended, which I would like to propose unanimous consent for an amendment, if there's an opportunity to do that, whether I would vote for encouraging the resolution despite my qualms about the 'whereas' in the second paragraph."

Acting Speaker Hines: "Are you proposing an amendment to strike that 'groups' clause?"

Professor Mebane: "If I may do that I would like to rewrite the second paragraph to say, 'Whereas the use of harassing actions directed against particular individuals on the basis. . .' I'm sorry I'm too blind to see it. . ."

Acting Speaker Hines: "So you're trying to strike the speech part?"

Professor Mebane: "'Speech or' and 'or particular groups of individuals'."

Acting Speaker Hines: "Okay, we've got a resolution to strike 'speech or' and 'or particular groups of individuals,' which we need unanimous consent to be passed. Are there any objections to this amendment? (Some senators objected.) Okay then, this will not pass."

Professor Howard Howland, Neurobiology and Behavior and Physiology: "The problem with this motion, I think is a non sequitur. There's a danger here. If you put a bunch of statements together that say A is true, B is true, and C is true, and then a non sequitur follows about something else, you're asking for trouble. That's the problem here. I'm sorry if I don't see that as the conclusion, 'Therefore be it resolved. . .' as logically following what's above. I think when you stuff a motion full of assertions that people may or may not agree with and then come out with a conclusion which everybody has to agree with, you're in for trouble. I would recommend, since I don't think it's legal to make a motion after having spoken, but I would hope that someone would make a motion to return this to committee."

Professor Donald Barr, Policy Analysis and Management: "I attended the sessions at Akwe:kon and at Ujamaa, and actually, LeNorman Strong and John Ford, the Dean of Students, were there, to hear from students. And I simply want to say that it was one of the most gut-wrenching, difficult, and in some ways, terrifying sessions that I have ever participated in. To hear our students speak, cry, sob, was truly something that I'll never forget. I guess the thing that I'm truly concerned about is that I think we need to talk about what a 'more active' role means. It is an easy thing to write up there, but I think that the gap between the classroom and the residence hall is wide. I think we do need to talk about different things in relation to this involvement. I know I'm not speaking directly to the motion, but I am speaking to its intent. I asking that at one point, we do that. Thank you."

Professor Baer: "In answer to an earlier question about examples, I forget how you phrased it, my concern is also with the harassing speech. If you engage in this, you're acting in an illegitimate way, you're damaging trust and respect that are essential to the community, and those are pretty serious charges. You're becoming illegitimate. You're damaging what's essential to the community and we don't know what this is yet. There's a lot of discussion about harassing speech. We have many, many examples where people have suffered and have been harassed as faculty for having been accused of harassing speech. I don't want to risk being called illegitimate and as damaging to what is essential to this community unless I know a little more about what I'm buying into. I think that's pretty threatening to traditions of free speech and academic freedom that are very important to universities."

Professor Fine: "I'd like to move to return this to committee to be returned to the Senate at its next regular meeting." (Someone seconded.)

Acting Speaker Hines: "Okay, we'll now vote to send this back to committee to bring back next time. All those in favor? Excuse me, is there any debate?"

Professor McAdams: "Can I offer an amendment to this motion?"

Dean Cooke: "A motion to refer?"

Professor McAdams: "I'd like a point of order. I would like to see if there is a parliamentary procedure to have a vote on whether we could have the first and third paragraphs of this voted on as something we can do today to express our outrage about what has been going on on our campus and having the effects which have just been discussed. I think it is absolutely important to do something. We may be looked upon as nit-picking, although all the issues we have been talking about are important. Is there some way that we could go forward with the vote where the first and third paragraphs could be the motion?"

Dean Cooke: "Professor Martin is out of town today, so I'm serving as Acting Parliamentarian, and you may not bring the same question back before the assembly. There was a vote for unanimous consent to delete number 2."

Professor McAdams: "No, to modify it."

Dean Cooke: "Okay."

Acting Speaker Hines: "Okay, we're debating whether or not to bring this back to committee."

Associate Professor Michael Shapiro, Communication: "I guess I'm going to vote against the motion to defer this, because we've waited entirely too long to do something about this. I do have a suggestion of how we could reword the second paragraph, to say something like, 'the use of harassing speech or actions solely directed at making people feel unwelcomed on campus' might be a way to satisfy everybody, but maybe not. In any case, I don't think we should put this off."

Acting Speaker Hines: "Okay, we are running out of time so are there any more comments? Peter?"

Professor Stein: "Move the question."

Acting Speaker Hines: "Everyone in favor of sending this back to committee, please raise your hand."

Professor McAdams: "I will ask unanimous consent on whether we can vote to approve this resolution embodying only the first and third paragraphs. Deleting the second paragraph. (Some faculty objected.) Fine."

Acting Speaker Hines: "Okay so now we'll vote on the entire resolution as it is written here. We're voting on the motion as it is written here. All those in favor, please raise your hand. Okay, those opposed? The motion passes. Okay, now we'll move on to the next item on the agenda, which is the Resolution on the Reformulation of the Minority Education Committee and I'll ask Associate Dean Rasmussen to introduce this."

## **7. RESOLUTION ON REFORMULATION OF THE MINORITY EDUCATION COMMITTEE**

Associate Dean Rasmussen: "You have before you in the packet of materials for the meeting, this resolution. The rationale is the following. That the Faculty Council of Representatives established the Committee on Minority Education in 1976 as a standing committee. At that time, the conditions of minorities on this campus were different than they are today and we also have the situation that the original charge of the committee includes responsibility for affirmative action and subsequently, the FCR established an Affirmative Action Committee that has that responsibility. So we have a charge of this committee that is already being taken care of by another committee. We also have the task to fill slots on this committee, but it is ambiguous as to what the Minority Education Committee should be doing. The Nominations and Elections Committee decided that the easiest thing to do would be to come to you with the resolution that you have before you and amend the charge to: broaden the charge to go beyond 'special programs' and include the 'overall educational experience' of minority students; and to eliminate the responsibility for affirmative action among faculty so that it's no longer here.

"We also wish to change the composition of the committee. The first part is the standard language that the committee shall be organized under the standard procedures that govern such committees under the Senate. The second part is where the action is, and that is that the committee shall consist not only of 6 active faculty members, but it will also permit emeritus faculty to serve and also to ask for one staff member, two undergraduate students, and one graduate student, and the Dean of Students ex officio to also serve on this committee. The undergraduate students would be selected by the Student Assembly, one from the endowed colleges and one from the statutory colleges, and the graduate student would be selected by the Graduate and Professional Student Assembly. Are there any questions?"

Professor Judith Reppy, Science and Technology Studies: "I'd like to question extending the membership to Emeritus members of the faculty. It seems to me that we're trying to encourage the faculty to take an active interest and that it will dilute that if you allow the committee to staff itself with Emeritus faculty. I realize that they may have more time, but I don't think that they have the same degree of involvement or even the same state."

Associate Dean Rasmussen: "The rationale for this was that the Nominations and Elections Committee was aware of a number of Emeritus faculty who had a lot of energy and experience to bring to this and we wanted to tap that source of ideas and involvement as a positive source."

Acting Speaker Hines: "Any questions or comments? Are we ready to vote on this? Can I have a motion to ask the question? Second? All of those in favor of this motion, please raise your hand? All of those opposed? Okay, the motion carries."

*WHEREAS, the Faculty Senate reaffirms it is important to retain the Committee on Minority Education, and*

*WHEREAS, conditions for minority students have changed greatly since this committee was first formed, and*

*WHEREAS, there is duplication of responsibilities of this committee with another committee of the Faculty Senate,*

*THEREFORE BE IT FURTHER RESOLVED that the Committee on Minority Education be retained as a standing committee of the Faculty Senate and its charge modified as described below:*

**Charge to the Committee**

*A. Provide continuing oversight of minority education, including not only review of proposed and on-going special programs but also monitoring the overall educational experience of minority students.*

*B. Make recommendations to the Faculty and Administration where it judges changes are appropriate to improve minority education.*

### Composition of the Committee

*The Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Senate.*

*The Committee shall consist of six active or emeritus members of the University Faculty, one staff member, two undergraduate students (one from the statutory colleges and one from the endowed colleges, to be selected by the Student Assembly), one graduate student (to be selected by the Graduate and Professional Student Assembly), and the Dean of Students ex officio. The term of service for faculty and staff shall be three years and, for the students, it shall be one year.*

"Now we'll move on to Good and Welfare. We do have a full slate, so I'll call on Associate Dean Lynne Abel."

### **8. GOOD AND WELFARE**

Lynne Abel, Associate Dean for Undergraduate Education and Director of Admissions, College of Arts & Sciences: "I'd like to go back to the topic that Dean Cooke introduced before, which is the Strategic Plan for Athletics and Physical Education. I think that Dean Cooke announced the forum, and I would urge you all to take this plan very seriously, to read it, and to think about it and encourage your colleagues to do the same. The plan emphasizes, as Dean Cooke said, developing winning teams, and it is very specific. It wants Cornell to rank consistently in the top three in the Ivy League. It also calls for developing a viable financial model for this endeavor. It doesn't talk much about how much this viable financial model will cost, but it just calls upon us to create one. Further, the plan says very little about developing broad-based programs in physical education and outdoor education. It even recommends that responsibility for those programs be transferred elsewhere. Dean Cooke posed questions such as what kind of impact this would have on Cornell and how much it would cost. I don't have answers to those questions, but I would like to predict the tendency of those answers. I think it will indeed skew our educational priorities and it will cost a lot of money and so I think it deserves the faculty's consideration. The plan also calls for changes in admissions procedures that really will impact the integrity of those procedures and the colleges' traditional roles in those procedures. We already have a directive that seriously undermines the integrity of admission procedures by creating a special interest group for athletes. The appropriate committee of this body will be considering a resolution on this issue, and some of the colleges are considering it as well. I suspect that the Provost and the President are receiving considerable advice on this issue from Trustees; one might call it pressure. I would urge the faculty to consider this issue as well, and to give the President and the Provost the benefit of its advice."

Acting Speaker Hines: "Okay, the next speaker will be Professor Carol Rosen from Modern Languages."

Associate Professor Carol Rosen, Modern Languages: "I've asked for a minute or two to bring up the issue of dissection choice -- not dissection -- but dissection choice. So we're not talking about the bodies of animals, but the minds of students and their ethical convictions, which must be respected in keeping with the same ideals and banners

raised in our discussion today on diversity, tolerance, and respect. We have a significant number of students, who by some beautiful miracle, have grown up to be sensitive to the plight of animals on all fronts. For some, it's a religious conviction while for others it's a secular conviction of ethics. These are people who feel revulsion at the devastation visited upon the meek at the hands of the mighty.

"Now Cornell says to them: 'What's your problem? You don't have to do dissections. You can leave the room. You can take a different course.' Well, that's not enough. I believe that's like saying, 'Look, my prelim is on your religious holiday, but it's important for faculty to be able to design their courses the way they want. Cornell has many fine courses that do not have prelims on your religious holiday, so go take one of them.' There is a better way. I'm told that today there exists excellent high-tech teaching materials such as interactive CD-ROMs that not only provide a quality educational alternative to dissection, but some say, make for a more effective educational experience (besides being less costly over a period of time).

"We need reform in two parts: one is high-quality educational tools available on demand for students who want them. Secondly, create a climate of tolerance and accommodation. Students are young and shy and worried. We need to provide a climate in which they feel comfortable in asking to use the alternatives to dissection for their own private reasons, without fear of being stigmatized or forced to defend their position. This is a resolution asking for those changes. This is not just the voice of the student activists. This is a resolution passed unanimously by the Student Assembly, representing the entire Cornell student body, on March 26, 1998. It asks for both of those kinds of reform that I mentioned: making quality educational alternatives available and assuring a climate of tolerance in which students can follow their conscience without having to feel like trouble makers.

"Now close to a year after the resolution has been passed, students are asking for our help and our endorsement in achieving the implementation of these issues. I don't know whether this matters, because we do have many issues competing for our attention in the coming meeting, too. But if a resolution comes across this body, please consider lending your support. If any of you want specific information, I think that there are various handouts in the corridor and there are members of Cornell Students for the Ethical Treatment of Animals, a group which has asked me to serve as faculty advisor. This is a position formerly occupied by Professor Carl Sagan, who would undoubtedly be making this speech much better than I can, if he could be here. Thank you."

Acting Speaker Hines: "Okay, we'll now move on to some comments by Howard Howland."

Professor Howland: "Thank you very much. I wish to respond, necessarily briefly, to Professor Rosen's remarks on the Student Assembly resolution regarding student choice in dissection.

"Firstly, it should be noted that all of the introductory biology courses at Cornell do provide students alternatives to dissection. A very small minority of students actually

choose to take these alternatives, and laboratory exercises which involve dissection are rated very highly by the vast majority of Cornell students.

"Secondly, in our upper level courses in anatomy and physiology, it is simply not true that there exist 'high quality alternatives to dissection'. If I told you otherwise, I would tell you a lie. The subject of those courses is the animal body and how it works. The abandonment of dissection would mean the abandonment of the courses themselves.

"Thirdly, I would like to point out that of the eleven areas of concentration in the biological sciences at Cornell, only one, animal physiology, requires that their students be proficient in dissection. No student on this campus is being blocked from a career in biology because he or she is unwilling to dissect animals.

"Fourthly, I submit to you that it is fundamental to the principles of academic freedom that the proper judge of the content of courses in the university is the professor teaching that course within the framework provided by the appropriate curriculum committees. I feel confident that the Senate recognizes and will honor this principle.

"In conclusion, I would like to say that the biologists on this campus have been sensitive and responsive to the needs and beliefs of students taking their courses. But we cannot, and will not cheat our students of a proper education to satisfy the unreasonable demands of a vocal minority, and we will not pretend that reality is what it is not. You cannot be a good engineer without studying mathematics. You cannot be a competent classical scholar without studying classical languages, and you cannot be an anatomist or a physiologist without dissecting animals."

Acting Speaker Hines: "Okay we now have some comments by Professor Charles Walcott."

Professor Charles Walcott, Director, Division of Biological Sciences: "I'd like to simply point out two things. First off, we're very sensitive to this issue of climate and accommodation. We have tried in a number of ways and courses to accommodate these interests and provide alternatives, I won't go into detail, because of this feeling. There are students who are very much upset by dissection and we want to convey the information and be responsible for the information, but we try to find other ways of helping them gather it. But the question of whether there are high-quality educational tools available to substitute for animal dissection is something of which my colleagues and I are not convinced. We have not seen it, but we would be willing to examine such materials, and if they prove to be superior to what we are doing, we would certainly be willing to consider this. Thank you."

Acting Speaker Hines: "Okay, the final comments will be from Professor Clare Fewtrell."

Associate Professor Clare Fewtrell, Molecular Medicine: "The Faculty Senate Affirmative Action Committee, which I chair, is working on a proposal for a new position to replace the Associate Provost position formerly occupied by Professor Winnie Taylor. Ideas are very much still evolving, but we're hoping to present a draft to the Provost in the next week or two. Currently, we have in mind a position for Vice

Provost for Diversity and Faculty Development and we hope to fill it from the faculty at Cornell. The position would require an 80% effort, thus allowing the individual to maintain a 20% effort in his or her department. We propose that the position should have three distinct but complimentary responsibilities. As University Affirmative Action Officer, the Vice Provost would be a leader, spokesperson, and catalyst for the University on all issues related to Affirmative Action. The second major responsibility of the position, as we've indicated to be a 40% effort, would be to increase faculty diversity by developing and improving programs with approaches designed to increase the hiring of women and underrepresented minorities at all levels. We feel that this is a real problem at Cornell right now. A third aspect of this position, which would complement the two that I've mentioned already, would be that the Vice Provost would develop strategies enhancing the retention of all faculty with particular emphasis on the development of junior faculty and including those of underrepresented groups.

"We're most anxious to get feedback from as many individuals and groups at Cornell as possible and what we're trying to do is to define the ideal position, and then to find the best candidate to fill that position. I strongly encourage you and your colleagues to provide feedback to our committee."

Dean Cooke: "Just ten seconds to remind you that if you have questions that you would like the forum on Athletics and Physical Education to address, that you send them to my office by sometime tomorrow. Thank you."

Respectfully submitted,

Kathleen Rasmussen, Associate Dean and Secretary of the University Faculty

## The Faculty Hockey Team

- Goalie:** Thomas Fox, Professor, Genetics & Development
- Defense:** David Feldshuh, Professor and Artistic Director,  
Theatre, Film and Dance  
Frank Wise, Associate Professor, Applied/Engineering Physics  
Harry DeGorter, Associate Professor, ARME  
Dexter Kozen, Professor, Computer Science  
Brian Danforth, Assistant Professor, Entomology  
Ted Weisner, Instructor & Assistant Women's hockey Coach,  
Athletics
- Forwards:** Melany Fisk, Visiting Fellow, Natural Resources  
Frances Kozen, Extension Associate, Textiles & Apparel  
Victor Kord, Professor, Art Department  
David Delchamps, Associate Professor, Electrical Engineering  
Jon Kleinberg, Associate Professor, Computer Science  
Daniel McAlister, Assistant Professor, Mechanical/Aerospace  
Engineering  
Lars Hedin, Associate Professor, Ecology and Systematics  
Brian Earle, Senior Lecturer, Communication  
David Stern, Adjunct Professor, Boyce Thompson, Plant Biology  
Thomas Coleman, Director, Theory Center/Computer Science  
Ronald Ostman, Professor, Communication  
Jeffrey Archibald, Lecturer, Communication  
Wendell Bryce, Director, Planned Giving

## Membership of the Campus Climate Planning Committee

<u>Name</u>	<u>Address</u>	<u>E-Mail</u>
Michael Brown, SA	111 Hurlburt House	mjb55
Kerry Cook, SCAS	110 Bradfield Hall	khc6
J. Robert Cooke, DOF	315 Day Hall	jrc7
Kate Dealy, Student Trustee	165 Day Hall	ksd5
Clare Fewtrell, Molecular Med.	C3 125 VMC	cmf3
John Ford, DOS	401 WSH	jlf7
Cris Gardner, Assemblies	165 Day Hall	cg17
Linda Gasser, OHR	158 Ives Hall	lsg3
Robert Harris, Afr Ctr - <b>Chair</b>	310 Triphammer	rlh10
Thomas Hoebbel, EA	B162 Comstock	tah9
Robert Johnson, CURW - <b>Vice Chair</b>	122 Anabel Taylor	rlj1
C. J. Lance-Duboscq, EA	Level 2B Kroch Libr	cjl10
Sally McConnell-Ginet, Ling.	222 Morrill	smg9
Jane Mt. Pleasant, SCAS	300 Caldwell	jm21
Mary Opperman, OHR	130 Day Hall	mgo5
Yurij Pawluk, SA	3162 Cascadilla	yop1
Peter Schwartz, Tex/Apparel	201 MVR	ps18
Ramon Thomas, GPSA	Sage Hall	art9

**MINUTES OF A MEETING OF THE FACULTY SENATE  
WEDNESDAY, MARCH 10, 1999**

The Speaker, John Pollak, Animal Science, called the meeting to order. He then called on Dean Cooke for his opening remarks.

**1. REMARKS FROM THE DEAN OF FACULTY**

J. Robert Cooke, Dean of the Faculty: "There are two items that I would like to describe for you. The first is a presentation that is going to occur later on in the agenda by Professor Harris on the campus climate and I hope that the Senate will be actively involved in that because I think it has the possibility of being one of the more significant things that we've undertaken in recent years. I think that it could play a significant role in making this a better place to live and work. I have one other thing to describe for you and you will hear more about this later in the agenda as well. It has to do with the Financial Policies Committee. My predecessor will give a description of that in a few minutes. I wanted to share a few quick items that I think are worthy of being brought to your attention.

"Here's a curve (Appendix A, attached) that has worried me for quite some time. This is tuition not adjusted for inflation. It has, in my view, a very alarming trend. From 1981 to the present is almost a straight-line increase. Of course, each year the percent increase is less, but the absolute increase in nominal dollars is almost a straight line. This is endowed, non-resident statutory, resident statutory, and room and board, which is also going up. Here are some of the same curves (Appendix B, attached) in inflation-adjusted terms, corrected for constant dollars. Constant dollars means that if it were flat, there would be no growth. With a positive slope like this, it means that it's growing at a very substantial pace. The thing that is most concerning, in my view, is that we have no contingency plan for when we do reach the end point of the process of raising tuition every year. As best as I can judge, we have no contingency plans to revert to if, in fact, we hit the wall. Here is another reflection of the same data that I have shown you before (Appendix C, attached). The top curve is revenue from tuition. You can see that in 1981, the revenue from sponsored research was roughly comparable to revenue from our students. You can see that now the students are carrying a much bigger load of financing the University. In my view, that fact will change the nature of this University if it is allowed to continue for a substantial period of time. This really can have an impact.

"Here's another graph that I think this group needs to see (Appendix D, attached). The Financial Policies Committee has had some difficulty in deciding whether there is a more severe salary crisis in the statutory or the endowed colleges. The endowed has in place a program of five percent a year for five years, and we are in the second year of that program. This is constant dollars, so a flat line would mean that it is constant. You can see that the statutory colleges were zigging and zagging with a slightly downward trend and are now in a slightly upward trend, and the endowed is climbing steadily. Much to my dismay, I have been unable to convince the Financial Policies Committee where the crisis is, and we have not addressed in any meaningful way, the statutory colleges' salaries. Let me stop at that."

Speaker Pollak: "Is there a question or two on that?"

Assistant Professor Penny Becker, Sociology: "In looking at the raising revenue streams and the increasing gap between revenue from tuition versus other sources, is this a similar pattern seen in comparable institutions?"

Dean Cooke: "I don't know. Do we have someone who does know?"

Professor Becker: "It wouldn't make it alright, but it would give us a better idea."

Dean Cooke: "I would not be surprised if this is characteristic of many other private universities. Maybe the state universities with different funding mechanisms have not gotten as much out of alignment, but my hunch is that the state schools around the country probably increase more. I don't know whether the Provost has any knowledge of what is going on in other places. The real problem is our basic cost in people and we have not found a way to increase our productivity in an economic sense. We work hard, but in the sense of more students educated per faculty. So, there's a two percent rule that says universities are going to be out of balance by two percent."

Don M. Randel, University Provost: "It's clear that the budgets for sponsored research have not gone up over time at anywhere near the rate that tuition has gone up. You can look at the NSF budget over time to see that. What's important to bear in mind is that they are separate streams of revenue and you can't spend money from one of them on the other and you cannot take money from sponsored programs and spend it on the kinds of things that you would spend tuition on. Sponsored research volume has never paid the bulk of faculty salaries, so in that sense, it's not quite right to think of this as creating a gap that is putting more of a burden on undergraduate tuition. What is putting more of a burden on undergraduate tuition in terms of sponsored research is that the federal government is now asking for increasing matching funds for practically everything you apply for, and what that means in order to keep the volume of sponsored research at the rate at which we would like it to grow for scientific reasons, is that one does have to pitch in more unrestricted money to get the federal funds. That is the pressure on tuition. In the main, you wouldn't be able to take sponsored research money and use it to raise faculty salaries even if you wanted to.'

Speaker Pollak: "Any questions?"

Peter Stein, Professor of Physics: "You might even argue that, God-forbid, the sponsored research projects kept in pace with the tuition increase, we'd be broke."

Provost Randel: "Yes, it's a proposition in which you lose money on each transaction."

Speaker Pollak: "Well, we sort of migrated into the next item on the agenda, so while you're standing, are there are any questions for the Provost?"

## 2. QUESTIONS AND ANSWERS WITH THE PROVOST

Provost Randel: "Yesterday we made our annual pilgrimage *en force* to Albany. The President and I and the statutory deans and a good many faculty members, some of

them present today, went to this occasion which is an opportunity to meet and greet everybody on the state scene and it ended with a big reception. This reception, in fact, turns out to be the biggest thing of its kind that takes place in Albany. We do have lots of friends there and I think that the resonance is good and one can be reasonably optimistic that the legislature will restore everything that the governor took out, in a manner of speaking, of his budget. So we will not confront the problem of no resources on a continuing basis with which to fund the salary programs that were agreed to a year or so ago. What's not clear yet is what will be negotiated with the UUP, the Union that represents the SUNY faculty for the academic year of 1999-2000 and beyond. I think that there is considerable sentiment in the state legislature and elsewhere that negotiation ought to be settled and some contract ought to be reached. One of the messages we stressed yesterday was that Cornell competes for faculty in a quite different market from the bulk of the state universities, and that whatever may be reached as a settlement with the SUNY union may not be taken as sufficient to meet the needs of an institution such as Cornell. We are steadily pressing for something that would give us more flexibility in whatever SUNY manages to negotiate. The other thing is that the CSEA, the Civil Service Employees' Association, has made a contract now which calls for a series of increases to their salaries that steps up from two percent to three and a half percent. History has been that there has been pressure on a UUP settlement to follow in the wake of the CSEA contract and we pushed soundly that that is something that won't do for us. Are there any questions?"

Professor David Wilson, Biochemistry, Molecular and Cell Biology: "I thought that, in fact, the other university centers had an average salary that was higher than Cornell for their full professor staff."

Provost Randel: "That is a matter that has been steadily addressed as well, and part of the talking points yesterday included just that. The situation there is that if you take statutory salaries and normalize them to a nine-month basis, lopping off the two elevenths, on that basis the salaries for full professors are, on average, something like ten thousand dollars shy of the university center. That is an argument that we have made steadily and consistently. That is a slightly complicated calculation as you know because one has to think of what the prospects are for summer salaries in certain fields. Clearly, in biochemistry, if we take the 11/9 and compress it into 9/9, then that would liberate you to compete for a summer salary with a research grant and you'd be better off. In many fields, you could compress it to nine months, and there wouldn't be an opportunity to do anything, but you'd look better in this comparison. At the SUNY centers, the salaries are overwhelmingly nine-month.

"Let me say one other thing before answering questions. The President's Council heard a discussion this morning on information sciences on the campus, which is but the beginning of a conversation we must have campus-wide and across all disciplines. We will put in place this week a task force and I have met with Kathleen Rasmussen to receive the nominees from the Senate. It will be a Task Force on Information Sciences. The history and antecedents of this are the task force of three years ago led by John Hopcroft and Mark Scott that identified advanced materials, genomics, and information sciences as three strategic enabling areas that the University would need to pursue if it was going to maintain its edge in the decades to come. The advanced materials effort has moved along smartly. We have permitted ourselves two major new facilities in this

area and there has been considerable strengthening of the CHES enterprise, and so forth. You will have heard a great deal about genomics and you can see the shape that it is beginning to take and the really quite interesting collaborative arrangement structure. It involves a collaboration with the Medical School, which is quite unprecedented and that I think will be for the good of us all. So we wish, now, to undertake a somewhat more focused and systematic approach to the information science question. This is not just about computer science. It is about how information and our ability to retrieve it and understand it will affect every discipline that is conducted on the campus and will have the profoundest effects on how we conduct our instructional role as well as our research and extension roles. This task force is going to be asked to proceed relatively quickly to give some kind of account of the landscape by the end of this semester and following up with a report in the Fall, thinking about what the implications of the information revolution are for the University and its activities and in what ways we need to be organized to respond most effectively to those challenges. Part of what's at issue here is not just to see change in the way we all come to know what we know and look for places to find out more, it's also a major emphasis being placed by the federal government on research in these areas and substantial commercial interests in the matter, as well. We need to know how to respond to these and whether we wish to be on the leading edge of what the federal government will wish to sponsor in the way of research. Questions?"

Associate Professor Randy Wayne, Plant Biology: "I'm interested in contacting all of the faculty in CALS in order to put together a concise and fair questionnaire that accurately reflects the views of the CALS faculty concerning the reappointment of the dean. This would be a survey initiated at the grass roots level using the expertise of the CALS faculty in conducting surveys and analyzing data. I would like to use the Cornell computing system, including lists of the CALS faculty and their e-mail addresses to come up with a fair survey that quantitatively reflects an estimate of the faculty's position on this important issue. My question to you is, do you have any reason why I should not conduct a survey of the CALS faculty on this issue?"

Provost Randel: "I have had discussions, as has Vice Provost Garza, with the CALS senate, which has been interested in undertaking a similar kind of canvass, and we have worked with them to undertake a canvassing of the faculty. I guess I would prefer that you work with the senate before you launch a wholly independent effort. We're not going to decline to read things people send us; simultaneously, it is unprecedented in any college to have a systematic poll of this kind. Nevertheless, the faculty senate in CALS has an interest in this matter and we have agreed to work with them, and I guess I would prefer you talk with them before you launch an independent effort."

Professor Wayne: "I don't believe they're interested in coming up with one, single, quantitative number that will reflect the faculty's views."

Provost Randel: "Perhaps not."

### **3. APPROVAL OF MINUTES OF FEBRUARY 10, 1999 MEETING**

Speaker Pollak: "Okay, that's the time allotted, so we're going to have to move on. We have a quite a schedule put before us by the committee for this meeting. You had an

opportunity to read the minutes on the Web. Are there any questions or comments regarding those? Okay, seeing none, we will accept the minutes posted on the Web. Now Kathleen Rasmussen will give us a report of the Nominations and Elections Committee."

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

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "It might not look from this list that the Nominations and Elections Committee has been very busy, but I assure you that it has because it is our time to develop the slate of candidates for elections for the Nominations and Elections Committee, the University Faculty Committee, and the At-Large seats in the Senate. We hope to bring you those suggestions at the next meeting."

##### **Affirmative Action Committee**

Maria Cristina Garcia, A&S

##### **Faculty Advisory Committee on Admissions and Financial Aid**

Antonie Blackler, A&S

E. Wood Kelley, A&S

##### **Faculty Advisory Committee on Tenure Appointments**

Barry Adams, A&S

##### **Financial Policies Committee**

Cornelia Farnum, Vet

##### **Minority Education Committee**

Henry Ricciuti, CHE

Speaker Pollak: "Are there any questions or comments on the nominations as presented?"

Associate Professor Steven Vavasis, Computer Science: "The Provost just mentioned that you gave him nominees for the Task Force on Information Sciences. Is that another transparency?"

Professor Rasmussen: "That's not another transparency. It will come to you at the next meeting. What I've brought you today is what was available as of one week ago, which we had to send out. We will know at the next meeting which of our nominees have been selected and what the rest of the committee looks like."

Speaker Pollak: "Other questions? Comments? The next item on our agenda is for Dean Cooke to give us some clarification on parliamentary procedures, relating specifically to the resolution of the last meeting."

## 5. CLARIFICATION OF PARLIAMENTARY PROCEDURES

Dean Cooke: "We are not aware of any member proposing an amendment before the body, but I felt obliged out of fairness to the group to point out procedures, which I did not have with me at the last meeting.

*WHEREAS, the Faculty Senate, in September 1996, adopted rules of procedure to facilitate consultation between members of the Senate and those whom they represent, and*

*WHEREAS, the UFC was charged with evaluating those procedures in the summer of 1997 and the UFC has completed this task,*

*THEREFORE, BE IT RESOLVED, that the UFC recommends that the Senate amend the procedures as follows:*

*BE IT RESOLVED, that Senate meetings be governed by the following rules of procedure.*

*1. For a motion to be placed on the agenda of a Senate meeting, it must be endorsed by either a Faculty Committee, the UFC (on its own initiatives or in response to a request by a Senate member), any four members of the Senate or any twenty-five University Faculty members. Motions will be distributed to the Senate membership by the UFC at least a week in advance of the meeting.*

*2. Members are strongly encouraged to send all proposed amendments to such motions to the UFC, who will distribute them to all members at least 24 hours prior to the meeting. Non-substantive (i.e., stylistic, grammatical, or clarifying) amendments may be freely introduced at a meeting without prior circulation. The speaker will rule substantive amendments out of order, but the speaker's ruling can be reversed by majority vote of the body. Members may also move to postpone action to the next meeting if they believe a new approach deserves full consideration.*

*3. Distribution of motions and amendments will be by e-mail. Any member may elect to receive the material by campus mail. Copies of all motions and amendments will be available at the meeting.*

*4. The order of business of every meeting will include a brief "General Good and Welfare" section, where remarks (but not motions) on any subject of interest to the faculty will be in order. Faculty members must inform the Speaker of their intention to address the Senate prior to the start of the meeting. In the absence of prospective speakers, the Speaker will re-allocate the reserved time to other agenda items.*

<sup>111</sup>Item number two deals with the procedure of when the faculty can judge whether something is substantive or not and it provides that the chair can rule whether it is substantive and the body can vote on whether it is or is not substantive. If the body said it is not substantive, then it could be considered by a simple majority. Since that was confusing last time, and it was clear that some had concerns about it, I felt obliged

to bring it back. We've allocated some time, which we may not need, but we did it out of respect."

Speaker Pollak: "I wasn't here then. Okay, we've immediately gotten ahead of schedule and I would ask if the Provost will address one more question."

Professor Terrence Fine, Electrical Engineering: "Point of clarification. I believe that he just said that the body could decide if it was substantive, but I thought that the issue was not whether or not they could decide if it was substantive; they couldn't, by their charge, accept whether it was substantive or not."

Dean Cooke: "Professor Stein is here, and since he was part of the architecture of this, he might care to speak to it. Ordinarily, if you want to change your standard operating procedures, it would require a 2/3 vote. Otherwise, if you have a rule that certain things have to have prior notices on, normally you would require a 2/3 vote. In this case, it was deliberately said that if the chair ruled that an amendment was substantive, the body could then appeal the decision of the chair, and by a simple majority declare that it is not substantive and proceed with the vote. Is that correct, Peter?"

Professor Stein: "Those aren't the words that the people who drafted that had in mind. It's supposed to be directly out of Robert's that there is no supreme court for a parliamentary body and Dean Cooke is right that it takes a 2/3 vote to suspend the rules and it is sometimes unclear and the speaker has to decide whether something is inside the rules or outside the rules. In that situation, if the body believes that the Speaker has ruled in error, someone has a perfect right to challenge the ruling of the Speaker, and by a majority vote, the body can decide whether the Speaker was correct or not. A responsible body does not use this majority vote to suspend the rules, but I suppose an irresponsible body might. The idea of putting that in is because people imagined situations where it wasn't clear if something was substantive or not and the idea was that the body had the right to decide for itself whether the Speaker's ruling was correct. It's not meant to be a deviation from Robert's."

Dean Cooke: "If you care to address it, that in and of itself is not the agenda item, send a letter to me and I'll see that it's considered by the UFC. Yes?"

Associate Professor Jeremy Rabkin, Government: "As soon as Professor Stein mentioned irresponsible bodies, I thought I should stand up. The way this thing is worded now 'The speaker will rule substantive amendments out of order, but the speaker's ruling can be reversed by a majority vote of the body' - it doesn't say the grounds on which the body has to act. I'm very happy with that because they ought to be able to consider what they want, substantive or not. I think it's a real curiosity that the rule that was set up earlier didn't make a lot of sense. It seems to me that there is sense in saying that we shouldn't take up motions on whole new subjects without warning people of what's going to come up, but when people have been told in advance that we're going to be discussing this issue the main reason you have the discussion is so that people can sort out how they want to frame this. That means that you have to be able to make amendments, even substantive amendments. I'm happy the way this is, because it allows those of us who are irresponsible to put through amendments."

Dean Cooke: "The agenda item was to discuss whether free expression was part of the issue, and since that's not the case, I propose we deal with parliamentary procedure after this meeting."

Speaker Pollak: "Okay, I cut off a question that was up earlier for the Provost, and since we've caught up rather rapidly why don't you go ahead and take the question."

Associate Professor David Stipanuk, Hotel Administration: "Later today we're going to be discussing the Strategic Plan for Athletics and Physical Education. On January 22, your office sent out a memorandum that dealt with the issue of athletics admissions, in which a number of what were called 'changes around the early credentials review process' were set forward along with a provision which included, and I'll quote from the last paragraph, 'the dean will discuss with each college athletics point person any decision where his assessment differs from that of the college. In the event of irreconcilable differences, the Dean of Admissions and Financial Aid is authorized to make the decision in not more than 20 cases University-wide.' This, of course, assumes continuing cooperation among all parties and the quote says that this is a somewhat temporary move and that you will review experience at the end of the semester. Is this to be viewed as a somewhat implemented tactic in relation to the Strategic Plan? Or how are we to view these actions in light of the item we're going to be discussing later?"

Provost Randel: "There are three quite separate things at issue. One is that memorandum that I sent to the deans in the wake of the discussion of matters referred to in the Deans' Council; the second is the Strategic Plan produced by the Athletics department; the third is the report that has been produced by a subcommittee of the Board of Trustees. These are really proceeding quite independent of one another. The Strategic Plan produced by the Department of Athletics and Physical Education was produced on its own recognizance and is not the product of the administration. It has been conveyed to the administration in just the way that any number of other units might well construct a strategic plan and hope to get more resources in consequence thereof. It is not an action item as something the Trustees are voting on or not voting on. Similarly, the report that the Board of Trustees is producing is not something that is being voted on or acted on, into legislation. It is simply the views of this subcommittee for the Trustees, conveyed to the administration, at which the administration will need to respond in due course, just as the administration will need to respond to the request of athletics and lots of other things. So the memorandum that I sent has nothing to do with the Strategic Plan for the Department of Athletics and Physical Education. My belief about that is that the situation that we have between the undergraduate colleges and the department of athletics has functioned extraordinarily well in the last couple of years. I myself don't believe that what is implied there about procedures represents a fundamental change.

"Now, what has alarmed some number of people is the matter of 20 cases in which the Dean of Admissions and Financial Aid would be able to make a decision. I myself do not believe that there will ever be a need to exercise those slots. But this is not a new idea, it has been around forever as one of the ways of simplifying the procedures. Rather than have an elaborate machinery, let someone centrally have some many 'wild cards', as they have been described, and simplify the whole matter in those terms. Nobody in the central administration, least of all me, has any interest in admitting

Cornell students who cannot prosper here. My own belief is that if the mechanisms that we already have in place continue to function as they have within the last 18 months, there will be no need to have this question about any number of 'wild cards'. Simultaneously, there is a considerable interest on the part of many people on how we are doing in intercollegiate athletics and what I propose is to demonstrate that we can deal with this and that we'll deal with it in ways that reflect the academic standards of all the colleges. I can't believe that anyone centrally is simply going to stuff something down the throat of one of the colleges. It would clearly entail a substantial discussion before any such thing were to happen. This was not intended to be a big deal, and it certainly has nothing to do with the Strategic Plan. "

Speaker Pollak: "Okay, now I'll call on Robert Harris to come down and make a presentation on campus dialogue."

## 6. PRESENTATION ON CAMPUS DIALOG BY ROBERT HARRIS

Associate Professor Robert Harris, Africana Studies and Research Center: "We've become a more diverse campus within an increasingly diverse society and a more interdependent global community, but we have not become a more inclusive campus. There are many individuals and groups who, because of their race, gender, ethnicity, national origins, sexual orientation, age, religion, or disability, do not feel a part of the campus community and who, in some instances, have become the objects of harassment. Because of some incidents of harassment this past fall, several resolutions have been passed by the University Faculty Senate, the Employee Assembly, and the Student Assembly. I'd like to read from the resolution that the Student Assembly passed, where they resolved that, 'the Student Assembly recommends to the University administration, its department of Campus Life, the Office of the Dean of Students, and all undergraduate colleges, that steps be taken to provide Cornell community members with adequate educational opportunities about the importance of tolerance and the appreciation of diversity.' This is part of a set of resolutions passed by the Student Assembly.

"Given these resolutions, we have a planning committee in place to look at how we might open a campus dialog on difference at the University and not just the issue of diversity, but how do we include a diverse student body, staff body, and faculty body, into the campus community. We have about 20 members on this planning committee representing students, faculty, and staff. We've been meeting to try to see what kind of programs we could put in place for the campus. The purpose of the discussion we're proposing would be more descriptive than analytical, more of a dialog not a debate, to provide an opportunity to place issues on the table. Those issues will probably differ across units, but we hope that this dialog will shape the path of development and the issues unpacked will take us to further stages.

"We're looking right now at a scenario that we're working with the PEWS program, the Programs for Employment and Workplace Systems, in the School of Industrial and Labor Relations. We've included copies of their proposal for you to take a look at. Basically, the proposal calls for a pilot program in the spring, hopefully during the second week of April, taking place in at least one department of the various colleges. We're basically drawing on a model that has been used by the Johnson Graduate School

of Management. This would call for a panel of about three students, three faculty members, and three staff members, engaged in a discussion for about two and a half hours, looking at the question of how they have experienced difference at Cornell University. That is the central question that we are posing. This discussion, in a fishbowl-type setting, will be initiated by the panel and then joined in by those attending the session. The discussion will be facilitated by professional staff, someone from the PEWS organization. We're hoping to get volunteers as we call upon individuals from within the different colleges. Hopefully, members of the Faculty Senate would serve as a host, together with the dean of the college for this particular discussion. What we learn from the pilot discussions that will take place this spring, we hope to discuss further in our planning committee and work toward implementing a University-wide discussion in the fall of 1999. Bob Johnson, the Director of Cornell United Religious Works, is co-chair of the committee with me. Are there any questions?"

Professor Locksley Edmondson, Africana Studies and Research Center: "I do not think I heard you right. Did you say something about the discussion being descriptive rather than analytical?"

Professor Harris: "Yes, I did say that. We would like for people to put issues on the table rather than spend a lot of time, initially, analyzing the issue. This is a first step, as we see it."

Professor Edmondson: "I'm confused."

Professor Harris: "With the answer?"

Professor Edmondson: "No, with the methodology if I may use that word. I thought that in a dialog that analysis was one of the basic principles. How can one draw such a distinction? Clearly, I know your thoughts and the objectives you hope to obtain by focusing on the issues rather than analyze them, but it's absurd."

Professor Harris: "Well, we would like to give individuals the opportunity to describe their particular experiences as a beginning, but if we spend a great deal of time analyzing those experiences, initially, we will not have an opportunity to get the issues on the table."

Professor Edmondson: "Initially? Will there be an opportunity for analysis later?"

Professor Harris: "Certainly."

Speaker Pollak: "Okay, we have three questions."

Professor Wilson: "I recall that there were some serious incidents of harassment earlier and I wanted to know if they had ceased. I'm referring to specific harassment situations."

Professor Harris: "I think that some of those issues to personal safety have improved, but there's still graffiti, there is still some individual harassment -- not as much as we

heard in the fall. We've also put in place, through the Assistant Vice President for Student and Academic Services, a response team so that we're looking immediately at issues of harassment as they arise and talking to those individuals who have been the target of the harassment with Psychological Services. So a response has been put in place that students felt was absent in the fall. Also, you may have noticed that lighting on campus has improved."

Speaker Pollak: "There's another question over there."

Associate Professor Michael Shapiro, Communication: "In discussing this with the faculty in my department, many of them expressed a desire to bring this down to students, but those who had attempted it expressed considerable pessimism in the ability to engage students in discussions without disrupting class. What I'm suggesting, and I have no problem with what you're suggesting, that in the long term, what a lot of faculty need, particularly those of us who teach classes in which there is an opportunity to discuss this, is help with developing the skills to do this. And if you would bring us resources and help us develop those skills, we would really appreciate it."

Professor Harris: "That's very good to hear."

Professor Don Barr, Policy Analysis and Management: "I just wanted to follow up on that. I've participated in these sorts of discussions before where one person brings up an issue and we talk about it forever and analyze it. I think that this plan is valuable because once the issues are all out, if you prefer to do the analysis, you've already completed the problem recognition stage."

Professor Judith Reppy, Science and Technology Studies: "I'm interested in if at any point you're planning on introducing community relations. It was raised in the meeting we had earlier in the semester, and it's a good suggestion, but I don't hear it in this plan. Town-gown relations, basically."

Professor Harris: "Right now we're basically looking at the campus climate. We do exist within a broader community, and as you recall, we did have a program that was brought to us by PBS looking at dialog on race relations. This is something that we're going to have to take back to the community because right now we're focusing on the campus."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I'm sorry what did Dean Cooke ask?"

Speaker Pollak: "Dean Cooke just asked if he knew what was going on in the Johnson School and Professor Harris said he did not."

Professor McAdams: "I do."

Speaker Pollak: "Maybe the Dean would like to elaborate on that?"

Dean Cooke: "The Johnson School has had, by all accounts, a strong effort that is quite similar to this program and I just wanted to call attention that we've already been

through it in one college, so we do have a sense of where this is going to take us."

Speaker Pollak: "Okay, now we'll move on to the Resolution on the Strategic Plan for Athletics and Physical Education. Peter?"

## **7. RESOLUTION ON STRATEGIC PLAN FOR ATHLETICS AND PHYSICAL EDUCATION**

Professor Peter Schwarz, Textiles and Apparel: "I'm here to present a proposal from the University Faculty Committee. The proposal itself is based on three main documents/events: the NCAA Self-Study Report that is still in draft form, which will be sent to the NCAA; the Strategic Plan for Athletics and Physical Education; and the Forum that was sponsored by the Faculty Senate during which the plan was presented and only limited discussion was allowed to take place due to time constraints.

"Since this resolution was put on the agenda, there have been two events that have impacted us. The first is that the College of Arts & Sciences, at its faculty meeting on Wednesday, passed a resolution similar to the one I'm about to present on behalf of the University Faculty Committee. This is not surprising because I lifted this resolution from theirs, with their permission. The second event was the submission of answers to the questions that had been solicited from faculty that we didn't have time to get into at the Forum by Director Moore. Those are on the website in PDF format and I don't know how many of you took the time to look at them.

"Basically the University Faculty Committee, in proposing this resolution, has three main areas of interest. First, is the maintaining of current high-quality physical education and intramural programs while strengthening intercollegiate athletics and, in particular, how that can be done. One question that was submitted was why there was so much emphasis on intercollegiate athletics and slightly less emphasis on intramural programs, wellness programs, and physical education programs, and the answer Director Moore gave in response, I'm paraphrasing, was that these programs are already excellent and we have no worries about these programs. It is intercollegiate athletics that is in difficulty. There is some concern how one might, with the budget that is given to the department, maintain some areas while strengthening the other. In the report, the Department of Athletics and Physical Education claims to currently receive 1% of the total University budget and that accounts for 40% of its operating expenditures. The concern is that other Ivy League institutions give more. Penn, for example, funds 82% of its athletic budget from University funds; and Harvard, 86%, and the statement is made that one could consider that Cornell's department of Athletics and Physical Education is underfunded. There's a concern that in order to maintain the quality of the programs outside of intercollegiate athletics while strengthening intercollegiate, it will lead to higher user fees for current events, reduced operating so that you maintain the strength of some programs while eliminating others. It's not clear in the Strategic Plan how this is going to be done.

"The second concern is to maintain current admission policies and procedures. I was not planning on bringing up the Provost's memo but it is certainly underlying some of this. The Strategic Plan talks about the problems of decentralized colleges and the complex admissions processes. There is total agreement with the Provost's statement

that the programs are working well. There has been some streamlining programs that have been done. The figures seem to be encouraging in that although admitted athletes tend to score lower on the Academic Index, which is a way of normalizing the scores of all the applicants by taking the average of the SAT scores and scaling them to between 20 and 80, adding the student's high school ranking that has also been converted onto a scale of 20 and 80 and adding the higher of the student's SAT average or the average of the level 2 exams also on a scale of 20 to 80, so that a perfect Academic Index would be 240, the 6-year graduation rates are the same. According to Ivy League rules, if we admit student athletes whose Academic Indices are lower than 169 Cornell must indicate why this is a special case and confirm that the student would have been admitted if he or she was not an athlete. But our student athletes are graduating and they are successful with the current admission policies and procedures.

"Finally, there has been a concern to address the cost of this Strategic Plan and the projected sources of revenue both internal and external. It is very high on marketing and very low on analytical measures.

"With that, the University Faculty Committee proposes to the University Faculty Senate the following resolution. It is in your packet, but I will go ahead and read it.

WHEREAS, the University Faculty has a strong interest in the overall educational experience and well-being of its students, and endorses the value of a broad-based program in athletics and physical education in undergraduate life, and

WHEREAS, the University Faculty does not endorse diverting significant existing or potential resources from these priorities or compromising processes for admitting students to the several colleges so as to achieve higher rankings in intercollegiate athletics,

THEREFORE BE IT RESOLVED, that the Faculty Senate urges the Provost and the President to ask the authors of the Strategic Plan for the Department of Athletics and Physical Education that is dated October 12, 1998 to modify the plan so that it will:

- Enhance Cornell's broad-based programs in athletics and physical education;
- Commit the Department of Athletics and Physical Education to honor the standards and processes for admission to the various individual colleges; and
- Provide a detailed financial plan that is consistent with these goals.

BE IT FURTHER RESOLVED, that the Faculty Senate instructs the Dean of the Faculty to communicate this resolution to the Board of Trustees.

"The latter is in there because as the Provost described, the Board of Trustees also has a subcommittee that is going to examine this and we felt that they should have a sense of the faculty feeling."

Speaker Pollak: "There is an amendment to this resolution that needs to be discussed and voted on prior to coming back to the resolution. I'll call on Peter Stein to present the amendment."

Professor Stein: "Maybe I can do it from here. You all have the amendment on the blue sheet. The concern of the people who propose the amendment is that one part of the Strategic Plan was to significantly raise the fundraising for intercollegiate athletics. The amendment was inspired by Bruce Ganem in the Chemistry and Chemical Biology Department in the Arts College, who pointed out that there are constrained resources. There are constrained fundraising resources and a limited donor base. If, in fact, fundraising efforts are increased in one area, they will most likely be decreased in others. Professor Ganem expressed sadness that he didn't have the time to make up an amendment and to speak today, but this amendment speaks to that. I'll read it to you.

BE IT FURTHER RESOLVED, that given other unmet needs of greater importance to the future well-being of Cornell, the Faculty Senate strongly urges the administration to assign low priority to the diversion of university resources or fund-raising activities to intercollegiate athletics.

"I would just like to point out that it does not say 'no priority,' it says, 'low priority.' The answer that is often given is that there are donors who will only contribute to intercollegiate athletics. Should we refuse those? Of course not, we all value intercollegiate athletics and wish that Cornell's teams would win more, but when the development office assigns priorities in what they approach donors for, the people that support this amendment believe that intercollegiate athletics should be low on that list."

Speaker Pollak: "Okay, are there any questions or comments regarding the amendment?"

Professor Wilson: "I oppose the amendment. It seems to me that the 'Whereas' in the resolution basically says that same thing in a more tactful way. I don't see the point of slapping the Department of Athletics and Physical Education in the face. It already says that we don't endorse 'diverting significant existing or potential resources from these priorities.' I think it's already there and I don't see why we have to add this explicit slam."

Professor Stein: "Well, the answer to that is that if you look carefully at what it says, it says that 'the University Faculty does not endorse diverting significant existing or potential resources from these priorities. It doesn't say from other activities. It says we should not divert resources from intramural athletics to intercollegiate athletics, and that's not really what the Strategic Plan endorsed anyway. The Strategic Plan says it wants to start a new fundraising activity for intercollegiate athletics, which would then compete with the other priorities. I agree with you that this is somewhat more boldly stated, but it speaks plainly. I think that the 'Whereas,' which is not part of the

resolution in any case, and often the 'Whereas' is lost in transmission, does not say the same thing that the amendment does."

Dean Cooke: "Point of order: The 'Whereas' is, in fact, part of the resolution. This entire object is part of the transmission, so the rationale may not be that they will not."

Professor Doug Haith, Agricultural and Biological Engineering: "I'd like to speak against the amendment. I do think that it goes too far. I might be comfortable with it if I could see all of the other priorities that we're talking about here. But I think that all of us here could concede that the intercollegiate athletics is an important part of the athletic program. I don't know if it should have the lowest priority or a low priority in the allocation of University resources. I don't know which programs should be higher than it and I don't know which programs should be lower than it, but I am not willing to *a priori* without looking at all of those priorities to say that the Department of Athletics and Physical Education should be at the bottom or pretty low. I think that's a premature judgement. If that sort of decision wants to be made by the faculty, then I think that we should evaluate those different priorities."

Professor Richard Baer, Natural Resources: "I have a question. Do we have any idea how the success of our intercollegiate athletics affects fundraising as a whole? I'm not a utilitarian, but this is kind of a utilitarian question. If successful teams make a significant impact on fundraising as a whole, we may be hurting ourselves substantially by approving this amendment or resolution. I wonder if we have any good data on that. Is this something that the Development Office has ever studied? Or do any other universities have experience with this? If passing the amendment and/or the resolution hurts us overall financially, then it's a rather poor business and we should give careful thought to that. I could imagine that a successful intercollegiate program might help our fundraising as a whole. I don't go to most of the events and I think that at the last football game I went to there was a good play and I shouted 'Bravo!' and my sister-in-law told me you don't say that at football games. I think it might hurt us if we were to approve."

Professor Schwartz: "There were no hard data, to my recollection, presented at the Forum that showed a general trend. However, there were anecdotal data about Duke University having won the National Championship in basketball and how that increased alumni donations and applicants. Northwestern, after they won in Big Ten football, experienced an increase in revenue, and please correct me if someone knows more, from sales of Northwestern sweatshirts and things like that. The third was the College of Charleston, which no one had ever heard about (but which is a pretty good school) until they started winning football games. So those are three anecdotal examples that it does affect the University. These were presented at the Forum as evidence that good athletics will stimulate alumni donations."

Speaker Pollak: "Back on the amendment. Is this on the amendment?"

Professor Reppy: "It's in response to the two points just made. I come from Chicago and I follow the Northwestern scene, and if you follow it, you know what happened subsequently. That is, they had a terrible scandal and athletes lives are ruined; the team is on probation. I think that speaks to even if you could make money off of athletics, it

would be a mistake for a university, as I understand Cornell to be, to take that route. The reason for this is that it essentially commercializes and commodifies an activity that is supposed to be part of a whole, educated, complete life, not this distorted win-for-any-reason rationale. In particular, I thought that was what the Ivy League was about. To go in the direction that we've got these teams to make money goes against that spirit. With respect to priorities, at the Arts College meeting, we were told that the Athletics Department was hoping for 10-12 Endowed positions, so I think that's the kind of priority we can think about when we think of other departments or programs that we would rather see new endowed chairs in."

Speaker Pollak: "Are you ready to vote on the amendment? We can always discuss the resolution after that vote."

Professor Barr: "I'd just like to speak against the amendment because I think that the whole resolution is somewhat negative towards Athletics and Physical Education and it seems to me that the extra amendment is like a slap in the face. We're telling them that they can't go out and raise money. I feel that the amendment goes to far."

Speaker Pollak: "Okay, is there anymore on the amendment?"

Professor Kenneth Strike, Education: "I guess my basic reaction was too tepid. It seems to me that the reach of athletics has nothing to do with physical education except to compete with it for time and space. Many of us are spectators when we would rather be participants. I guess I'm also hoping for someone to smuggle in another amendment that says that the Physical Education Department should install shower heads that really work so we don't freeze to death. Intercollegiate athletics in the United States is irrational and the fact that it has a strong connection with fundraising is itself irrational. If it's true, we should regret it and try to educate the community about the difference between physical education and intercollegiate athletics."

Speaker Pollak: "I'm going to call for a vote on the amendment unless there's more."

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering: "I think that the amendment is premature in the sense that we really don't have the information that this is financially as bad as we think it is. I would like to have more information. I'm a member of FACAPE, the Faculty Advisory Committee on Athletics and Physical Education, and we had this presented to us but we haven't been able to discuss it and therefore I think that we are prejudging the situation if we pass this amendment."

Professor Keith Dennis, Mathematics: "I must be really out of place here because it seems to me that the faculty should take a stand on what is important to them in this university, which is the academic programs. Maybe I'm prejudiced or whatever, but that's the most important thing. I'd like to see an amendment that says that."

Associate Professor Jennifer Whiting, Philosophy: "Members of admissions are quite horrified by this and by the idea that we might go into the commercial world even more than we do with athletics. I think that they very much hope that the faculty will speak up and say that they don't want the university to go the route that so many other universities have gone with greater commercialization of their athletics to the detriment

of the reason for universities, which is academic. I think that we should really look very carefully at this and I support an even stronger resolution than what was proposed."

Speaker Pollak: "Shall we vote on the amendment? All of those in favor of the amendment to the resolution? All of those opposed? I want a count. Raise your hands again in favor of the amendment. All of those opposed? The amendment carries at 46 to 25. Peter?"

Professor Stein: "Move the question."

Speaker Pollak: "Okay there's been a request to move the question on the resolution. All of those in favor of calling the question signify by raising your hands. All of those opposed? Okay, we will vote on the resolution. All of those in favor of the resolution as amended signify by raising your hand. All opposed? The resolution carries 63 to 15.

*WHEREAS, the University Faculty has a strong interest in the overall educational experience and well-being of its students, and endorses the value of a broad-based program in athletics and physical education in undergraduate life, and*

*WHEREAS, the University Faculty does not endorse diverting significant existing or potential resources from these priorities or compromising processes for admitting students to the several colleges so as to achieve higher rankings in intercollegiate athletics,*

*THEREFORE BE IT RESOLVED, that the Faculty Senate urges the Provost and the President to ask the authors of the Strategic Plan for the Department of Athletics and Physical Education that is dated October 12, 1998 to modify the plan so that it will:*

- *Enhance Cornell's broad-based programs in athletics and physical education;*
- *Commit the Department of Athletics and Physical Education to honor the standards and processes for admission to the various individual colleges; and*
- *Provide a detailed financial plan that is consistent with these goals.*

*BE IT FURTHER RESOLVED, that given other unmet needs of greater importance to the future well-being of Cornell, the Faculty Senate strongly urges the administration to assign low priority to the diversion of university resources of fund-raising activities to intercollegiate athletics.*

*BE IT FURTHER RESOLVED, that the Faculty Senate instructs the Dean of the Faculty to communicate this resolution to the Board of Trustees.*

.. Okay, for the next item on the agenda I will call on Peter Stein of the Financial Policies Committee."

## 8. REPORT OF FINANCIAL POLICIES COMMITTEE

Professor Stein: "I am reporting to you from the Financial Policies committee. The reason I'm here instead of Paul Sherman, the chair, is because he is chasing some sort of animal in the state of Washington and he asked me to report. At a meeting in December, this body passed unanimously, or probably without dissent, the following resolution.

*The Senate believes that it is both appropriate and in Cornell's best interests for the Faculty to be fully involved in a partnership with the administration on all major fronts as priorities are chosen and a vision of the future is crafted.*

*One critical area that could benefit immediately from a renewed partnership is faculty salaries. The Senate believes that progress is not proceeding rapidly enough toward average salaries in both the statutory and endowed units that are competitive with those at peer institutions whose faculty are ranked similarly in quality.*

*To attack this problem in a spirit of cooperation and partnership, the Senate asks the Administration to develop, together with the Financial Policies Committee, faculty salary targets for all ranks in both units, as well as a schedule and financial strategy for meeting these targets. The Senate instructs the Financial Policies Committee to report on the status of this joint effort no later than the April 1999 meeting of the Faculty Senate.*

*The Senate believes that it must be not only consulted, but also substantively involved in the formulation of major policy and selection of major priorities involving Cornell's faculty, academic programs, curricula, and students. The Senate is increasingly concerned that the partnership is withering rather than flourishing.*

This is the report from the committee, perhaps a month premature. Let me take a moment to explain why it is that the Financial Policies Committee felt that it was so important to establish goals on salaries. There are lots of salary plots, but I'm only taking one to be instructive. Here is a plot (Appendix E, attached) of full professor salaries over time in the College of Arts and Sciences over a period of 25 years. We have discussed this data with the administration for three to four years and one of the hang-up points that we've had for some time is what exactly the message is. The message is clearly that they're falling and clearly that they're lowering. But that's not enough. How low are they? You can look at the way this is plotted and it says that we're 18 1/2 percent low. Or, in another way to look at it, we could say that 1972 is prehistory, so let's just look at the last decade where it looks something like that, and then the fall doesn't look so substantial because it's only eight or nine percent. Or we could say that we have the wrong comparison group where in another group the fall could be seen as only four or five percent. These discussions have gone back and forth for three years and the Financial Policies Committee has brought numerous resolutions in the past. At the December meeting, we felt that it was time to come to some kind of

joint agreement with the administration on what the facts are, mainly, how far below were our salaries, and that's the reason for this particular resolution.

"I think it's best to describe what happened by reading to you a letter from Paul Sherman, which he wrote to Dean Cooke some weeks ago. And I'm quoting from this letter:

*"Dear Bob,*

*"I am resigning from the Financial Policies Committee, effective immediately. It is time for someone else to take over as Chair.*

*"On 2 February I met with Provost Randel to begin implementing the Resolution that was passed by the Senate on 9 December, 1998 entitled 'Faculty-Administration Partnership: Improvement of Faculty Salaries.' While the Provost raised the possibility of obtaining faculty input in setting institutional budgetary priorities through reinvigorating the Budget Planning Group, and strongly reiterated the administration's commitment to improving faculty compensation, he was unwilling to initiate the process of 'developing faculty salary targets for all ranks in both units, as well as a schedule and financial strategy for meeting these targets,' as was called for in the Senate Resolution.*

*"For the past two years, the Financial Policies Committee has wrestled with the issue of faculty salaries. After careful consideration, the FPC developed a set of long-term goals based on the general principle that average faculty compensation at all ranks should be commensurate with faculty quality, gauged by published rankings of institutional quality. In other words, to attract and retain the best faculty in the face of stiff competition from academic institutions of equal or higher quality, it is essential for Cornell to pay salaries that are competitive.*

*"Given that average salaries of Cornell's full and associate professors (the majority of the faculty) have fallen well below average salaries at private and public quality-peer institutions, in March 1998 the Faculty Senate passed a Resolution that recommended immediate remedial action, through resetting internal priorities (including consideration of the relative amounts spent on such items as new construction, staff, and administration) rather than by increasing tuition faster than at peer institutions. The FPC was poised to participate in priority-resetting, whenever it was invited to do so. It was never invited, and the Committee's attempts to offer such input consistently were deflected. Indeed, during my tenure as FPC Chair, the administration requested the Committee's opinion only once, when (then) Vice President Ron Ehrenberg asked for comments on a space-use model he was developing.*

*"Analyses the FPC conducted indicate that after three years (1995-98) the administration's faculty salary program has not improved Cornell's position for statutory and endowed full or associate professors relative to average salaries at ten public and eight private quality-peer institutions, respectively. The FPC believes that to make real gains we must set realistic goals -- i.e., fiscally responsible benchmarks against which Cornell measures its progress toward salary parity with peers. The Committee presented this recommendation, along with supporting documentation, to President Rawlings and Provost Randel at a meeting in April 1998. They raised no objections at*

*that time. In fact, the President remarked that the approach of comparing average salaries at Cornell with those at quality peer institutions 'seemed reasonable.'*

*"In the past 12 months I have made the case for this 'external goal' approach as clearly, forcefully, and honestly as I could, to the Faculty Senate (twice), to the CALS Senate, to the Division of Biology, and in numerous other public and private forums. Other FPC members also have spoken out. The Provost has now rejected this approach and, I am discouraged to say, I see no evidence that the FPC's analyses received serious consideration or resulted in changes in the administration's policies or priorities.*

*"Clearly, it is time to begin addressing the important issues raised by the Senate Resolution of 9 December, especially because the Senate expects a progress report in April. However, for a number of reasons, some of them personal, I have decided that I will not continue to lead the FPC in this effort. I am unswerving in my belief that it is in Cornell's best interests to return average salaries to levels that are consistent with current faculty quality and the quality to which the University aspires. Indeed, until this occurs, it is inconceivable to me that Cornell can achieve President Rawlings's optimistic goal of being the 'top teaching and research institution' in the United States.*

"I think that says it as well as I can. I think it says it very eloquently. Since we had that meeting, we had another meeting with the administration maybe a week ago Tuesday, where we spent an hour discussing the budget. The Financial Policies Committee passed to the administration a number of questions, which were directed towards the issue that concern us, mainly the issue of faculty salaries. The discussion we had was cordial, but no member of the FPC that I spoke to felt that we had advanced at all towards our goal as a result of that discussion, or indeed that we understood financial budgetary problems at the end of that meeting more than we did before.

"The Financial Policies Committee is at a crossroads at this point. It doesn't really know how to proceed. I should tell you that the Financial Policies Committee is divided. There are hawks on it and there are doves on it. The most hawkish person on the committee, and I won't name the members of the committee, believes that the sorts of graphs that I have shown you are disastrous and they mean that Cornell is about to fall off the end of a cliff and that we cannot continue for very much longer to maintain a quality institution at these salary rates. The most dovish committee member believes that Cornell's salaries are a tad high. So, there is a range of opinion on those issues. It is my own guess that the median on the committee is closer to the hawk than the dove. However, there is a substantial opinion on the committee that feels that we are in some sort of a crisis in faculty governance and that this is an issue which will not go away and that it is the obligation of the Financial Policies Committee to pursue it as vigorously as it can. There is another group on the committee that feels quite differently, and I am not a member of that group, so it's a little hard for me to summarize it. Nevertheless, it goes something like this: That we don't know all of the facts and that we are represented by the Provost, whom we admire, and the President, whom we also admire, and that those people have all of the facts. I, myself, classify myself as part of those who admire the Provost and the President, but I am not a member of that group. That group believe that this must be the best decision because if there were a better decision, then those who are better informed and whose hearts are in the right place, would have made it. Therefore, this is the best that can be done with

the resources we have and we should stop nagging the administration and get on in some cooperative mode and support them rather than quarrel with them.

"Those are two very different, inconsistent, points of view and I believe that somehow this Senate must speak to the Financial Policies Committee. We've already had one resignation, I'm told we're going to have other resignations. We really know that we represent you. Our beliefs are not what ought to drive the work of this committee, it's your beliefs. I ask you seriously to please instruct the committee. I don't think it's appropriate for the committee to come up with a resolution but we need to know what you think. We need to know whether you think that we should pursue this goal with the same vigor that we have tried to pursue it before or that it's better to back off. We know you're not going to say 'Forget the issue,' but the real cutting edge is in the present situation that we face; should we pursue this with full vigor or should we know step back a little bit and let things percolate? It's obvious that it can't be done at this meeting, but I ask you very seriously and very sincerely to please try to bring us some instruction at the next meeting. Thank you."

Speaker Pollak: "There has been no time requested for Good and Welfare so we do have a few minutes left in the meeting, so why don't we start with questions and comments."

Professor Wilson: "One thing that disturbed me, and I'd appreciate a clarification, is the fact that I thought I saw somewhere that administrative salaries were on average higher than at competitive peer universities and we're definitely rising significantly faster in faculty salaries, where the faculty are below the average. I guess I'd like to know if that's true or not."

Professor Stein: "I wish I could answer that David, but I don't know. My guess is that it's not true, but I don't know. I attempted at one point to get that data from the administration to look at what had happened to administrative salaries, to get the public information that had been available, but I couldn't get that information. So, I don't know the answer to that question."

Professor Wayne: "That information is available at that section of Cornell that's by the P&C in East Hill Plaza. "

Professor Stein: "It's true that it's available for one year, but we were trying . . ."

Professor Wayne: "I can't remember the numbers, but I've gone to get those numbers for a number of years. So you can go and they'll give it to you for a number of years but they'll charge you for xeroxing."

Professor Stein: "No, Randy, they'll only give it to you for three years."

Professor Becker: "I'd also like to find out more about the gap before I would want to tell the committee what to do. Is this disparity primarily a result of hiring in new faculty at big bucks, so the last few years of salaries aren't the problem, it's the people who have been around for a number of years? How is that gap constituted and where is it located among the faculty? Are all faculty at the same disadvantage *vis à vis* those of other

institutions or not? What is the structure of that? If that's the real issue, it could inspire me to action more."

Professor Stein: "I've spent a lot of time looking at this issue, and there's always data that you would like and data that you can't have. The data that you can have is not the data that you would like. The data that you would like is limited. The data that we have would support that notion because what we have is that the percentage disparity in salaries is highest for full professors, less high for associate professors, and, as a matter of fact at the last year, we are competitive in assistant professors, and thank God for that or that would really be killing our quality. The older people get, the less we're paying competitive salaries."

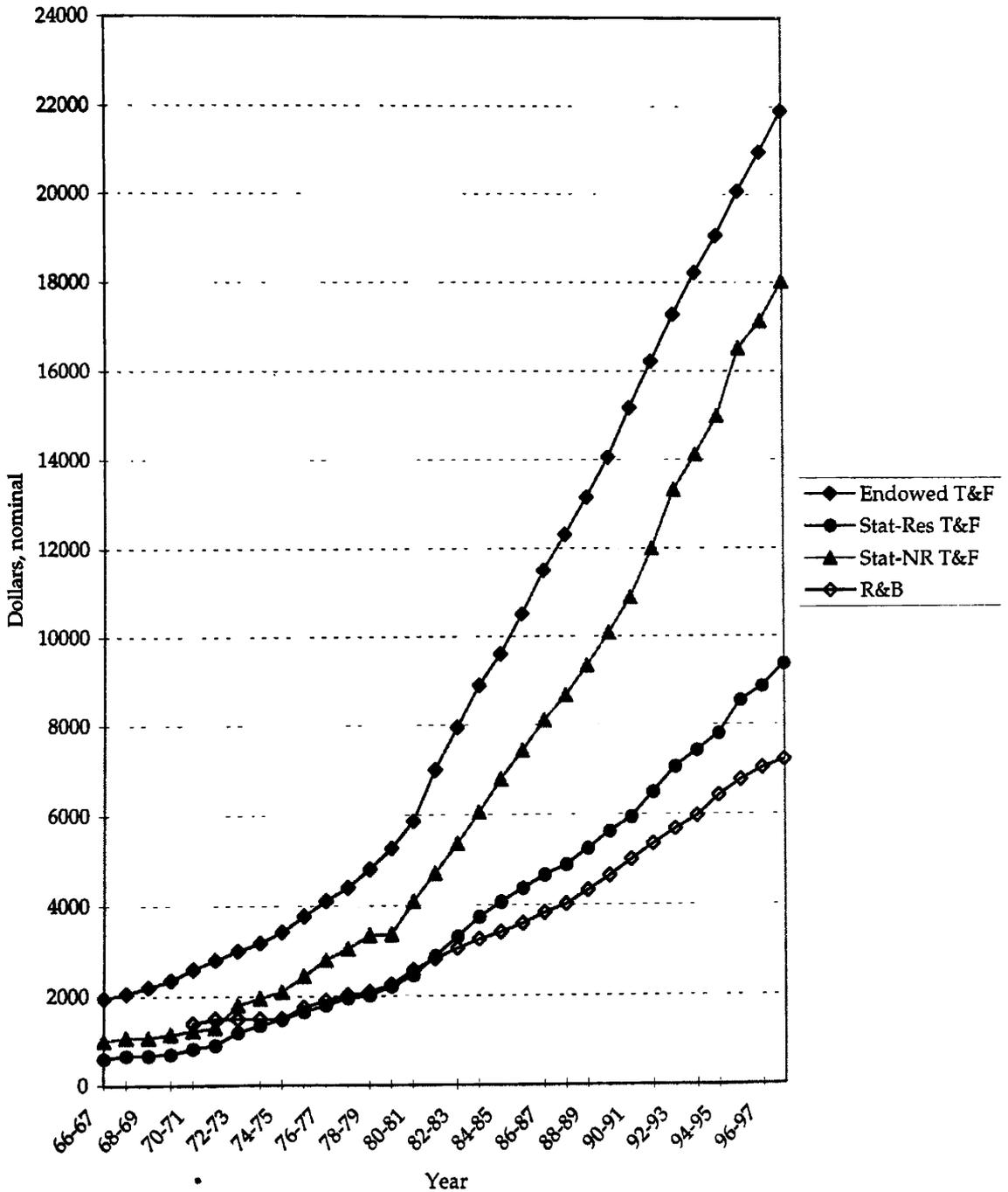
Speaker Pollak: "What's going to happen now is I believe that Bob and the committee will work on an e-mail to be sent to all of the Senators and then your feedback and responses to that will be collated and some decision on how to proceed and advising the committee will be put together. It's not six o'clock exactly, so this meeting is adjourned."

Respectfully Submitted,

Kathleen Rasmussen  
Secretary and Associate Dean of the University Faculty

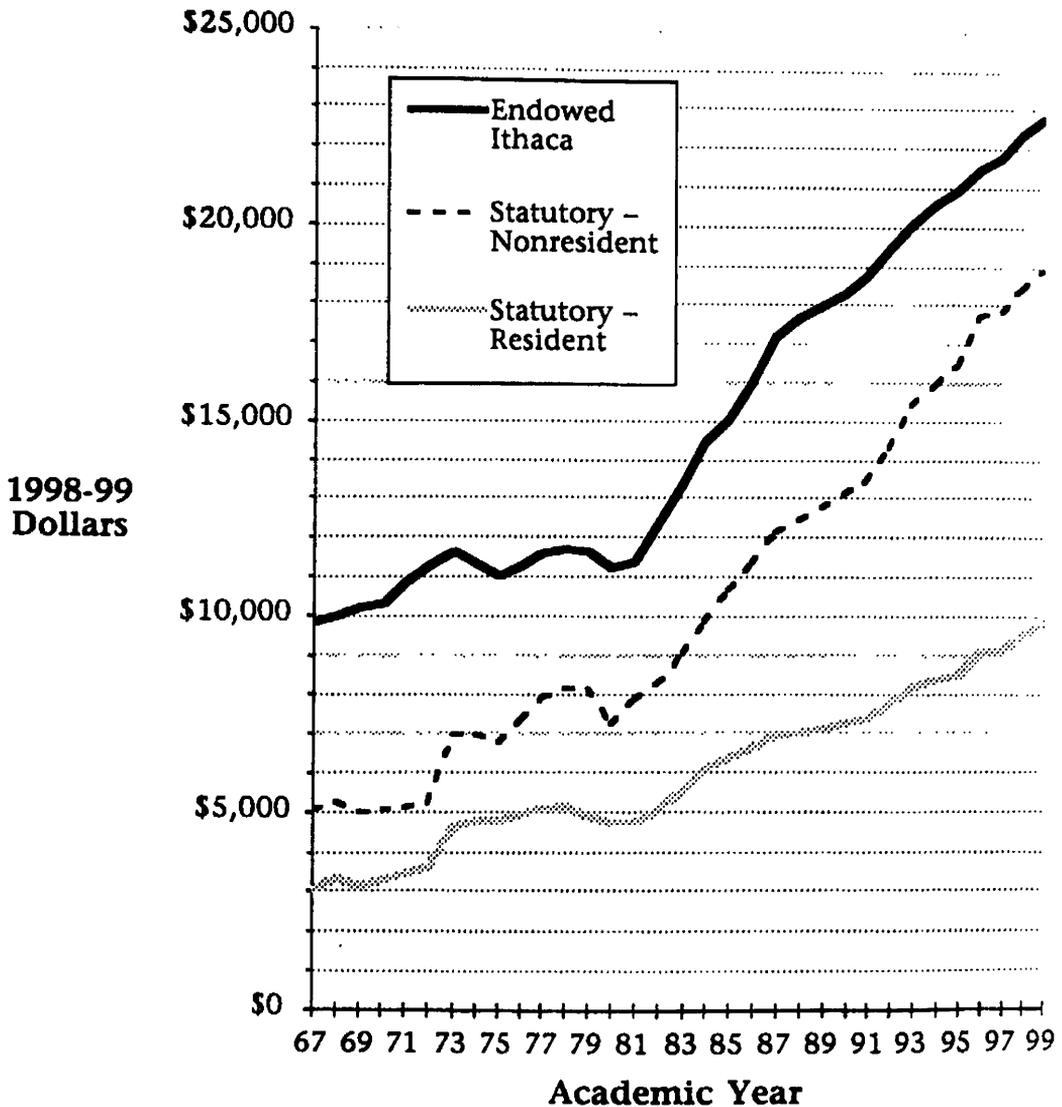
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Cornell T&F

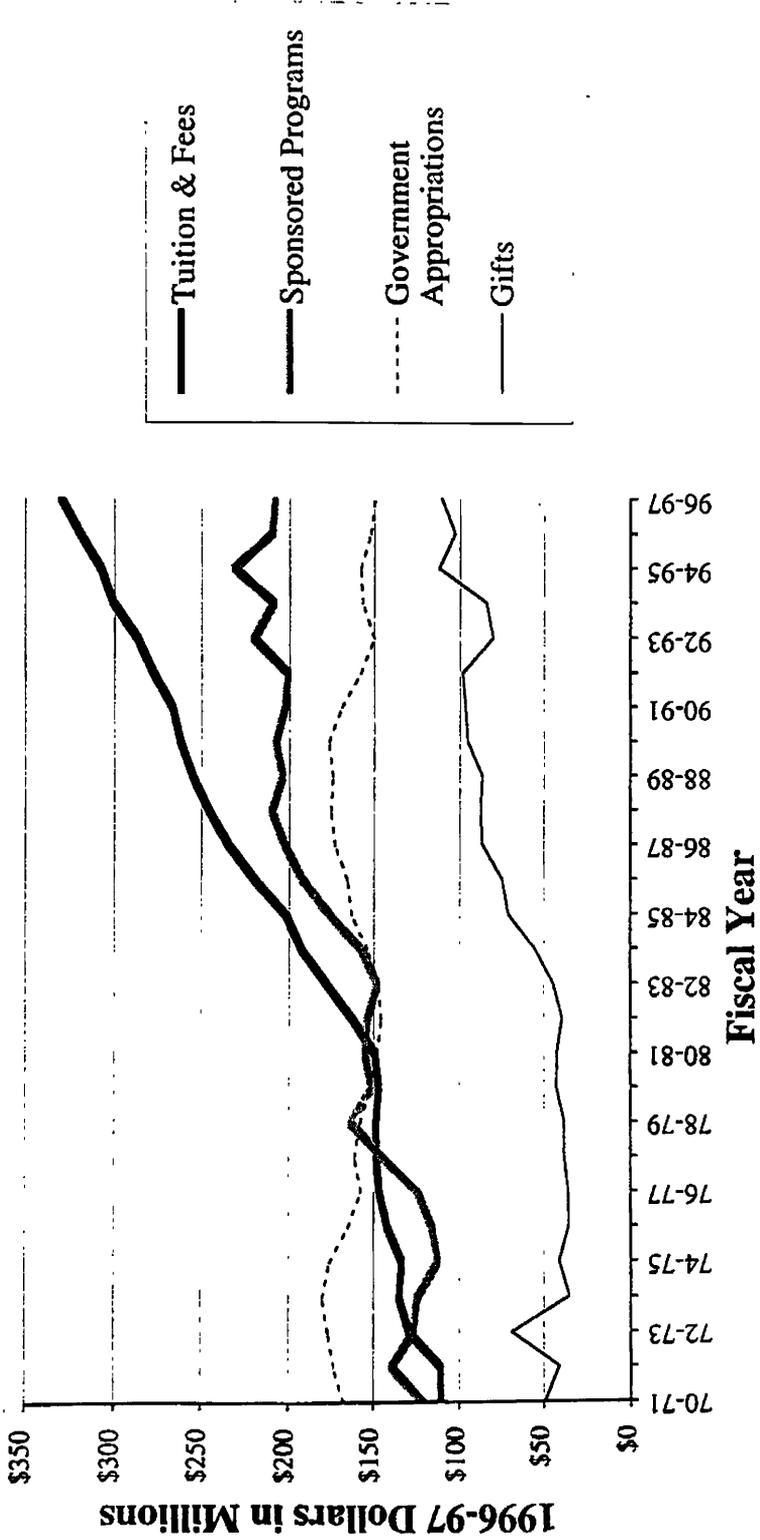


## Undergraduate Tuitions

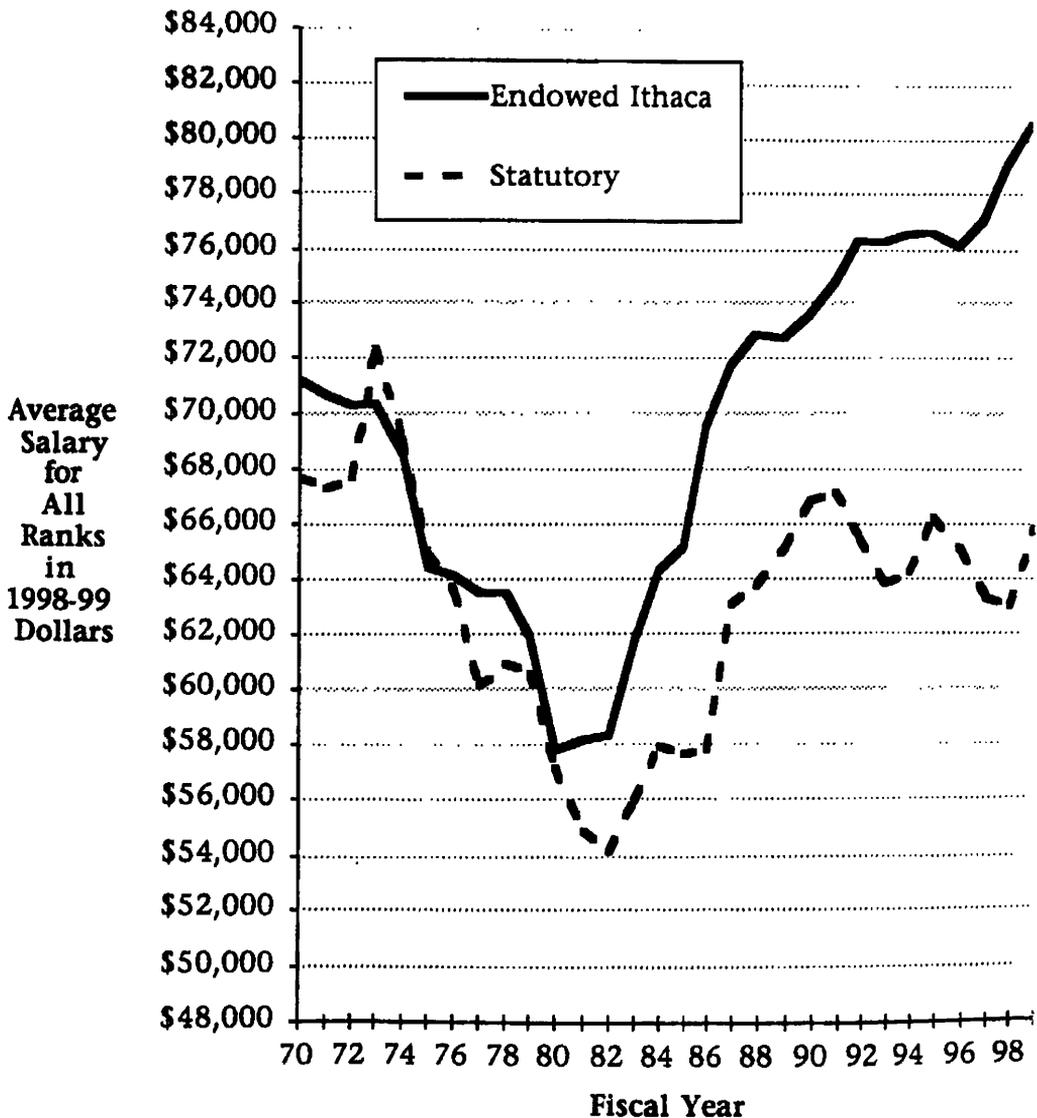
(in inflation adjusted, 1998-99 dollars)



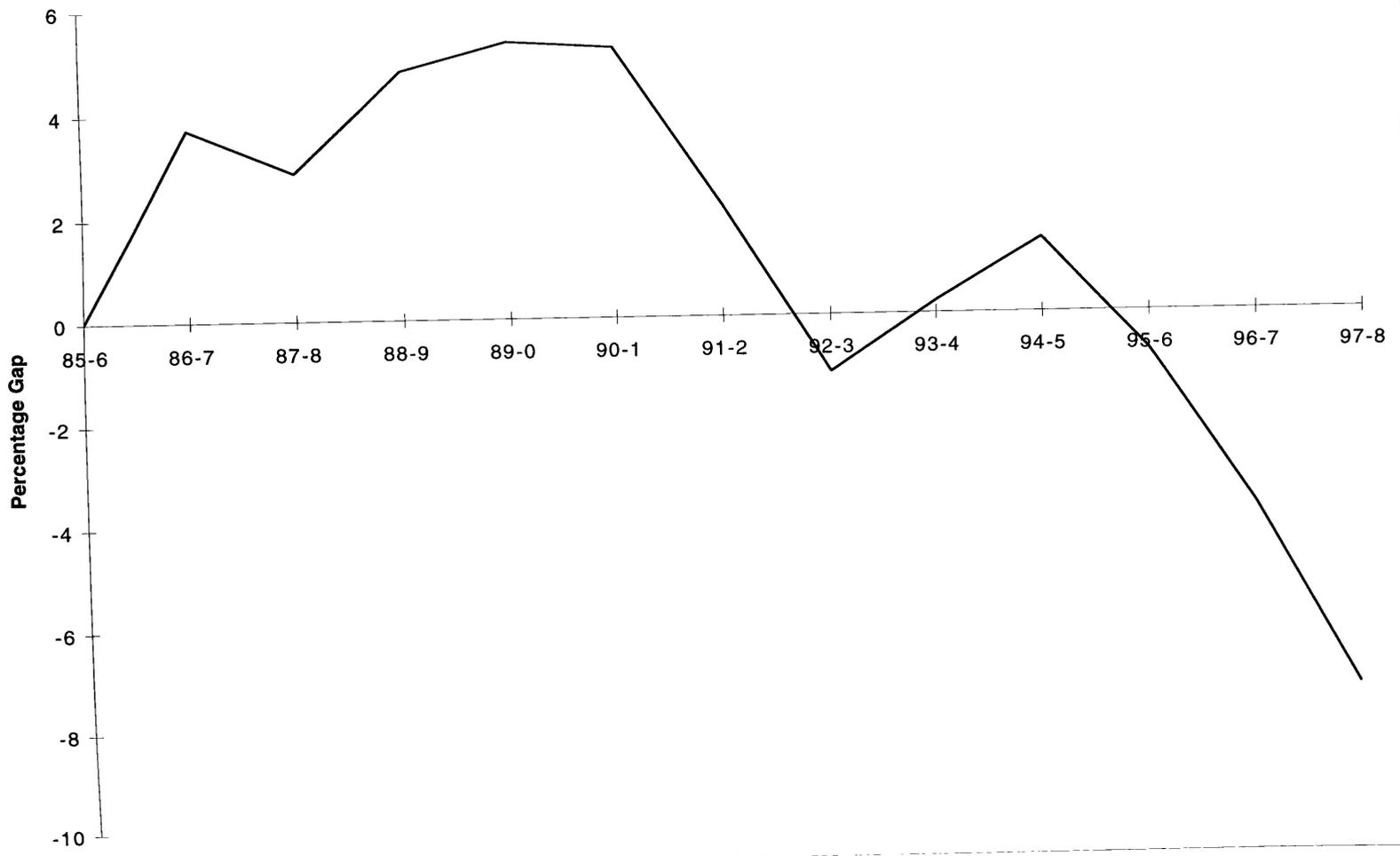
# Inflation-Adjusted Change in Selected Operating Revenues – Ithaca Campus



## Average Ithaca Campus Faculty Salaries (statutory salaries converted to a nine-month basis)



### Full Professor Salary Gap Cornell Statutory vs. Public Peer Group



MINUTES OF A FACULTY SENATE MEETING  
Wednesday, April 14, 1999

The Speaker, Professor John Pollak, Animal Science, called the meeting to order at 4:30 p.m. and called on Dean Cooke for opening comments.

**1. REMARKS BY DEAN COOKE**

J. Robert Cooke, Dean of the Faculty: "The April 1<sup>st</sup> issue of the Cornell Daily Sun may have touched a nerve on campus, but it was also close enough to reality that at least one commercial news service called to get an interview to explain what is happening with the salary issue. So, as fact and fiction get closer and closer together, funny things start to happen. There are four things coming up today that relate to this issue. We have invited the Provost for extended comments to share the administration's view on faculty salaries and there was time allocated for questions at the end. The chair of the Financial Policies Committee will give a brief update on what is happening on that front and we have two resolutions coming before us. I have a few general observations on this. The first is that I believe our advice to the administration is far more valuable and effective to them and to us in communicating our intentions when we give advice in some context. We have a long history of saying to the administration that we want to save need-blind admissions, increased contributions to the libraries, increased faculty salaries, and decreased tuition, which require different kinds of priorities if they are to be accomplished. If we can give advice that is couched in some framework so that we have some common ground on what is being said, I think that we can increase our effectiveness.

"I also want to say that I think that the administration is dealing with the salary issue in good faith and that is something to which we should also respond. I do not believe that the administration has anything to gain by denying appropriate salary raises that the faculty call for. The metaphor I would use for this is that imagine you were travelling down a freeway and the car in front of you is stalled. You have a choice of either making loud noises with your horn or getting out and helping start the car so that traffic can start again. I think that this is the kind of predicament that we're in. I think that the administration needs our help to get this thing moving again.

"I've appointed a Task Force on Long-Range Financial Planning that consists of the living members of the faculty-elected Trustees. There are 14 of them and all 14 have agreed to participate in this. The Provost agreed to serve as an ex officio member of that group and will participate regularly in the conversations. The chair of the Financial Policies Committee is a non-voting ex officio member who will serve as a link between the Task Force and the Senate. This group is not a Senate organization; it is a more informal group out of the Dean's office.

"One more thing I wanted to say before I introduce Don Holcomb is on the Dissection Resolution. I wish to thank both the students and the faculty who have labored on bringing this issue before us. It is something of a miracle that we have a resolution signed by both parties and I think that it is truly an historic occurrence that shows what good faculty governance can do. Now let me end my remarks and give my remaining

two minutes to Professor Holcomb, who has agreed to chair this Task Force, to talk about it's charge."

## **2. TASK FORCE ON LONG-RANGE FINANCIAL PLANNING**

Professor Emeritus Donald F. Holcomb, Physics: "This will, indeed, be very brief. The committee that Bob has asked us to participate in has the goal of long-range financial planning. Its responsibilities are to the University as a whole and to be wise. Let me just comment on what one can mean by 'long-range planning.' For about thirty-five years, Cornell's as well as other institutions' costs per student have risen at somewhere between one and a half to two percent each year about equal with inflation. If those numbers were to continue for all of the components of expenses for another thirty-five years, not a long period in the life of a university, the nominal sticker price for a university would be \$45,000 a year in present dollars. Many people think that's a problem, not only at Cornell, but at many other institutions. So, that's what we mean by long-range planning.

"I've been thinking about this problem for twenty-years plus, ever since I was a faculty-elected Trustee. I believe that conventional ways of getting at it, by biting at this piece or that piece, are unlikely to succeed. So our challenge is to find new ways of looking at the problem. We are just getting underway and so the new ways are not yet evident. We will, as Bob suggested, maintain liaison with the Financial Policies Committee and the Senate although, as I say, we have no formal responsibilities to the Senate or anyone except the University. We'll do our best. Needless to say, as we get going and you begin to see whether the committee has an activity that seems to make some sense, we will obviously invite input from all forces. Please wish us good luck."

Someone from the Senate called out "Good Luck."

Dean Cooke: "The charge is on the website and over the next seven days or so, if you would, please send comments to Professor Holcomb or to me on any changes you would like to have made. They are going to be looking at issues that have, perhaps, a ten-year horizon. We may start on something and this group may not make the decision; it may be made by someone else. They will generate alternatives, but they are looking at issues that might happen and be of value ten-years down the road rather than two or three, such as the Financial Policies Committee typically works on."

Speaker Pollak: "Okay, we'll now go to the third item on the agenda, which is a conversation with the Provost."

## **3. REMARKS/QUESTIONS ABOUT FACULTY SALARIES**

Provost Don Randel: "Let me begin by saying just a couple of words about the remarks that were made at the end of the last meeting by Peter Stein, without there having been an opportunity for me or anyone else to pursue them. This bears on the degree to which I and the administration have or have not cooperated with the Financial Policies Committee. I would like to insist that we have cooperated with that committee as we have cooperated with every other faculty committee. The difference of opinion between that committee and myself, as it is pointed out in the resolution that is before you today,

really revolves around one thing. It does not revolve around whether the administration is committed to doing something about faculty and staff compensation. I'll talk a little bit more about that later, but there is certainly no question of our commitment to improving faculty and staff compensation. The difference of opinion and the reason I am charged with being uncooperative is because I declined to agree to picking a number in the rankings of competing universities that we would achieve in terms of average compensation for the faculty. That is to say that if you look at the numbers for average compensation that are published in various public places, we get ranked. The Financial Policies Committee wanted me to say that by the end of the year I commit to rank *P*. I would be lying to you if I said that I could achieve such a thing. It would not be hard to say, 'Sure we can do it,' but nobody who thought about it carefully would want to believe it.

"That being the case, it seemed more honest and straightforward to say, 'We are now engaged in an unprecedented effort to improve staff and faculty compensation and we are going to stick with it for at least five years and hope to see gains. If we don't make gains we'll see what else we can do about it.' There are many things that bear on this and it is not as simple as saying that we're going to reach this point by some particular year. Why should that be the case? For one thing, there are many things that we need to bear down on within the institution, those we are working on and those we plan on working on harder. The meeting of the Financial Policies Committee, which is the object of complaint, was one in which we answered questions to the best of our abilities, committed ourselves to meet as often as was useful to all, and to continue to work with that committee. Some people were said to have complained that that meeting was absorbed completely with Vice President Rogers talking about the University's Financial Plan. Well, in point of fact, we arrived at that meeting expecting not to devote more than 15 to 20 minutes to that discussion, with this pile of overheads ready to discuss more specific things including the rate of growth of faculty and staff compensation. But, people continued to ask questions about the Financial Plan book. The character of those questions suggested that we should not shut them off, but rather continue to discuss them, which we did. Anybody was free to ask any question and if members of the committee felt that they were being stonewalled and wanted to talk about other things, they were free to say so then and there and we could have done something about it. In any case, we reached the end of that meeting by reassuring that committee that we would be glad to continue to work with them and that in order for us to make progress on this together it does entail doing do our homework and understanding a number of basic things about the University's finances and we would be willing to engage in other discussions to get that homework done.

"We have a similar stance with Professor Holcomb's committee. I met with him yesterday at their very first meeting. I think that this is a remarkably dedicated group of people who have served the University long and hard. In my book, Don Holcomb could be the Provost any day that he wants to be. I certainly am glad to work with that committee as well. We need to be prepared for both sides of the discussion, and I like not to refer to them as two sides. Everybody has to be prepared to do the homework and everybody has to take seriously the things with which faculty and staff compensation are in competition. Those are not issues that are not close to the faculty itself. That is, the things that we have to choose amongst in the deploying of resources are, like compensation, near and dear to the faculty's hearts -- many of them are, at any

rate. It comes down to desire for increased staff, richer technology programs, more financial aid programs, and so forth and so on.

"That said, let me simply repeat that there is no question as to my willingness or the willingness of anybody else in the administration to continuing discussions with the Financial Policies Committee or with the committee that Professor Holcomb is now willing to lead. We will do that in perfectly good faith and there are no numbers to be hidden from anybody in the course of that. In the end, we'll all have to recognize the responsibilities we have for the deployment of University resources and that trade-offs will have to be made that are not simple.

"Let me just say a couple of words about the question of faculty and staff compensation, some of what we're going to do, and some of the landscape for this. If we take the endowed side of the university first, and return to statutory later, the single greatest source of revenue for paying bills like faculty and staff salaries is undergraduate tuition. The numbers are more or less comparable. The amount that we take in for undergraduate tuition is not dissimilar to what is the personnel budget. So the rate at which one can increase compensation is, in fact, closely related to the rate in which one can increase tuition. That is affected profoundly by the financial aid budget, which is also near and dear to the hearts of many of us, and it is also, in part, a function of other costs associated with personnel, for example, fringe benefits. Those of you who have grants and contracts are, at moments, unhappy that you have to put in a big number, on order of thirty percent, for fringe benefits. But fringe benefits include things that are forms of compensation to the faculty and staff. One of the most important of them is the cost of healthcare. Even in all of those years when faculty salaries were not going up faster than about 3% on the endowed side, healthcare was going up in double-digit rates. In recent years, you will have observed if you read the New York Times and other newspapers that the cost of healthcare declined for a bit. Its rate of increase got down to 7% or less in certain metropolitan areas. If you continue to read the newspapers, you'll notice that it is now starting to go back up again. The fact of the matter is that Cornell exists in a very different kind of environment from lots of other places and we never benefited from the downturn in the rate of increase of healthcare. For us, healthcare has gone up fairly steadily through that period. Even if we didn't benefit from the deceleration, we will certainly benefit from the acceleration of the rate of increase that is now resuming again. We're in a community that has only one hospital and a fairly small group of physicians who are fairly well-organized and who don't need to negotiate the sorts of deals with managed care purveyors that other physicians in other cities do. So, at a minimum, one would have to take into account something about total compensation for faculty and staff if one were to get a complete picture. That's my way of saying that there are some forces on us that we simply do not control.

"Other aspects of the environment under which we operate are not just competition for faculty and the rates at which other institutions can increase their salaries, but also the competition around the rates at which other institutions do and do not increase tuition and financial aid. So, for example, in the last year very substantial pressure has been put on us by Harvard, Yale, and Princeton, who have announced major changes in their financial aid programs. We are simply not able to keep up with those folks, but we have been obliged to respond to the tune of hundreds of thousands of dollars so far. That is, the government announces Hope Scholarships and right away a fair number of

institutions announced that they would not deduct from their own grant aid the value of any Hope Scholarship and other kinds of external grants. Well, we have felt more or less obliged to go along with that. Indeed, it is something that one would be glad to subscribe to, but it does cost money. So it has cost a few hundred thousand dollars to do that alone. We are certainly, because of the cost alone, not able to do what Harvard, Princeton, Stanford, and Yale have elected to do by saying that anyone with family income lower than \$40,000 will not have to borrow a nickel and give them all grant aid. The range of things like that in a competitive environment that press upon us cannot be ignored entirely. They require resources of precisely the unrestricted kind that we use to pay faculty salaries but we have to keep up with some of these institutions in order to attract the kind of students that got most of us into this business in the first place.

"Let me then say a little bit about the statutory side. Here we are, perfectly clearly, not the masters of our own fates entirely. That is to say that we are reliant upon the State and SUNY for the provision of salary improvement programs. Even SUNY is not in charge of this, because all state employees negotiate their contracts with the Executive Branch directly. Their faculty is unionized as are the staff in SUNY. We have traditionally gone in the wake of what the UUP, that is the faculty union, got, which itself has usually gone in the wake of what the civil service union has gotten. Now, even when those contracts are negotiated, if the Governor vetoes or declines to put into his budget in the first place, we are bound to have to live with the consequences to some degree. We have steadily worked this year in Albany with the Executive and Legislative branches and SUNY administration, pursuing as our first priority, increased compensation for our statutory faculty and staff. There are simply some limits to what we can achieve if the Governor's sole policy, and pardon my saying so, regarding the State is tax-reduction.

"Now, there are some options to be pursued even in that discouraging environment, short of moving to Georgia, where they are increasing expenditure for higher education at the rate of 9% a year because there is a state that understands that a healthy economy is fundamentally bound up with strong higher education. We have been actively pursuing with SUNY and friends in the legislature and with the Executive branch a more flexible arrangement in which we would be at greater liberty to generate our own resources which in some ways would insulate us from the problems that affect SUNY. This is to recast arrangements that have been in place for fifty years. One has to proceed somewhat carefully with this and one would not wish to go in and try to drive some hard bargain and then lose and be punished ever after for having sought to achieve a standing in this context that other branches of the state university do not have. I can assure you that the work with SUNY and the state is being pursued at the highest possible levels and as rigorously as we know how to pursue it. If there are ideas about how to bring about such ideas at the state level that we have not tried, I would certainly be glad to hear them as would the President and the Chairman of the Board of Trustees, who have been very energetic in pursuit of this. There are things that we can do locally, and we are beginning to do them in the statutory colleges. They are not easy to do and the faculty is not of one mind about them. The statutory colleges have lost on order of 100 faculty lines in the cuts of recent years. There is a steady wish to add back some of those positions and in fact, in CALS for example, some number of positions are being filled. Well, if the faculty rose up in one voice and said, 'Don't hire anybody else', that would be a help. But we can't simply do just that. There are places where we need to

add back strength. There is a point at which faculties wish to have more staff people, more colleagues, and more of a good many other things, and it comes into conflict especially in the statutory colleges where the resources are so strained with the ability to grow compensation. There is no doubt that we recognize the seriousness of this on the statutory side as well as the endowed side.

"It cannot honestly be said that the situation in which we find ourselves right now can be characterized by an unwillingness of the central administration to cooperate. I hope that this body understands that the faculty presence in the central administration is at an all-time high. The voice of the academic side of the institution is now very thoroughly engaged here. The number of people who have been recruited directly from the faculty who come in to the central administration is at an all-time high. So it's not as if there is a bunch of people, centrally conspiring not to cooperate with the faculty. Finally, I must say that in the past four years, I would challenge anyone to say that there has ever been a time when the Office of the Provost worked as closely with the Faculty Senate as it has in the past four years. I call to your attention things like the Faculty Review of Promotions to Tenure and Academic Program Review, in which I personally took the lead in making the Dean of the Faculty an important figure in the academic life of the institution and in making decisions that had previously been made centrally.

"Let me now provide a little bit of context. This can't be an extended discussion of the ins and outs of the budget. We had a little bit of a discussion at the last meeting of this body about the money that comes from the federal government. One has to understand that we have many different kinds of money and the fact that we do \$300 million of business in sponsored research per annum simply does not help faculty salaries; it only adds costs. I'll give you but one example. LNS - Laboratory of Nuclear Studies - the Synchrotron, was recently renewed to the tune of \$88 million over 50-some months. We should be extraordinarily proud of a Physics Department that has been able to sustain that level of achievement. That is very good for us all, including those of us in fields like medieval music because some of what comes to the University out of this is the ability to pay for infrastructure for research, which produces libraries and lots of other things that benefit people other than physicists. In order to grease the skids for this renewal, however, NSF said 'Well, gee, what can we look forward to here by way of institutional contribution and don't you think you ought to up that a little more?' That is a very familiar story. So, another few hundred thousand bucks as bait for the really big fish. Now that \$88 million dollar fish is a pretty good size and we ought to be proud, but it takes bait to get it. We could not afford not to pursue that renewal, but somewhere, we had to find unrestricted money to put in as bait. The same could be said for all of our major scientific enterprises and a good many other things that we do in the area of sponsored research.

"Suppose that we just took some key indicators -- a set of dials made up of some you get to turn and some you don't get to turn -- let's say that inflation remained at 2 1/2 percent, we don't know but who's to say what it will be in 2002. For tuition this year, we came up about in the middle of the pack, which is what we wanted to do. Some of our competing institutions for two years in a row have raised tuition less than we have. Only one or two of our competitors increased their tuition at the rate of the endowed side. The statutory increase is higher, but the absolute dollars are lower. So there is a pressure on us to reduce the rate of growth of tuition that is partly purely competitive --

I don't think Cornell can afford to be the most expensive college in the Ivy League. So let's recognize that there is downward pressure on tuition, some is purely political and some is quite simply competitive. So let's say we did 4 1/2 last year, next year we're going to do 4.3. Let's suppose that it has to come down to 4, which is still a point and a half above inflation, but we set ourselves to getting it down within two points above inflation and we've managed to do that. However, none among us a year from now could promise that we wouldn't be in a situation in which some of our leading competitors said they were going to raise their tuition by 2% or 0%. Consider the magnitude of what they did on financial aid. Suppose they come out and say that they're going to increase tuition by 0% and we say we're going to increase by 4% and all of a sudden, we cost more than Harvard, Yale, and Princeton. That would not be a good position for us to be in, in terms of public relations and in terms of competition. We can't get out of this by taking in more undergraduates. I think we all understand that. The basic ingredient in the economics of the University is the student-faculty ratio. My own belief is that we cannot reduce the size of the faculty in relation to the number of students. We need to work on how to deploy that faculty effort. We are competing with institutions where the student-faculty ratio is 8 to 10 and we're at something like 14 to 16.

"Suppose that because of infrastructure, costs, and lots of other things, we're going to have to keep the number of students constant. The indirect cost rate is certainly going to come down. Part of the theory is that the government will simply insist on a number whose first digit is five, never mind what the costs actually are. One cannot shed those costs. That is to say that the federal government will tell us that they are going to give us less indirect cost recovery and unless we're prepared to shut down buildings or not heat and light them, we must shed those costs or every time the rate comes down, more unrestricted money has to go to pay for them. The long-term investment pool payout is essentially the endowment. In 1997-98 we increased the amount of payout per share by 12.7. It works like a mutual fund, so every time someone gives a gift to the endowment, it is like buying shares to the mutual fund. Then because of the way the market was performing, we judged it prudent to increase the payout again by 34.5% and still keep within a range that would ensure against a repetition of 1987. That produced a fairly substantial surge of income to the hundreds and thousands of people on campus that own shares of that mutual fund. With a very substantial amount of effort, we were able to recover that income and convert it to the benefit of compensation. One of the chief methods by which we have achieved the increase in competition that we are providing is by squeezing out what we could from the payout of the endowment. Now you ask me, why should that be hard? What it meant was that we had to go to the colleges and say, 'Next year, you are going to have  $n$  hundred thousands of dollars, sometimes in order of a million, coming from the endowment, that you weren't planning to have. We're going to take that back from you in the form of unrestricted money so that we can put it into compensation.' That is a tough sell and who was against it? A lot of departments, faculty members, and so on. My favorite case is the Martha Jane Dale Voice Scholarship. It produces, maybe, three thousand bucks a year so its income goes up by a few hundred bucks. How are you going to get that back so as to turn it into faculty compensation? You have to go to the department and say, 'Look, you have to find a way to put some expenses on that account.' We've got to have back the unrestricted money. So, we're out mopping up little bits and pieces everywhere for the sake of compensation.

"The short-term investment pool is essentially a money market account and doesn't fluctuate very much. We actually managed to push the benefit rate down by a point, which is a big achievement in light of recent years. One of my predecessors, two predecessors ago, is said to have declared nobly that the Fringe Benefit Rate must never exceed its current level of 23%. And here we are now, with health care going back up and partly because we were able to push this down thanks to an over-recovery in a prior year (sounds like something you hear about when leveraged buyouts take place), that fringe benefit rate is likely to start back. We saved some money there and that, too, was turned into compensation.

"Then we put up 4%, centrally, for faculty salaries, obliging the colleges to mop up 1% from savings. This is relatively easy to do and means that you can't blow the money that you save when a senior person retires and you hire a junior person. You have to plow that back into compensation. In undergraduate financial aid, the target was to bring it down to within two points of where the rate of tuition increase was, and thanks to very successful fundraising, and this year's increase in the endowment payout which produced dividends for a lot of scholarships, we have been able to moderate the growth of financial aid, which in very recent years was growing at double-digit rates. So all of that looks like we're making some progress and we have all of the ingredients going the way we want them to go -- there's not as much compensation as we would like, but there you have it.

"Now, one last comment and then I'm out of here. (Laughter). If you operate with all of those indicators that I sketched, we come out in 99-00 even and the net turns negative and grows steadily in the out years. Obviously, we can't have that. It will take more bearing down on all of those dials on the preceding page to achieve a result that keeps us on an even keel. This can certainly be done with hard work and dedication on the part of lots of people. I'm optimistic that it will be done. This is a sensational university that is doing an incredible number of neat things, neater than ever, despite shrinking resources. But we have our work cut out for us and there are many complicated trades that will need to be made to rectify this problem and to turn up the dial on some other things. We are now raising compensation faster than we are raising tuition. That's never been done before in the history of the institution and that requires real discipline on everyone's part to sustain. If 5% doesn't prove to be enough to make some progress, we'll have to find some other ways to make some progress as well. In this kind of environment, given that we don't control many of the numbers on that preceding page, I would be lying to you and anybody else if I said, 'Sure I can guarantee that we'll be ranked 6<sup>th</sup> in the nation, on average, by the year 2000.' We'll have to work on this every year.

"I regret to say that I must catch an airplane, but I would be glad to answer questions if - I'm out of here, I guess. The upshot of this is that I'm perfectly prepared, as is the staff of the Budget Office, to continue to work with the Financial Policies Committee. We have met relatively recently and are prepared to get out all of the numbers and talk about it if people are willing to do it in a serious exchange, which means that when we can't agree, we'll have to agree to disagree on some things. Thank you and sorry to have taken so much time."

#### 4. APPROVAL OF MINUTES OF MARCH 10, 1999

Speaker Pollak: "Okay, you've all had the opportunity to read the minutes on the web from March 10<sup>th</sup>. Are there any questions or comments on that? Seeing none, we'll pass a unanimous ballot to accept those and we'll move on to Kathleen's report from the Nominations and Elections Committee."

#### 5. REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "I also have a fairly long report but I'll try to make it as fast as possible.

"Every three years, we are obliged to reapportion the Senate by the legislation that established the Senate. This is done by the official count of the faculty in each department. As a result of this, Computer Science has gained one seat and Architecture and SCAS (Soil, Crop, and Atmospheric Sciences) have each lost one seat.

"Next, we are able to bring you the slate of candidates for the elections that will take place very soon. You will receive your ballot in the next few days and they will be due back very early in May. Each year we elect At-Large members of the Faculty Senate, tenured and non-tenured; members to the Nominations and Elections Committee and members to the University Faculty Committee, which serves as the Executive body for the Senate.

##### **AT-LARGE MEMBER, FACULTY SENATE, TENURED -**

2 vacancies, 3-year terms

Theodore L. Hullar, Professor, Natural Resources; Director, Center for the Environment

Bruce V. Lewenstein, Associate Professor, Communication

Henry Shue, Wyn & William Y. Hutchinson Professor in Ethics and Public Life

Tom Davis, Professor, Economics

##### **AT-LARGE MEMBER, FACULTY SENATE, NON-TENURED -**

1 vacancy, 3-year term

Beth A. Ahner, Assistant Professor, Agricultural and Biological Engineering

John R. Elliott, Assistant Professor, Design and Environmental Analysis

##### **NOMINATIONS AND ELECTIONS COMMITTEE -**

3 vacancies, 3-year terms

Judith Bernstock, Associate Professor, History of Art

David L. Brown, Professor and Chair, Rural Sociology

Jennie T. Farley, Professor, Industrial and Labor Relations

Harold F. Hintz, Professor, Animal Science

Christine A. Shoemaker, Professor, Civil and Environmental Engineering

John F. Wootton, Professor and Co-chair, Biomedical Sciences

**UNIVERSITY FACULTY COMMITTEE** - 3 vacancies, 3-year terms

R. Keith Dennis, Professor, Mathematics  
 Locksley G.E. Edmondson, Professor, Africana Studies and Research Center  
 Richard S. Galik, Professor, Physics  
 Stephen F. Hamilton, Professor, Human Development  
 D. Peter Loucks, Professor, Civil and Environmental Engineering  
 Charles Walcott, Professor, Neurobiology & Behavior; Director, Division of  
 Biological Sciences

"The Nominations and Elections Committee has, indeed, been very busy this year. The individuals shown below are all replacements to these committees of folks who had resigned or were unable to be available.

**Academic Freedom & Professional Status of the Faculty**

Katherine Houpt, Vet.

**Academic Programs and Policies Committee**

Terrence Fine, Engr.

**Affirmative Action Committee**

Douglas Haith, CALS

**Financial Policies Committee**

Peter Harriott, Engr., Chair  
 John Muckstadt, Engr.

"We have also finally been able to complete the Minority Education Committee which will select a chair and move forward.

**Minority Education Committee**

Erick Fernandes, CALS  
 Anthony Ingraffea, Engr.  
 Alfred Phillips, Engr.  
 Dotsevi Sogah, A&S

"Last time I mentioned that we have established a Task Force on Computer and Information Science with half the members appointed by the Senate and half by the Provost. We gave the Provost four names and he took three of them.

## Task Force on Information Sciences

\*Kerry Cook, CALS  
 Geraldine Gay, CALS  
 \*Marcia Lyons, AAP  
 \*Saul Teukolsky, A&S

\*appointed by Senate

"There also will be a search for a new Vice Provost for Diversity and Faculty Development and Clare Fewtrell will speak to you more about this particular search at the end of the meeting. It will be a search committee for this particular Vice Provost and, again, we split appointments with the Provost.

\*Ronald Booker, A&S  
 Raymond Dalton, Executive Director, Office of Minority Educational Affairs  
 \*Clare Fewtrell, Vet.  
 \*Porus Olpadwala, AAP  
 Mary Opperman, Vice President for Human Resources  
 Terry Plater, Associate Dean, Graduate School  
 Don Randel, Provost, Chair, 300 Day Hall  
 \*Vilma Santiago-Irizarry, A&S

\*appointed by Senate

"Are there any questions?"

Unknown: "Just one question. What is the composition of the University Faculty Committee?"

Associate Dean Rasmussen: "That depends on who you elect. We tried to pick those who would compliment those already on the committee."

Speaker Pollak: "Remember to state your name and department."

Professor Judith Reppy, Science and Technology Studies: "Without seeing the whole committee, it's difficult to tell but it seems that some of those lists are 100% male."

Associate Dean Rasmussen: "Minority Education Committee is 100% male, I concede the point."

Professor Reppy: "So that's a new committee and it's going to be 100% male?"

Associate Dean Rasmussen: "That is correct, at the moment. That is not the case for any of the slates except Tenured At-Large. Let me just say in my defense, if anything, I am criticized for bringing in too many women. But it all depends on what people tell me when I call, so please encourage your colleagues to say 'yes'."

Dean Cooke: "I would say that, if anything, it is on minority representation on the committees that we're not doing as well as we should be."

Speaker Pollak: "Any other comments? Seeing none, we'll accept the committee report and call on Peter Harriott."

## 6. REMARKS BY THE CHAIR OF THE FINANCIAL POLICIES COMMITTEE

Professor Peter Harriott, Chemical Engineering and Chair, Financial Policies Committee: "We had a very cordial meeting of the Financial Policies Committee with the Provost and the Chief Financial Officers, Fred Rogers and Carolyn Ainslie. They answered all of our questions. They reviewed some of the budget and they explained the meaning of the five percent five-year plan. The Financial Policies Committee plans to continue to work on faculty salaries. We've asked the administration to provide some more detailed data, such as the median and average salaries by school and college, not just by endowed or statutory college, and the average percent increase that faculty members have received in these different schools and colleges for the last year or two, which we will compare with the 5% increase. I hope that the Financial Policies Committee can continue to work on the salary question with the administration but I hope that we can also look at some of the aspects of financial policy, including looking at some of the expense items that have grown more rapidly than inflation and some ways of enhancing revenue. To give one example, we recently got figures from the Development Office that show that 25% of alumni with a first degree from Cornell give to the fund-drive, but only 15% of alumni with a graduate degree from Cornell give. I know that there are some schools that have a higher percentage. We would also like to get some data from the Development Office about how different departments in different colleges or schools do in alumni fund-raising and maybe consider different suggestions that would help improve those figures. The overriding concern that I have in reducing expenses and increasing revenue is the rise in tuition. Even though this is projected to come down in the near future I think that it's intolerable to project a continuing rise in tuition of endowed colleges, which is 1 1/2 or 2% higher than inflation. Another thing that we would like to be able to do is to look at enrollment statistics from the Financial Aid Department to see how we might be changing the population of students at Cornell because of this policy. I feel that now we are somewhat underrepresented of children from families of middle income and as tuition rises towards the \$40,000 figure, there's a danger that we will have a university that is diverse in student body by gender, race, and ethnicity, but would be underrepresented of children from middle-income families."

## 7. RESOLUTION ON FINANCIAL POLICIES

Speaker Pollak: "Okay, we now have a resolution but before we take it up there has been a request to get unanimous agreement for a change. It's written on both sides of the board. This is the Resolution Reaffirming the Resolution of December 1998 and if you look at the bottom down where it says, 'Be it finally resolved,' the word 'its' is a bit confusing and so we would like to replace it with 'salaries the highest priority of that committee.' Does anybody have a dissenting vote? Seeing none, we'll move forward with that change of the resolution. I call on Keith Dennis."

## A. RESOLUTION ON REAFFIRMING DECEMBER 1998 RESOLUTION

Professor Keith Dennis, Mathematics: "I'm sorry that the Provost isn't still here. I was very pleased to hear that things are going along much better than I had hoped originally and that people are actually talking about it. Unfortunately, Bob Cooke got a little ahead of me, but just in case anyone missed the April 1<sup>st</sup> edition of the Cornell Daily Sun, I wanted to make sure you saw it. A colleague of mine was visiting last week to see his daughter play softball and he mentioned to me that he had seen this and he told me he didn't realize that it was this bad here and I assured him that this is just one part of a multi-year plan. (Laughter). The main thing I would like to say, and according to this article Bob Cooke has already said it, that we should have some fears of hiring difficulties and retention. There were some slides presented last time by Peter Stein and I do not want to go through them again but I would like to stick them on the projector just to remind you of the general tendencies. The endowed side seems to be going up now but the statutory doesn't have a peak to show that things are going up. So I think that it's something we should keep in mind.

"Okay, there are two resolutions today to be presented and, no doubt, there will be various substitutions that people will want to make and I think that's all very good. I would like to say a little bit about what I would hope would be in any resolution that we pass today. I would like to say a few things that are anecdotal in nature but, nevertheless, relevant. A colleague of mine recently wrote a letter to his department chair and made a number of interesting comments and I asked him if I could repeat some of those comments and he said that it was okay as long as I didn't use his name. One of the sentences was the following: 'I believe now that my salary is significantly below comparison data for my peers at similar institutions.' Then he quoted a survey of what comparison salaries were but I don't want to give you any specific numbers. His next comment was 'My salary is hardly above the mean.' And this is a person whose salary should be way above the mean given his achievements. In regards to Cornell's plan, he goes on to say, 'This leads me to believe that relatively little has been accomplished.' And then the part that I find most worrisome because he's really a nice guy to have around, 'I have received a couple of inquiries recently in my interest in moving elsewhere, but I don't want to move and I detest the game of fishing for offers.' Okay, now the reason people leave Cornell is quite complicated and it doesn't always hinge on salary, but people tend to look at other places if their salaries are low and people elsewhere find it easier to make offers to people at Cornell if their salaries are low.

"Again, I'd like to present some anecdotal evidence but these things are really complicated and you can't pinpoint why these people left Cornell, but I'm going to concentrate on the Mathematical Sciences. Cornell has lost two really good people and salaries were definitely a part of it, not the whole thing, Phil Holtman and Sy Levine, for example. I'm sure that down the road, and in every department that you can envision you know of people who have left Cornell for reasons related to salaries. I hope you will keep that in mind. One of the other things we need to do is to reiterate the importance of salaries at Cornell and how they should be competitive. I'm presenting one particular motion. You might wish to modify it or accept two different motions. Let me just say a couple of things that I find perfectly reasonable in any resolution that is passed. I personally do not find it unreasonable for Cornell to establish some sort of goals. It

doesn't necessarily have to be some particular position in some package of salary ranges of universities. I don't believe that it's unreasonable to make it a bit more specific than the Provost made in his earlier statement. I'm sure he's trying hard and I think what we want to say to him is to try a little bit harder. I don't see why we can't have goals and timetables and strategies for achieving them. And in regards to having one motion for endowed salaries and one for statutory salaries, there's no particular reason to have that. We're all in the same boat. It's sort of slowly sinking and I hope that we'll all paddle. I don't think we need to get into an argument about whose is smaller. And there's no particular reason why a motion should have anything in it about methods or budgetary details. That can be worked out by the committee. We really want the faculty to have some early input in the budgeting process in some significant way. Again, my hope is that there has been good faith negotiation between the committee and Provost Randel and, I must admit, back when I was department chair I had some rather difficult dealings with Provost Randel but somehow we always came to a resolution and made it all work and I hope that will be done here. Thank you."

Speaker Pollak: "Are there any questions? Yes?"

Associate Professor Penny Becker, Sociology: "I actually agree with you that we shouldn't argue about whose salary is smaller, but I think that in light of recent disclosure at peer institutions, like Stanford, I want to ask whether this committee has in the past or will in the future ask the administration for data that breaks down salary data at all faculty levels. Also, the examples we've seen are on the full professor level, but when it says here to break down by rank, I want to know how specific those requests have been and if the information has been forthcoming."

Professor Dennis: "Let me say that I have been away from Cornell for several years and I am not on this committee. I hear all sorts of things from different people and I would like to know what's going on. You would have to ask someone on the committee, like Peter Stein."

Professor Peter Stein, Physics: "I think I can answer your question quickly. All the data that the Financial Policies Committee has presented from the time that I began to work with it, six years, is public data that did not come from the administration; it came from the AAUP surveys. Whatever they have is what they give and they don't break down the salaries by gender and so we don't know that. In my experience, unless I'm wrong, I can't think of any data that we ever got from the administration on any subject. (Laughter) Excuse me, I meant on financial numbers."

Speaker Pollak: "Do you have a response to that?"

Professor Danuta Shanzer, Classics: "A few years ago, a group of women professors met with Ron Ehrenberg for such a study that would isolate the salaries according to sex, male and female salaries separately. At that time, we were told that many years ago they did do such a study but they took out the chairs. In other words, anyone who had an endowed chair was left out. It showed that there was a gap but the gap didn't look so bad for that particular reason. I don't think that Professor Ehrenberg came up with the study, but that's all I know."

Speaker Pollak: "Terry?"

Professor Terrence Fine, Electrical Engineering: "I wonder if I could somehow change the nature of the debate. We are sensitive to two kinds of things. We are sensitive to having our intellect engaged and we are sensitive to having our egos stroked. Frank Rhodes was a charmer. He told us Cornell was great and therefore we were great. He was so proud of everything. We learned from Peter that while his one arm was around our shoulders, his other arm was in our pockets. Look at the curve, those are his years. We felt good, I felt good. I was at Cornell, I must be good. We didn't even know what was happening until we looked at the numbers. Now we have a different strategy. The charm isn't going to work and we don't have the same level of charm available. So we had a very nice discussion with the Provost, a very elegant, intellectual discussion. And in some sense we're being invited to participate. We have a new committee of nobles who have met with the Trustees and are looking at a time frame of 10 years. This is about budgeting, priorities, and choices. The choice is going to be made to put the money elsewhere. You can turn this into a complicated problem, but in the end, it comes down to more than trying -- it requires actually doing something. So here we're being dragged along. Let me just close with the words of Yoda, the Jedi master: 'There is no try, there is either do or not do.' The evidence is very clear as to which of the two we've been seeing." (Applause)

Speaker Pollak: "Is there anyone else who would like to comment? Okay, Peter."

Professor Stein: "Gee, the opportunity to agree wholeheartedly with my colleague from Electrical Engineering I can't pass by. I agree with everything that Terry said. I want to make a couple of points. I want to tell you why this resolution is so important. I really wish the Provost were here; I'm sorry he's not. The question is not a question of faith, good faith or bad faith, or having a good time at a meeting. In fact, I have been involved in discussions of this matter for five long years. And those discussions have gone back and forth and they never converge on anything. The reason they never converge on anything is that we never have a number that we are supposed to agree to. We sit and we hear that faculty salaries are too low and that it is a high priority on the part of the administration to raise them. I believe that. But then, when it comes to how low are they and is the program that we are involved with sufficient to accomplish the goal, then all of a sudden the conversation ceases. We talk about these very large scale numbers. I've sat through discussions like this year after year about numbers that are in the millions and percentages going up 2% and so on. Now the reason we need numbers is because we don't even agree on what's been going on in the past three years. We are now in the third year of the five-year program and if you look at Paul Sherman's analysis, in this third year of a five-year program with a deficit on the endowed side, which is something of the order of 20% on full professor salaries, we have gained in this three years two-tenths of a percent. The Provost says that they're trying as hard as they can and that they are making Herculean efforts but, nonetheless, there is only one thing. It's not how you play the game, it's whether you win. Two-tenths of a percent over three years is losing the game. The Provost looks at the numbers and says that we are not losing; that we are gaining 3 to 4%. We cannot even discuss how it is that we're doing the methodology. That makes for a very different conclusion. I mean, maybe even 3% isn't so great when you're behind by 20%. The Provost also doesn't think that we're behind by 20%, he'll say we're behind by 10%. The discussions that we have had

always go off in a vague manner. It's like talking to a student, in a certain sense. They're off in this vague kind of discussion where you don't have anything to grab onto because we don't deal with firm numbers where we can say, 'No, that's wrong because of. . .' and he could say, 'No that's wrong because of . . .' That's the kind of a discussion we're trying to have. It is my experience that until we have it, all of the good will in the world and all of the pleasant meetings in the world won't mean a thing. What is so terrible about benchmarks, goals, timetables, and strategies? They're a common part of all administrative procedures. We demand that of our students. We say, 'Here are your goals, the benchmarks are the prelims and the strategy is to read the books, your goal is to pass the course.' We do that to ourselves when we write down research. We say, 'Well, in a year we want to accomplish this and that and we're going to try to build this.' We hope to accomplish something. We often don't meet our benchmarks and then we have to sit and re-evaluate. Without benchmarks, you don't know how you're doing. It all slips by year to year in terms of good intentions. That's really all we're trying to do for this: to bring sound managerial practice to this terrible problem that confronts us in both the statutory and endowed parts of the university. That we are desperately behind the competition in faculty salaries is very unhealthy for this university."

Speaker Pollak: "Are you ready? All those in favor of the resolution signify by raising your hand? All of those opposed. Let the record show that the vote was unanimous."

*BE IT RESOLVED, that the Senate reaffirms the resolution (attached below) it passed at its December 1998 meeting, and asks the Provost to reconsider his decision not to abide by that resolution,*

*BE IT FURTHER RESOLVED, that the Senate asks the Dean of the Faculty and the UFC to make every effort to achieve the goals of the December 1998 resolution, and*

*BE IT FINALLY RESOLVED, that the Senate supports the Financial Policies Committee's decision to make the improvement of faculty salaries the highest priority.*

*Resolution submitted by:*

*Donald Barr  
Keith Dennis  
Clifford Earle  
Locksley Edmondson  
Stephen Hamilton  
Mary Jacobus*

*Robert Kay  
William Lesser  
Peter Loucks  
Mary Beth Norton  
Judith Reppy  
Gordon Teskey*

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**FACULTY-ADMINISTRATION PARTNERSHIP:  
IMPROVEMENT OF FACULTY SALARIES  
Adopted by the Faculty Senate, December 9, 1998.**

*The Senate believes that it is both appropriate and in Cornell's best interests for the Faculty to be fully involved in a partnership with the administration on all major fronts as priorities are chosen and a vision of the future is crafted.*

*One critical area that could benefit immediately from a renewed partnership is faculty salaries. The Senate believes that progress is not proceeding rapidly enough toward average salaries in both the statutory and endowed units that are competitive with those at peer institutions whose faculty are ranked similarly in quality.*

*To attack this problem in a spirit of cooperation and partnership, the Senate asks the Administration to develop, together with the Financial Policies Committee, faculty salary targets for all ranks in both units, as well as a schedule and financial strategy for meeting these targets. The Senate instructs the Financial Policies Committee to report on the status of this joint effort no later than the April 1999 meeting of the Faculty Senate.*

*The Senate believes that it must be not only consulted, but also substantively involved in the formulation of major policy and selection of major priorities involving Cornell's faculty, academic programs, curricula, and students. The Senate is increasingly concerned that the partnership is withering rather than flourishing.*

## **B. RESOLUTION ON FACULTY SALARIES IN THE STATUTORY COLLEGES**

Professor Peter Schwartz, Textiles and Apparel: "I admit I was pleased at the first time at these meetings that I hear people use the word 'statutory' when talking about salaries. I'd like to present to you the graph (Appendix A) that was included with the call for the meeting and the motion. One of the things that we've been talking about and one of the things that is constantly done is that we talk about salaries between peer institutions and that masks a much larger problem, even though the data are present.

"This graph says pretty much all that I want to say, which is that there has been since 1978 or 1979 an increasing disparity between the salaries of the endowed faculty and the salaries of the statutory faculty, partly because of the state constraints that the Provost talked about. Regardless, they are real and they exist. If these particular graphs are normalized, brought to nine-month long appointments, and scaled by 9/11ths so that we're all working on a level playing field, at the present time for equal amount of work, the statutory are compensated at 82% of the rate that the endowed faculty are compensated. This graph is a bit confounding because it shows average salary for all ranks.

"I wanted to use some data that the junior senator from physics used when he was the Dean of the Faculty, presented at the March 1998 Faculty Senate meeting. These data were for 1997 and were based on AAUP data. As you can see though, they're pretty good at showing what the trend is. This (Appendix B) is a comparison of salaries at all ranks among the assistant, associate, and full professors. The statutory is the darker bar and the endowed is the hatched bar. Being an engineer I like to normalize things, so these (Appendix C) are those data normalized by the endowed faculty salaries showing that the assistant and associate statutory professors are compensated at approximately 9/10<sup>th</sup> of their endowed colleagues and the full statutory professors at approximately 8/10<sup>th</sup> of their endowed colleagues. These jibe pretty well with this graph because it shows how full professor salaries are driving down. One other thing I wanted to mention is that when we look at salary data and we look at raises, there's one other confounding issue that we don't always note, which is that when the endowed side gets

a raise, they get a raise. But when the statutory side gets a raise, we get 40% up front and then six months later we get another 30% and then July 1<sup>st</sup>, at the end of the year, we finally get the raise. So that the numbers that you see, if we get a five percent raise, we don't see those numbers in the beginning, we see them at the end of the year. Within any given year, the raise is not 5%. I didn't know if you knew that, but I wanted to tell you. So based on that, I'm not going to read it, but you have the resolution. Now, here's Bill Lesser."

Professor William Lesser, Agricultural, Resource, and Managerial Economics: "Thank you, Peter. I'm Bill Lesser, one of the two senators from the Department of Agricultural, Resource, and Managerial Economics in the College of Agriculture and Life Sciences. I find that often when you speak later, many of the things that you had planned to say were already said better than you had intended to. In terms of justifying my endorsement of both of these resolutions, I would have to say that's so. I don't see either of these resolutions as saying that the administration at the central level have not been attempting to make efforts to improve the salaries only that they have not produced adequate results to date and something more needs to be done. The second thing that I don't read either of these resolutions as saying is that specific purchase ought to be taken. Clearly, that needs to be worked out and also very clearly, the faculty needs to be involved when talking about explicit trade-offs. I do want to say that, in particular, the resolution that gives higher attention to the salaries of the statutory faculty needs to get additional attention at the University and lead to more effective results.

"I was asked to make these comments because last year I was part of a CALS ad hoc committee where we were asked to look at various sources of money that might be used to achieve these goals. Let me indicate that we were not asked nor did we think it important to collect more data to justify such a thing. What Professor Schwartz is showing you is sufficient and clear, and shows who is more substantially behind. What this committee did discuss is that basic justification can be characterized at counterpoint from what the Provost was saying to us. My interpretation of what he was saying is that we basically cannot afford to provide better salaries primarily for statutory units, which is what his conversation centered around. My point is basically saying that there are costs to proceeding as we are; they may be hidden and become evident but at what time, we're not sure. Basically, the real problem is that we're in a very unstable situation where we're paying so much below our peer institutions. When I say peer institutions, I mean that pretty loosely, because I learned recently that, in my field, both the University of Delaware and the University of Connecticut are earning on average over \$100,000 a year. I don't know what the average is here, but I know that I'm earning substantially less than that. Perhaps they're not peer institutions at least in the sense of salary. It's also very clear, at least in my college, that the administration is willing to pay at competitive levels when there are threats such as new hires or to meet outside offers. But as Professor Dennis indicated, this really creates stresses in the system, such as phantom job searches and feeling that the University is not interested in recognizing those who want to do the job but rather those who will create opportunities in that area.

"It's also been pointed out that the faculty in the Biological Sciences are going to be compensated very differently, not in terms of what they do or contribute but by what college they are affiliated with. There's a definite possibility here that faculty be given

the incentive to look for other opportunities to generate outside income such as using their consulting time. In CALS, we are allowed 2 days a month for consulting. I haven't seen any surveys, but my guess is that a lot of the faculty do not use those days for consulting but those are part of our compensation package. I think if we don't do something about salaries, people are going to see their own solutions in that way which will mean a loss to the University in that regard. We're also starting to see, at least in my department, that faculty are not particularly interested in taking on committee work. I'm sure that Kathy sees this. We're asked to do a lot of things and if we're not paid for it; we're going to take our additional compensation in terms of free time.

"I think it's also important to recognize, especially for those of us who are paid out of the public sector, that we must take some step while the economy remains strong before it turns down as it inevitably will. If we can't get any increases in the years when the state has record surpluses in the budget, what's going to happen to us in a time when we're running a deficit. I think we're also at the point now where we're recognizing that if there is going to be some improvement in that area that we're going to have to do something ourselves. We can't simply wait for our governor or our lobbying power to do something. We're going to have to do something and I've indicated that one thing might be done is to identify a pool of money of at least a million dollars to make any substantial improvements in faculty salaries that are lagging behind. The first thing to recognize is that the money will not come from one single source and we're going to have to look at several places. The CALS ad hoc committee identified cashing in faculty lines. Provost Randel indicated that the faculty is always requesting additional faculty and so on, but we've never been given the choice. Either we turn them in or we don't get any increases. If we look at it as a net benefit of something with no cost to us if we realize that this is a source of possible increase for ourselves and our colleagues, we might think of it differently. We also looked at the possibility of accessory instruction, these dollars that supposedly bounce back and forth between colleges, recognizing that in each of the colleges we could offer courses that would attract students from other colleges and enhance the flow of dollars. However, the flow of accessory dollars is so opaque in terms of how it's transferred, when it's done and how it would be shared, led us to believe that there's really no incentive to offer additional courses. Another thing that I noticed that was missing from Provost Randel's overhead is to reduce the rate of increase of fees paid to central administration. Here I'm talking about Lake Source Cooling, and all those other things. Individually, there's possible merit, but as explained to us, our entire salary increase in CALS almost exactly offsets our increase in central administration fees. So those extra salary dollars that Provost Randel indicated were the only sure source of income that we have on an annual basis essentially fly over the college to roost there in Day Hall. So as long as we have such increases in those areas, it's going to be very difficult to increase our salaries. Another possibility is to switch to nine months. Most of us in statutory are on a twelve-month calendar. That could involve a 22% increase and something that some of our peer institutions have done such as Penn State University. A colleague there indicates that when they did that, the faculty finally had incentive to generate research grants to get themselves a summer salary. We should use incentives to change the system that we have which we're saying is inadequate. Finally, and nominally, the University could give us free parking. It's a bit of money, but it could be a pre-tax benefit. One thing we realized would not work was joining the SUNY unions because we found we're in a different operational unit and not even eligible. Thank you."

Speaker Pollak: "Okay, are there any comments or questions on the resolution? Seeing none, all those in favor of the resolution signify by raising your hands. All of those opposed. The motion carries and the resolution carries."

*Whereas, the average salaries in the statutory colleges are much lower than at comparable peer institutions, especially at the full professor level and especially in the Colleges of Agriculture and Life Sciences and Human Ecology, and*

*Whereas, the long-standing inequity between statutory and endowed faculty salaries has become an institution fracturing gap during the past decade, (At present the average monthly salary for statutory faculty has dropped to approximately 82% of the endowed level. In other words, the average statutory faculty salary for eleven (11) months service for all ranks in 1998-99 equaled the average salary for nine (9) months in the endowed colleges.)*

*Therefore Be It Resolved, that a much higher priority be given to improving faculty salaries by both the college and by university administrators.*

*Such efforts should include:*

- *Expanding lobbying and political efforts in Albany and with SUNY.*
- *Creating an emergency funding source for more robust salary improvement programs. (For example, consider leaving unfilled some faculty positions that have been or may be authorized - except to meet truly urgent needs such as sustaining required courses or pursuing truly high priority research needs.)*
- *Faculty compensation comes in many forms. In this emergency, consider encouraging retention of high productivity faculty using non-salary perks such as dedicated support for graduate students and special parking benefits to encourage institutional loyalty.*

*Be It Further Resolved, that we request the University administration to seek both Trustee and expanded Faculty assistance in finding remedies for this crisis and to make a formal report no later than the Senate's September meeting.*

## **8. RESOLUTION ON THE PROFESSIONAL MASTER'S DEGREE PROGRAM IN ARCHITECTURE**

Professor Kenneth C. Hover, Civil and Environmental Engineering: "I'm here this afternoon as a representative of the Committee on Academic Programs and Policies, which just as of last week, received a proposal from the Department of Architecture to develop their new professional degree program at the graduate level. My job here for the next couple of minutes is to give you a thumbnail sketch of that proposal which we approved for bringing forth to this body. This proposal is for a First Professional Master's Degree program and has been in the works for over a year. It has had the approval of the Department of Architecture for about a year and has also been

approved by the Graduate School with changes, which the Department of Architecture has made. The most recent version of the proposal is dated March 5 and was approved just last week by CAPP. The wishes of the Department of Architecture would be to bring this to the Trustees at the May meeting, which is the reason for my appearance here this evening.

"The current graduate program in the Department of Architecture is a Master of Architecture at the second level. It is a post-professional degree. In other words, to take the current graduate program, the student will come into that already with a Bachelor's degree in Architecture. The proposed program would be for students who do not necessarily have prior study in architecture. This proposed program would normally be of a duration of seven semesters and a Bachelor of Arts, Bachelor of Science, or Bachelor of Fine Arts would be a prerequisite. Evidently, the program of study that we are discussing here is accredited on the national level. It is a recognized professional degree within the profession of architecture. The proposal that came to our committee a week ago did include a study of peer institutions. Since the theme of this evening's discussion seems to be about resources, I thought I would copy out some key statements that the Department of Architecture included in their proposal.

"Architecture tells us that the most effective way to leverage their existing undergraduate program is to add this particular degree program. They see this as an effective way to magnify their capability. They go on to say that they believe that the addition of this program could take place without significantly increasing the faculty teaching load, without requiring new facilities, and without disrupting existing programs. They also see a trade-off that if they are not to increase the teaching load and facilities, and they are to admit 10-15 graduate students a year, they would reduce the number of their undergraduate enrollment by 10-12 students per year.

"On the basis of the proposal that came before CAPP, we approved it to come forward to this body."

Speaker Pollak: "Questions or comments? Yes?"

Professor Richard Galik, Physics: "What fraction of the undergraduates would that affect?"

Professor Hover: "I understand that a representative from Architecture is here tonight to help us deal with these questions."

Associate Professor Jonathan Ochshorn, Architecture: "We have an entering class of between 60-70 per year, so it would be a 20% decrease in class number."

Professor Hover: "Are there any other questions?"

Associate Professor Michael Thompson, Materials Science and Engineering: "Is your committee endorsing that we approve this proposal?"

Professor Hover: "Our committee approved this proposal to come forward to this body."

Unknown from Physiology: "Does this program take three and half years to complete a Master's Program? If so, isn't that a bit much for a Master's Degree?"

Professor Ochshorn: "This is a professional Master's degree, quite comparable to those in peer institutions such as Columbia, Princeton, and Harvard. It's a professional Master's degree program leading to a professional degree, which enables a student to get licensed as a professional architect. It's similar to a law degree. It shouldn't be compared to a 1 or 2 year Master's program."

Speaker Pollak: "One more quick comment?"

Professor Stein: "I don't know quite how to interpret your answer to the question asked from here. You were asked if the committee endorses it and you carefully said that the committee brought it forward."

Professor Hover: "No, what I generally said was to repeat what we did a week ago. We received the proposal and the question was, 'Can this proposal be approved to go forward to the Senate?' So we did so. My current recollection doesn't include that it came forth with an endorsement nor do I believe that we were asked to endorse it. We were asked to approve it to bring forward to the Senate. Please don't try to read too much into what I said. What we did was approve it to bring it forth to the Senate. We did turn others down because we believed that they were not ready to come before this group. We did believe that this one was ready to come before the group."

Professor Thompson: "What is the impact of the Senate's endorsement? Is this required to taking it forward to the Trustees? Are we an advisory board?"

Dean Cooke: "Yes. Yes, we are required to approve it before it goes to the Trustees. That's been delegated to the faculty."

Speaker Pollak: "Are we ready for the question? Yes?"

Professor Fine: "Your committee had this proposal for how long? How long was it discussed? Tell me something more, because right now I'm looking at a 3 1/2 year program which I'm informed is a traditional length for a professional degree but which doesn't match with the length of professional degrees from the Engineering College. I'm not getting a very clear sense that CAPP has considered, studied, recommended it. Give me something."

Professor Hover: "As I have pointed out, the current proposal has a date of March 5<sup>th</sup>. Sometime after that date, it went to our committee and was distributed to our committee. We were asked to read it and then we met for the first and only time on the issue, last week. We reviewed the proposal before us and approved it to come to the Senate."

Speaker Pollak: "Wait a moment. We're at the point here where we're going to have to adjourn without a vote. Are you ready for the question? All those in favor of calling the

question, raise your hand. All of those opposed? Okay, I'll take another question or comment."

Associate Professor Brad Anton, Chemical Engineering: "What constitutes acceptable or not acceptable to this body? I'm completely confused and so are a lot of people here. What's going on?"

Speaker Pollak: "Before you answer that, may I have unanimous consent to extend the meeting? (A few people called out 'No.')

Okay, this meeting stands adjourned."

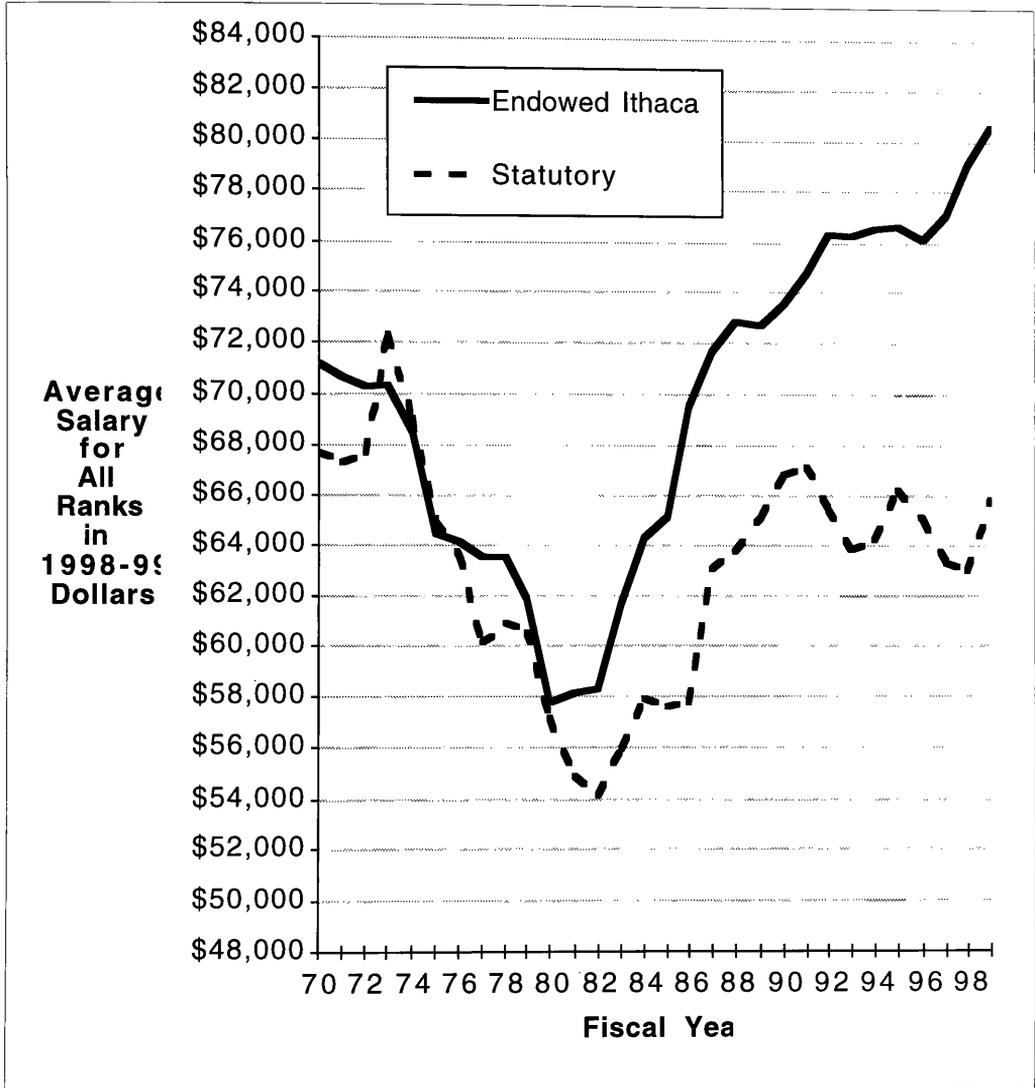
Dean Cooke: "Let me add that we've already reserved the room for next week, according to standard procedure. I will get together with the UFC and we will call a meeting."

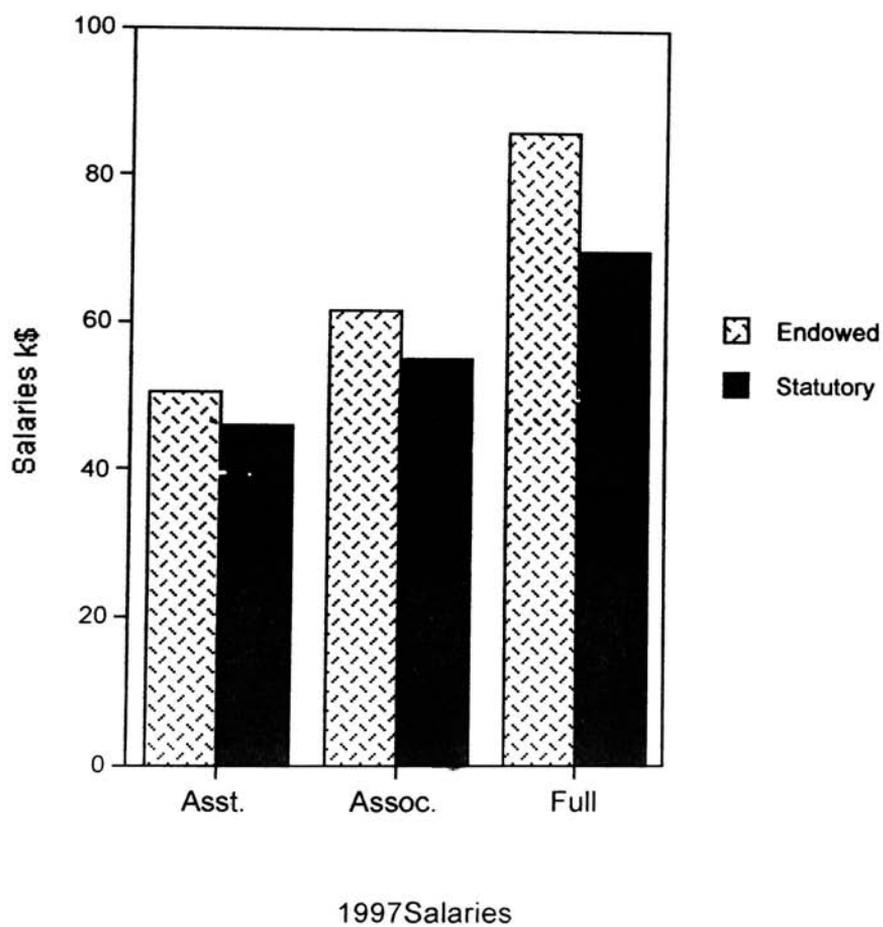
Meeting adjourned at 6:00 p.m.

Respectfully Submitted,  
Kathleen Rasmussen, Associate Dean and  
Secretary of the University Faculty

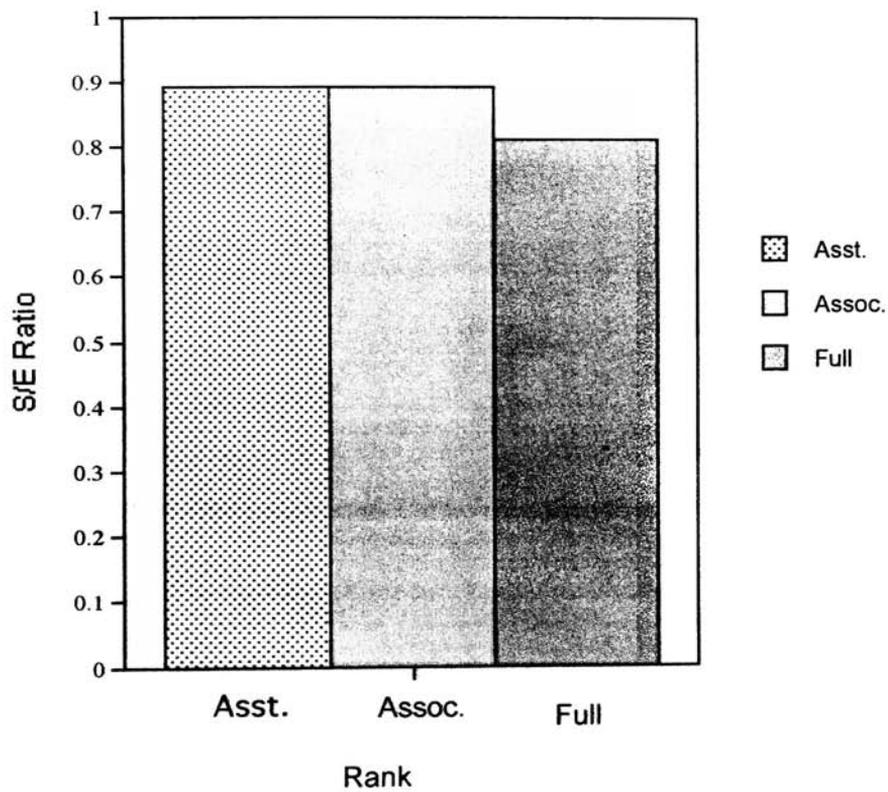
## Average Ithaca Campus Faculty Salaries

(statutory salaries converted to a nine-month basis)





Based on AAUP data presented by P. Stein at the March 1998 Faculty Senate meeting



MINUTES OF A FACULTY SENATE MEETING  
Wednesday, April 21, 1999

**1. REMARKS BY THE DEAN**

Dean Cooke: "Let me just make a couple of brief comments. We recessed the meeting last time and the Resolution on the Professional Master's Degree in Architecture was pending. We will return to that as soon as we begin and we have two persons who can respond to your questions. We have also supplied additional background material by e-mail so that we could get the purely procedural issues out of the way today. The second thing is the Resolution on Dissection. In case you haven't seen this, I wanted to call your attention to an agreement between a group of students and a group of faculty over the introductory courses in Biological Sciences and the dissection alternatives and options available. The faculty members agreed to do certain things to follow through and the students agreed to follow through with certain items. That conversation had to do with specific courses because it was with students who had specific complaints. So that was done and put in place prior to the resolution that is going to come before us today. As alluded to last time, there were two resolutions that were intended to come before the group, but a miracle happened and the parties supporting each resolution managed to come together in the single resolution that will come before you shortly. Do we have a quorum? Has somebody come in?"

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "Is there any Senator here who has not signed in?"

Dean Cooke: "I'm ex officio with vote, but I don't vote, so I guess I can vote. I'm a member and have voting rights even if I don't exercise them. Let me ask for unanimous consent to approve Melissa Hines as Speaker Pro Tem for today. Are there any objections? Okay."

Assistant Professor Melissa Hines, Chemistry and Chemical Biology, Speaker Pro Tem: "I've been asked to remind you that today's meeting is closed to outside visitors. . ."

Dean Cooke: "Open."

Speaker Hines: "It says 'Closed'."

Dean Cooke: "We changed our minds." (Laughter)

Speaker Hines: "Okay, I've also been asked to read the last sentence to you that reminds you that all participants, except the secretary, including visitors, are prohibited from photographing, sound recording, video-taping, or using any other electronic means to record these proceedings. So Dean Cooke, would you like to continue with your remarks?"

Dean Cooke: "No, I'm finished."

## **2. RESOLUTION ON PROFESSIONAL MASTER'S DEGREE PROGRAM IN ARCHITECTURE**

Speaker Hines: "Dean Cooke is finished with his remarks, so we will move onto the resolution that was presented to you last time about the Professional Master's Degree Program in Architecture. Professors Jonathan Ochshorn and Ken Hover are here to answer any questions on the resolution. Are there any questions or discussion on the resolution?"

Associate Professor Michael Thompson, Materials Science and Engineering: "I just wanted to say thank you for providing us with the information that we need. It would have been very useful at the last meeting."

Associate Professor Brad Anton, Chemical Engineering: "Move to call the question."

Speaker Hines: "Okay there has been a motion to call the question and it has been seconded. Is there any opposition to that? Okay, let's now vote on the resolution. All in favor of the resolution please raise your hands. All opposed. The resolution carries."

*WHEREAS, the First Professional Master's Degree Program (M. Arch. I) in Architecture has been approved by the Department of Architecture and the Graduate School, and*

*WHEREAS, the Committee on Academic Programs and Policies has also approved the new degree,*

*THEREFORE, BE IT RESOLVED, that the Faculty Senate approves establishing the First Professional Master's Degree Program (M. Arch. I) in Architecture and urges the Administration to place this on the May meeting of the Board of Trustees for consideration.*

"Now we're going to move on to the second item on the agenda which is the resolution on dissection policy. This will be presented by Professor Martin Hatch."

## **3. RESOLUTION ON DISSECTION POLICY: REVISED RESOLUTION REGARDING STUDENT CHOICE IN DISSECTION**

Associate Professor Martin Hatch, Music: "As you can hear, I've sort of lost my voice, so for your benefit and for mine I'll make my remarks brief. As most of you are probably aware, the institutional life of the resolution began a couple of weeks ago. Two resolutions were sent for consideration. One was sponsored by some of the signers of this resolution and the other was sponsored by other signers of this resolution. The week before this, we worked to merge the two resolutions into one that has the strengths of both. Although the issues presented in this resolution have been in the official Senate record or processes only for the past couple of weeks, the resolution that

we asked you back for today is the product of months of constructive and productive discussion of students, faculty members, and administrators from various departments and colleges in the University. The results of those discussion were called to your attention by Dean Cooke just a few moments ago. So we recommend this resolution for your consideration and action. I expect that several of the other sponsors will wish to make statements to support and there may be points in the resolution that require a significant amount of discussion and so I'll end my remarks with that."

WHEREAS, all of the introductory biology courses at Cornell provide students with alternatives to performing dissection, and there exist students who choose these options based on ethical conviction, and

WHEREAS, the Faculty Senate deems it desirable that no student ever be coerced to perform, as part of a curricular exercise, an action which that student finds morally or ethically repugnant or inadmissible,

THEREFORE BE IT RESOLVED that the Faculty Senate applauds the practice of offering alternatives to dissection in the introductory biology courses, recommends that this practice continue in future, and commends the efforts of biology instructors to investigate the relevant innovations in educational technology as these come on the market.

BE IT FURTHER RESOLVED that the Faculty Senate affirms the right and responsibility of instructors to determine the content and conduct of their courses, and affirms that a Cornell education should convey and instill, among other values, a respect for the environment, for fellow human beings, and for other living beings and recommends educational practices that reflect those values.

Speaker Hines: "Are there any remarks or questions about the resolution?"

Professor Charles Walcott, Neurobiology and Behavior, and Director, Biological Sciences: "The faculty that are involved in teaching the introductory courses in biology have met with the students and talked about some of these problems. We had reached some reasonable agreements and I think this resolution, the essence of it, affirms the right and responsibility of the instructors to determine the content and conduct of their courses. That to us in biology is the essential point of the resolution."

Professor Peter Schwartz, Textiles and Apparel: "I was delighted when I saw the first two resolutions. To me, there was nothing more stark than to have a resolution that struck at the very foundations of academic freedom countered by a very principled resolution that defended those. And then we get this polenta to vote on. I've seen this happen a lot. We refuse to confront issues that are controversial. In fact, I've seen it so often that I went to my abridged English dictionary and looked up the word 'cornell' and I found this: *Cornell: verb transitive. To refuse to take a firm principled stand on any issue, thereby allowing it to fester indefinitely.* I plan to vote against this and I urge my colleagues to also."

Speaker Hines: "Any other questions or comments?"

Associate Professor Randy Wayne, Plant Biology: "Great sense of humor."

Professor Schwartz: "Coming from a master."

Speaker Hines: "Any other questions or comments?"

Professor Richard Baer, Natural Resources: "I had had an amendment to this. I have at times had students express moral scruples to all sorts of things: taking written exams, taking exams at all. I thought that we might save ourselves some trouble in that second whereas:

Whereas the Faculty Senate deems it desirable with respect to animal dissection that no student ever be coerced to perform, as part of a curricular exercise, an action which that student finds morally or ethically repugnant or inadmissible,  
...

"I simply suggested that we add the words 'with respect to animal dissection' and so on. I just think it might save us some trouble down the line. I've had students who found grades very repugnant, they have found exams repugnant, getting papers in on time morally repugnant and I just wouldn't like to have to deal with that."

Speaker Hines: "Is there a second for this amendment? Okay, there is a second. So the motion is to add the clause to this resolution. Is there any further discussion?"

Professor Walcott: "I would be very much opposed to such an addition because it seems to me that what we're talking about crosses the entire spectrum of activities at the University. We ought to adopt this philosophy as a whole rather than in part and simply not limit it to one action that a small group finds undesirable."

Associate Professor Carol Rosen, Modern Languages: "I agree with Professor Walcott. I think that the amendment, the addition of 'with respect to animal dissection', would scarcely have any effect on the intent of the resolution but, nonetheless, I am opposed to the amendment because it spoils the prose and it might tend to bespeak a certain faintheartedness. I believe that on this topic, which is a serious one, we can't afford to make a statement that is writ large and does not sound mincing. Keep in mind that any statement on this issue will always be open to some form of a *productio ad absurdum* from any of various angles, be it the 'what about worms?' angle or 'what about microbes?' angle, or this other suggestion that a student could claim ethical objection to being graded. The answer is that anytime the Senate passes any resolution, it places a certain faith in the exercise of normal common sense with respect to the body of limitation. This should not stop the Senate from registering a viewpoint in general terms. What we are dealing with is not a 'polenta', but rather a joint statement that respects, on the one hand, the principles of academic freedom while, on the other hand, registering a respect for students and their sincerely held convictions. Lastly, I would

say that the example proposed in reference to the amendment is not relevant because note the words 'perform an action' and being graded is not performing an action."

Professor Richard Galick, Physics: "I am certainly in favor of academic freedom but I don't think that the proposal addressed one other obligation of the faculty which was, as Carol Rosen just said, to respond to the concerns of the student body. I'm happy that that this type of resolution came about that molds together the concerns of the student body with those of the faculty. However, this proposal, despite what Carol said, is specific to dissection in both the first 'whereas' and the second 'whereas' and in the 'be it resolved.' I'm not sure that the amendment would change that it is actually somewhat specific. I wish, actually -- I will vote in favor of this whether or not the amendment carries -- that it were worded in a more careful fashion and not be so specific to dissection."

Professor Keith Dennis, Mathematics: "I find the wording of this distasteful, particularly the last paragraph. . ."

Speaker Hines: "We're just talking about the amendment for the moment."

Professor Dennis: "Oh, excuse me."

Speaker Hines: "Are there any other questions or comments about the amendment?"

Professor Baer: "Just one other word of explanation. I made it in part because I have at least five or six times taught semester long seminars in animal rights and animal welfare. One of the things that I have learned from doing that is that there are few issues that raise more deeply felt concerns. They do have a kind of ultimate meta-physical, sort of religious intensity and I think that it's an area that calls for that kind of commitment. That's why I wanted to limit it to that. I want to respect people's consciences. I'm generally in favor of the resolution, but I wanted to see if we could avoid having to deal with it in other areas."

Speaker Hines: "Any other discussion about the amendment? Are you ready to vote on the amendment? All those in favor of the amendment, please raise your hands. All of those opposed. The amendment fails. We are now going to discuss the whole resolution unamended. Yes?"

Professor Dennis: "This bothers me a lot because the whole idea of an affirmation of the right and responsibility of the instructor to determine the content of their courses seems to be stuck in a paragraph with a lot of stuff that doesn't belong there. I mean, somehow, that should be a completely separate statement. I agree with the statement made earlier that at least before there were two honest statements. Now they're all mixed together and it looks like someone is trying to hide the fact that the faculty should determine the content of their courses in this last paragraph. It doesn't seem to be a reasonable wording."

Professor Emeritus Milton Zaitlin, Plant Pathology: "I find some statements here to be mutually exclusive. If you look at the second 'whereas' and the last paragraph, these seem to be contradictory to one another. It says that no student should ever be coerced to perform something that is repugnant but then that the faculty reserves the right to determine the content of courses. A few months ago we heard Howard Howland say that there were no alternatives to dissection in some of the advanced courses so what is an instructor in one of those advanced courses to do if a student refuses to perform a dissection. It seems to me that this resolution is rather confusing the way it is designed."

Professor Terence Fine, Electrical Engineering: "I very much agree with Peter Schwartz. Who are we? We are the Faculty Senate. We're not a civic action group, we are the Faculty Senate. As such, we have proper concerns. There are other concerns that are fully proper; concerns for the environment, for example, but they are not concerns for the Faculty Senate. You may personally feel very strongly about them. I look at this thing and ask 'Why is it here?' We had a dispute and the dispute was resolved by the disputants. I don't have a problem with their resolution. I have a problem with their rhetoric, but they've resolved it. Why are we here? Is this a publicity action? Are we supposed to applaud something? Is that my function as a Senator here, to applaud somebody's ethical convictions? Personally, I may do so, but not in the Faculty Senate. That's not my job to be here. Let me come back to a point that you made. We affirm *en passant* the right of instructors to control the content of their courses? This is not something that you affirm with the back of your hand and you state it in a bunch of text about concern for the environment. I have concerns for the environment, but that's not why I'm in this room right now. I'm in this room because I'm in the Faculty Senate. Bedrock for me is that the faculty control the content of their courses. That is academic bedrock. It is not bedrock in City Hall but it is bedrock here. This is what we are about. It does not get mixed in *inter alia* with a shopping list of people's concerns. I'm glad you have them, I even share some of them. I don't share them with regard to that motion. It's utterly inappropriate. A resolution on ethical convictions? Why don't we just stick to our business, our proper concerns. Faculty matters that do not include all of these other things. We have no need for this motion. This issue was resolved. Let it pass. Defeat the motion. People will go on and do what they should be doing, which is faculty controlling the content of their courses in a responsible manner. I'm sure you've been doing and will continue to do it; you do not need us to applaud you."

Speaker Hines: "Any other questions or comments?"

Professor Baer: "I, on the contrary, want to speak very strongly in favor of the resolution. I don't see a contradiction. We ought to remind ourselves that it's a mark of civility and something entirely appropriate to a highly pluralistic society that we do pay attention to people's conscientious objections. Some of these students find that it violates their persons at a very deep level. I don't happen to agree with their particular concern, but I respect their concerns and convictions. I think that insofar as we can respect those conscientious scruples without compromising academic integrity we ought to do it. I think that this resolution means that this issue won't have to be revisited again and again and the student won't have to be simply at the mercy of the

faculty member. We will be expressing some joint sentiment that as far as we can do it within the limits of the course and the academic requirements, we go on record as wanting to respect diversity of opinion and the conscientious scruples that some students have to dissecting animals. I hope that we will vote in favor of the resolution."

Professor Rosen: "I also would like to say an additional word in favor of the resolution. There are, perhaps, elements of rhetoric that could be objected to in what Professor Fine has said, and we must note carefully that this resolution does not call upon the Faculty Senate to applaud the convictions of any particular minority. It does not go on record against dissection. It does not, in any way, support or negate the convictions of any person. Rather, it calls upon us to go on record as respecting the forms of intellectual and ethical diversity that we might find among our student body. What the previous consultations between students and intro biology professors have shown is that such a resolution would not counter any of the current policies and practices of the intro biology professors. It would express the sense of the Senate in favor of those practices, which is a constructive outcome that comes from this resolution. I, therefore, intend to vote for it."

Speaker Hines: "Let me remind you to state your name and affiliation before making any comments."

Professor Peter Stein, Physics: "I came prepared to vote for this compromise resolution but now some questions have been raised in my mind by a lot of things that people have said. I think that there are good things to say and there are bad things to say. As to Professor Baer's objection, I've sat through a lot of committee meetings where faculty members have looked very carefully at how language might be interpreted in matters that are considerably farther from the core of what we do than this. It does seem to me that that rather broad statement of 'respecting any ethical concerns of any student' is very broad. We may be licensing a certain amount of new ways of complaining about things that they don't want to do. People have ethical concerns about not wanting to read or discuss certain material and I think that we do not want to carelessly create a channel for further discord. I don't think that there's anything pressing about this resolution. I don't think that there's any real reason why this has to be dealt with today. I wonder if some of the concerns that have been addressed by Professor Fine, Professor Baer, Professor Dennis, and other people that have spoken, could just be looked at by the UFC and have them think about it and see if there's some kind of redrafting of the proposal that could answer the concerns that have been raised and still speak to the students and to the academic freedom that we all cherish. With that, I'd like to move that this be sent back to the UFC to be brought back at the May meeting of the Faculty Senate, thinking about it in light of the discussion today."

Professor Schwartz: "Point of order. The motion did not come from the UFC."

Professor Stein: "I understand, but it can be referred to the UFC."

Professor Schwartz: "That should be said then. The words 'sent back. . .'"

Professor Stein: "Referred to the UFC, then."

Speaker Hines: "There's a motion that this should be sent back to the UFC. . ."

Many members call out "Referred to the UFC."

Speaker Hines: "Referred to the UFC. Okay, we have a motion and it has been seconded. Can we vote on this? All in favor of the motion to send this to the UFC, please raise your hand. All of those opposed? Okay, it is sent to the UFC."

"Now we have three items of Good and Welfare on the agenda. I will call first on Professor Clare Fewtrell from the Affirmative Action Committee."

#### **4. GOOD AND WELFARE**

##### **A. REPORT FROM THE AFFIRMATIVE ACTION COMMITTEE**

Associate Professor Clare Fewtrell, Molecular Medicine: "In February I reported to you that the Senate's Affirmative Action Committee was working on a proposal to replace the Associate Provost formerly held by Professor Winnie Taylor. Our ideas evolved considerably as a result of our discussions with other faculty and with other groups on campus. We presented the final version of our proposal to the Provost at the end of March. To demonstrate the importance that the University places on this new position and the achievement of its goals, the Provost will be chairing the search committee to fill this position. What we propose -- and our full proposal can be found on the Faculty Senate webpage -- is the appointment of a Vice Provost of Diversity and Faculty Development, which we will hope to fill from amongst the tenured faculty at Cornell. The position will require 80% effort, which will allow the person appointed to maintain a 20% effort in his or her departmental home. We propose that the position will have three distinct but complimentary responsibilities. The first, as University Affirmative Action Officer, a 20% effort. The Vice Provost will be a leader, spokesperson, and catalyst for the University on all issues related to Affirmative Action. He or she will work closely with the Office of Equal Opportunity and will have overall responsibility for updating and monitoring the University Affirmative Action plan. However, at least initially, the new director of the Office of Equal Opportunity will report to the Vice President of Human Resources. As many of you know, we're also interviewing candidates for the directorship of the Office of Equal Opportunity. The coordinator of the Lesbian, Gay, Bisexual, and Transgendered Resource Center will continue to report to the new Vice Provost but only on issues related to faculty and staff. We're hoping that these reporting arrangements will minimize the administrative responsibilities associated with the new Vice Provost position while allowing this person to have significant influence in aspects related to affirmative action. The second responsibility of the Vice Provost position, 40% effort, will be to increase faculty diversity by developing and improving programs and approaches designed to increase the hiring of both women and underrepresented minorities faculty at all levels. I think that we feel that this is a really important aspect of the position that over the years we have continued not to do well at. The third aspect of the position, 20%, will be to develop

strategies for enhancing the retention of all faculty, with particular emphasis on junior faculty, particularly untenured faculty. This will include those from underrepresented groups.

"So those are the three parts to the position. We realize that they are major responsibilities for the individual who is appointed and clearly for this position to be successful it needs strong support from the University administration but also from us as faculty. In our discussion with the Provost, he clearly acknowledged the need for this position and stressed the importance of involving the new Vice Provost in major University decision-making processes, and also providing the individual appointed with the necessary resources, both financial and personnel to be effective at this position. I hope that his words will translate into actions.

"The first meeting of the search committee will be next Wednesday and I've listed their names here.

Associate Professor Ronald Booker, Department of Neurobiology and Behavior, W253 Mudd Hall (rb28)

Executive Director Raymond Dalton, Office of Minority Educational Affairs  
100 Barnes Hall (rad3)

Associate Professor Clare Fewtrell, Department of Molecular Medicine, C3 125  
College of Veterinary Medicine (cmf3)

Interim Dean Porus Olpadwala, College of Architecture, Art, and Planning,  
129 Sibley Dome (pdo1)

Vice President for Human Resources Mary Opperman, 130 Day Hall (mgo5)

Associate Dean Terry Plater, Graduate School, 384 Caldwell Hall (tdp3)

Provost Don Randel, Chair, 300 Day Hall (dmr4)

Associate Professor Vilma Santiago-Irizarry, Department of Anthropology,  
212 McGraw Hall (vs23)

"As I've already mentioned, the Provost will be chairing the committee and, as I think you heard last week, half of the committee was appointed by the Faculty Senate Nominations and Elections Committee. The other committee members were appointed by the Provost. Clearly, the most important task will be to identify the best candidate for the position and then persuade him or her to accept this not-insignificant challenge. As I said, we're hoping to fill this position amongst the tenured ranks of the faculty at Cornell, but if we're not successful in doing this, I hope that a national search would be conducted. The committee as a whole thought, however, that the best way of filling this position as effectively and quickly as possible would be to recruit someone from the tenured faculty. I urge you and your colleagues to contact the Provost or the other

members of the search committee with names of possible candidates and suggestions for how they can be encouraged to apply for this position. The names of the search committee, their e-mail addresses, and campus addresses are also available on the Web."

Speaker Hines: "Okay, I'd now like to call on Robert Johnson for an update on Diversity and Inclusion: A Dialog on the Campus Climate."

## **B. DIVERSITY AND INCLUSION: A DIALOG ON THE CAMPUS CLIMATE**

Robert L. Johnson, Director of University Ministries and CURW: "Pursuant to the work of the Campus Climate Committee, we are pleased to announce that, in the next two weeks, we have lined up five units to do the fishbowl exploration with 3 faculty, 3 staff, and 3 students, meeting for roughly 2 1/2 hours to explore the simple question, 'How do you experience difference at Cornell University?' The five that will meet in the next two weeks will be: Rural Sociology, Chemistry and Chemical Biology, Neurobiology and Behavior, Anthropology, and the Campus Store. The committee will then receive the findings from these five explorations and, with the help of the Hughes group in ILR, plans to develop means to do this on a wider scale in the fall term. We also hope to do this with the Assemblies retreat in September, which will expose a fairly wide representation of academic and other units to this process. I'd like to say in response to several questions that have been raised along the way that this is chiefly a means of getting on the table issues from discreet departments that we have to face to create a better living and learning environment at Cornell. It's not a PC truth squad. It's not sensitivity training for faculty, students, or staff. It's to get these issues on the table and it's for an improvement."

Speaker Hines: "The last item on 'Good and Welfare' is from Peter Stein."

## **C. FACULTY SENATE LIST SERVE**

Professor Stein: "A thought for the day. Last Monday when I picked up the Cornell Sun at the breakfast table I could hardly put it down. I read the whole addition of what happened in 1969 and I suspect that most you or all of you that were here at that time, as I was, probably read it with similar interest. It was interesting to read but there was also one part of it that made me sad and that was the part on faculty governance. The section on faculty governance had comments from various faculty members about how the faculty no longer seems as concerned about making issues as they were in the years surrounding 1969. Indeed, there was one comment from Dean Lewis, which was the saddest of all the things I read, which said that faculty interest is now mostly confined to the Faculty Senate, which has reduced its scope to such an extent – I'm paraphrasing since I don't have it in front of me – so that you can address issues. On the other hand, it hardly addresses issues that are core to the University and to the various activities or decisions that are made on the campus. It also talked about the fact of how faculty members, at that time, seemed to talk to each other more about these big issues. And my memory, dim as it is of that time, is that this was the case. In fact, I used to talk to a lot of people about a lot of interesting things and those conversations seem not to take

place anymore. It also occurred to me that the only member of this body that I ever talk to about these matters is Rich Galik because he's in my department. If the Physics Department were only represented by one Senator then I probably wouldn't discuss it with anybody. Why that is, I'm not sure. Part of it may be due to the demise of the Statler Club and the social relationships that were different thirty years ago. It is a fact of nature, I think, that we don't talk about these things and it's hard to have a deep and meaningful discourse about matters that people don't talk to each other about. I don't really have a sense about how you people feel about these issues.

"So, starting with that concern, I starting thinking about this a little bit and I came up with a small idea that I would like to float between you, Dean Cooke, and the University Faculty Committee; a way of making it easy for us, the people who represent the University Faculty, to have access to each other and the ability to talk about things. This great idea that I have is a listserve. I propose to Dean Cooke and the University Faculty Committee that they establish a listserve. An unmoderated listserve that is available only to the members of the Senate. What that would mean is that if I had a thought that I wanted to share with all of you, I would just type FacSenate in there and it would zip out to all of the members of the Senate. If people wanted to answer just me, that's great. If they wanted to answer the whole group, that's fine too. Nobody else would be able to read these e-mails or get onto the listserve unless they were a member of the Senate. Likewise, nobody would be able to send mail unless they were a member of the Senate. On the other hand, unmoderated means that there is no prior censorship. You and I don't have to ask anyone's permission. You just sit down at your keyboard and send it out. I don't know if this would promote more discourse, but it's worth trying. On numerous occasions, I have thoughts that I wanted to share with people and I don't know how to do it. I would like the UFC to consider this possibility."

Dean Cooke: "May I respond? Okay, we have, in fact, thought of how to get the University Faculty to deal with big issues and I have a couple of things to call your attention to. One is that on May 3, we have a forum in which President Rawlings, former President Corson, Kenneth McClane, Bob Harris, and Walter LeFeber are going to deal with the big issues that came out of the discussions 30 years ago. That's May 3, at 4:30 p.m. in Call Auditorium. You do need tickets and we are handling that by way of departments to avoid you having to walk to the Willard Straight Hall Ticket Office. They are also available to the public. Tickets are free but we have 600 seats so we want to ration the attendance.

"In response to Professor Stein's suggestion, we have been thinking about that and apparently the Arts College does have a listserve and, I've heard second-hand, they've had some unfortunate insults that have been hurled back and forth. What we have done in the Senate office, and had we had more time on last week's agenda I would have described this to you, is that we are creating a University Faculty website to serve all of the faculty, not just the Senate. It will have things in it such as a self-serve posting of seminars so that each department could use a password to post seminars and the entire campus could find out about the intellectual activity on campus. It will also have an item called 'Issues' and I've talked to the faculty in Communication about setting that up. It would be moderated so that you wouldn't post it yourself, but the only censoring

would be to avoid libel. Otherwise, any member of the faculty can post and the example for it is what we did on the Biological Science and Physical Education discussions, so that you can have more than a two paragraph rebuttal in the newspaper. You can now have several pages to whatever extent you think the reader will be tolerant of reading it to provide a forum to try to get back to some raw issues. I will report on that in the next meeting if the agenda allows."

Professor Stein: "Those all sound fine to me, but I still think it would be a good idea for the members of this body to be able to communicate with each other easily."

Professor Don Farley, Electrical Engineering: "I'd like to support that. I think that listserves are a great idea. I open up my e-mail every morning and see what's there. If you read through something and it's something you're interested in, you can reply. I don't open up the Senate website nearly as often, I must confess, rarely compared to my e-mail. The list serve is always there. You always look at your e-mail and it takes two seconds to respond. It's very convenient, and you get to know peoples' personalities from reading what they write. Eloquent people are eloquent and uneloquent people are uneloquent. It's a very good way to communicate. It's very informal and easy to do. It's a great idea."

Dean Cooke: "Thanks much. In fact, I had already offered that to Professor Stein so that we could get moving on this. Over the summer, CIT has agreed to set up listserves for individual courses to anyone who wants it. There are already about 300 courses that use it. We're going to set it up so that anyone who wants to use it can. We'll take it into account."

Speaker Hines: "Motion to adjourn? Second? Okay, we are adjourned."

Adjourned at 5:10 p.m.

Respectfully Submitted,

Kathleen Rasmussen, Associate Dean  
and Secretary of the University Faculty

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, May 12, 1999**

The Speaker, Professor John Pollak, Animal Science, called the meeting to order at 4:30 p.m. He reminded the Senate that guests are allowed to attend the meeting but that no one may record the proceeding except for the Secretary of the University Faculty. He then called on Dean Cooke for his remarks.

**1. REMARKS FROM THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "Since this is the last meeting, I wanted to publicly thank the members of the Senate. We've had a pretty good year. Those that are going off, thank you much for your participation in this effort on behalf of the University Faculty.

"Professor Earle will present a resolution from the Faculty Advisory Committee on Tenure. I chair that group as impartial moderator and because their deliberations are confidential I would like to share a personal comment about them for the record. This was a committee that was started in November of 1997 and my sense is that it is working exceedingly well. We will give you a detailed report after the current batch of folders have been considered by the Provost and the Trustees; it would be premature for us to try to report on that at this point. These are the members of the committee who will be completing their terms; some others will be added later:

- \*Gary Bergstrom, CALS
- \*Jonathan Culler, A&S
- Cathy Enz, Hotel
- Sidney Leibovich, Engr.
- Vithala Rao, JGSM
- Steve Shiffrin, Law
- Ben Widom, A&S

\*Appointed by Faculty Senate

"The Committee has read about 27 or 28 folders this term, which requires an enormous amount of time. You are not permitted to observe their deliberations, but I have had the honor and pleasure of observing their work that has been discharged with great care, diligence, and good judgment. Their deliberations epitomize for me precisely what one would hope for a faculty committee entrusted with such great responsibility. Despite the arduous nature of their task, I leave their meetings feeling that these folks set the gold standard for responsible and productive faculty meetings. They have done their task with great distinction and I just wanted to publicly acknowledge that because you couldn't otherwise know what was going on behind closed doors. So thank you to the FACTA members and to those who are retiring. (Applause.)

## 2. APPROVAL OF MINUTES OF APRIL 14 AND 21, 1999

Speaker Pollak: "I don't see the Provost, so we'll skip over that for the moment and go to the approval of the meeting minutes from April 14 and April 21. They were on the Web and you've had a chance to look at them. Are there any comments or questions regarding those minutes? Seeing none, I'll pass a unanimous vote before you to accept those and I will call on Kathleen Rasmussen from the Nominations and Elections Committee."

## 3. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "In the elections for the University Faculty Committee, the Nominations and Elections Committee, and the At-Large seats for the Senate the votes have been received and are being counted. I don't have the tally to report to you yet.

"The Committee has been vigorous in the last couple of weeks in coming up with names. We're about a third of the way through calling and we will be calling you, so please say 'yes' when we call. What we have so far are the ones shown on the overhead:

Academic Freedom & Professional Status of the Faculty

Elizabeth Regan, A&S

Academic Programs and Policies Committee

Jennifer Gerner, CHE

Affirmative Action Committee

Josephine Allen, CHE

Alfred Phillips, Engr.

Committee on Memorials and Named Facilities

Barry Adams, A&S

Michael Latham, CALS

Minority Education Committee

Ronald Booker, A&S, Chair

"These are general committee replacements. I do wish to note that Ronald Booker has agreed to serve an additional year on the Minority Education Committee. He is the last person from the old version of that committee and will serve as its chair. In addition, I received a special request that when we call you to serve on the University Assemblies that you give that extra consideration in terms of saying 'yes.' The University Assembly has an important agenda coming up this year, particularly in the area of diversity and some of the initiatives that are important to all of us. We hope that you will say 'yes'. Jennie Farley will be doing the calling for that, so you'll know what it's about when she calls. Are there any questions?"

Speaker Pollak: "No questions or comments on the nominations? Then we'll approve the committee's report."

#### 4. RESOLUTIONS ON DISSECTION POLICY

Speaker Pollak: "Let's move onto the first resolution. We'll reserve time for the Provost if he is able to make it. You all have received an amendment circulated to you to the resolution that is coming up. We're going to call that amendment a substitute motion since it is quite comprehensive. What we'll do is hear from Peter Schwartz on the resolution regarding dissection, and when he's done, we'll hear the substitute motion that is being put on the floor. We'll vote between the two motions and the one that is selected will be the pending motion and we'll go on and discuss that. Peter?"

Professor Peter Schwartz, Textiles and Apparel: "At the last meeting, this body took the compromise resolution and sent it to the University Faculty Committee to bring a resolution to the Faculty Senate at this meeting. After much discussion, the University Faculty Committee proposed a two-part resolution:

BE IT RESOLVED, that the Faculty Senate affirms the right and responsibility of instructors to determine the content and conduct of their courses and scholarly activities, and

BE IT FURTHER RESOLVED, that the Faculty Senate applauds the practice of offering alternatives to dissection in all instances where the instructors determine it is consistent with the educational goals of the course and commends the efforts of biology instructors to evaluate the relevant innovations in educational technology as these are brought to their attention.

"In drafting the resolution, we put forth the rationale that in no way does the resolution abrogate that agreement between the faculty and the students, and we also indicate that in drafting this, we did consider the entire resolution that was remanded to us. Speaking for myself, my own position on the stripping out, I know there is some controversy over stripping out the values, I argued that it must not be included in this resolution for two reasons. One, I agree with Professor Fine's comments in the last meeting that the Faculty Senate should not be in the business of affirming strongly held values. And there are, in fact, strongly held personal values, such as racial supremacy, that I don't think one is under any obligation to take under consideration. Secondly, I also oppose doing this in this particular issue because I do not want it thought that by acknowledging the strongly held values that we are affirming some of the tactics of intimidation that have been used by a small number of supporters of this particular issue."

Speaker Pollak: "Okay, we'll now see the substitute motion."

Professor Richard Baer, Natural Resources: "Just a bit of background on why I suggested the substitute motion. I believe that freedom of conscience is a very important value in a democratic, pluralistic society. We do go out of our way in terms of religious holidays to accommodate the students' beliefs and commitments, sometimes in ways that are disruptive to courses. These students' commitments may be religious or

secular, but they are deeply held convictions that encumber their consciences at a profound level. I happen to disagree with their beliefs on animal dissection and animal usage. I don't think that they are right, but I do want to speak in favor of the way we treat dissent and freedom of conscience.

"At least some of the colleges are statutory, public colleges. That is important because public colleges have a high standard of fairness to which they ought to be committed in a pluralistic society. Also, students do not freely choose to come to public universities. They come, in large part, because the tuition is low and because we subsidize these institutions differently. Some are here partly under economic coercion. It seems to me that in that kind of situation it is very important to accommodate ourselves where we can. I have heard no arguments that persuade me that in the introductory biology courses, animal dissection and animal usage is essential to achieve the basic goals of the course. If that view is held, I think we need to debate that as a faculty. Given that reality, it seems to me that it is entirely appropriate for us to defer to the consciences of those who are deeply troubled by that kind of practice, particularly considering that they're here partly under economic coercion and, furthermore, they are required, at least in CALS, to do some basic biology.

"Given that, I've tried to incorporate this into what I originally thought of as an amendment. Bob and John persuaded me that it might better be seen as a substitute motion. I tried to argue the case that in a liberal society, this one, we ought generally try not to force the consciences of individuals more than is necessary to maintain a just public order and workable institutions. I added the words that 'faculty have not made a strong case that it is necessary for students to use or dissect animals in required introductory biology courses in order to master the basic content of these courses', and so on. I'm trying to strike a balance between academic freedom of individual faculty and what I consider mistaken but important, beliefs of individual students. It seems to me that it is much in the spirit of a liberal society to approach this in the way that I have. I think that I mentioned in a previous faculty meeting that I grew up in a context where relatives spent years in Leavenworth Penitentiary and were persecuted by the State because they were pacifists. I'm very sensitive to what it means to be an ideological or religious minority in a society that holds very different beliefs.

"I think that we can go a step further too. I've talked with the students involved, two major groups who totally repudiate violence towards people and animals, and also repudiate damage to property and facilities. One of the groups on campus, a more radical group, does believe that it is permissible to damage property. I totally disagree with them and I think that they ought to be prosecuted when they do that. But I believe that it will partly diffuse the issue, as far as the students are concerned, to vote for the substitute motion. I think it would not hurt the biology courses and their basic goals and I have not heard any convincing reasons why this would be so. I think that we can afford to do this in a way that is thoroughly consistent with what ought to be some of the practices, attitudes, and goals of a liberal, pluralistic, democratic society."

The substitute motion follows:

WHEREAS, Cornell University includes students, faculty, and staff of diverse religious and ideological beliefs, and whereas liberal societies generally try not to coerce the consciences of individuals more than is necessary to maintain a just public order and workable institutions, and

WHEREAS, faculty have made no strong case that it is necessary for students to use or dissect animals in required introductory biology courses in order to master the basic content of these courses, but nonetheless AFFIRMING the right and responsibility of instructors to determine the content and conduct of their courses and scholarly activities, therefore

BE IT RESOLVED, that the Faculty Senate urges instructors to offer students alternatives to dissection and animal use in all instances where the instructors determine that such alternatives are consistent with the basic educational goals of the course, and

BE IT FURTHER RESOLVED, that the Faculty Senate commends the efforts of biology instructors to evaluate relevant innovations in educational technology pertaining to animal usage as these are brought to their attention.

Speaker Pollak: "So you're moving for the substitute motion?"

Professor Baer: "That's right."

Speaker Pollak: "Do I have a second? (Someone seconded.) Okay, I would like to confine the discussion to the two motions and we'll debate the merits of individual ones when we choose."

Associate Professor Carol Rosen, Modern Languages: "The Faculty Senate has been called upon to declare itself -- not against dissection and not for civil disobedience -- but for the question of how we want minority students in this community to be treated. My hope is that we'll pass something today that will be reasonably gentle, showing respect for diversity in the community, and that the choice of wording will be a credit to the Faculty Senate, and not an embarrassment.

"Today I have to speak against the first paragraph of the UFC resolution because it is an embarrassment. We can't present this to the public as a sample of how Cornell's Faculty Senate wants to state the principle of academic freedom. It is open to multiple interpretations. One of the problems is that this word 'instructors' bears a plural and is complicated and ambiguous. This word can have a collective reading or a distributive, singular reading, which is different. So, 'Danuta and I can lift this podium' is not the same as saying that 'Danuta can lift this podium and I can lift this podium.' In the distributive interpretation, this comes out to mean that the curriculum is just the sum total of what each instructor feels like teaching. In reality, planning a curriculum means making decisions at the institutional level, above the individual, and then assigning appropriate personnel who are willing to implement this policy. This is how we work in reality. Thus, if the institutional units that design the biology curriculum do recognize the need for a special strand within the curriculum to meet the needs of the minority students, as seems to be the case, and if they have personnel who are willing to

implement those plans, as also seems to be the case, then fine, we do not have a major problem here. We are simply asked to endorse this policy in order to provide a systematic, semi-institutionalized reassurance to the students who have asked us. In this I'm referring to the resolution passed by the Student Assembly which was strongly worded; the Student Assembly represents all constituencies on the campus.

"Academic freedom, I believe, is a huge red herring here. It has only been raised by some angry voices whose real subtext is that we've got to show these students who's boss. Now that does not reflect the collective personality of this body, I'm sure. In short, I think our best bet would be to delete the top paragraph, which is a crude stick figure drawing of what we might think academic freedom means. It's irrelevant here and does not speak well for our ability, collectively, to reason or to write. Let's cast today, a vote for the amended resolution with a few modifications, which best captures the views shared by all of the stakeholders and the Senate as well. I hope to see that."

Speaker Pollak: "Any comments on the two motions?"

Professor Barry Carpenter, Chemistry and Chemical Biology: "First of all, I disagree with the characterization of how curricula are constructed as presented by Professor Rosen. I happen to be the chair of the departmental curriculum committee and am very aware that those forces over which I nominally have purview are run by individuals, and they should be run by individuals. After all, if all of these decisions are going to be made collectively, why do we need tenure? The purpose of tenure was to protect the individual points of view of individual professors even when they are unpopular. As far as the substitute motion by Professor Baer is concerned, I wonder if he would be as strongly supportive of minority points of view of students no matter what they were objecting to. Should it be that strongly held opinions on the parts of students, no matter what the subject, be given the same consideration that he is proposing for dissection? That if there is a content to a course that a student finds objectionable that there should be an alternative section offered and that, perhaps, the topic should be debated before the Faculty Senate to see if the Senate approves the material in that course? I don't think so. If he does espouse that point of view, I would like to hear him say so, but if he doesn't, then I would like to know what is special about this section?"

Professor Baer: "Well, let me speak to that. I actually offered an amendment the last time because I was worried of exactly that problem. I've had students who have objected to taking exams and said that they had moral scruples against writing term papers. I think that you have to look at each case and see how essential these particular practices are to exams, labs, term papers, and the basic educational goals of the course. It seems to me that to some extent, we have to proceed like rabbinical scholars and handle each case on its own merits. The facts are very different. My point is rather different. These are not just personal values. That is a very unfortunate way of characterizing the beliefs of these students. They would not accept that as an accurate description. They experience this as a deeply encumbered conscience just as profoundly important to those who objected strongly to Vietnam and so on. I think that you have to make judgements in each individual case. I've offered, over the years, four or five seminars on animal rights and animal welfare. I've had a lot of experience with students like this and I know that most of them are not just being difficult or frivolous. These beliefs encumber their consciences very deeply and are part of deeply held, albeit I

think mistaken, world views. I think that we can accommodate these students without compromising the basic goals of these courses. Should we do this in all courses? Of course not! The place would be incoherent, but I think that we have to make judgements for each case and take into consideration how these students experience the force of their convictions in their own lives."

Professor Richard Galik, Physics: "I wanted to point out that both resolutions use the words instructors and say that I have a preference for the UFC resolution. I really think that the second 'Whereas' and the first 'Be it resolved' in Professor Baer's resolution are inconsistent. He goes on that there should be particular consideration for students with dissection but then again, in the first 'Whereas', that it is the instructor's responsibility to determine that such alternatives are consistent with basic educational goals. So I think that wipes out any impact of the second 'Whereas.' I see nothing wrong with the UFC resolution. I would have preferred it to be more general and not so specific to dissection so that it would be a better precedent to use in other areas, but I'm going to stick with the UFC resolution."

Professor Gordon Teskey, English: "I intend to speak against Professor Baer's resolution and for the UFC resolution but the previous speaker took the same position so I would yield to someone who wishes to say something for the other side."

Speaker Pollak: "Well, yours was the only hand."

Professor Teskey: "Well, I said I'm going to speak against Professor Baer's resolution and for the UFC one. I can't say that I'm wild about either of them. The discussion reminds me a bit of the Protagonist, which I happened to be reading this morning. When I came across the passage where Socrates says, 'When we are discussing something in the Assembly, we are concerned whenever a technical issue comes up, such as ship building. We don't let just anybody speak about the building of ships; we send for people who know how to build ships and we hear their views. But when we discuss something political, then somebody who knows political knowledge speaks.' There is a distinction between political and technical knowledge. On this issue, I feel that we are dealing with an issue of technical knowledge and that we need to have a certain respect for the people who are the technical experts in the discipline. I would find it, and I'm sure that you would find it, laughable for the Faculty Senate to be discussing the merits of animal dissection or alternatives to animal dissection in introductory biology courses. I'm a Professor of English, I have no intention of debating this matter. I do have the intention of listening to biology professors should they wish to bring it to us and speak about it. I do agree with what Professor Fine said last time that this really is a matter that needs to be resolved by the biology department. Of course, if you are teaching something and there are students who have concerns about something, you need to listen to them. But in the end, I think we need to respect the people who have the technical training in that discipline and respect their ability to decide what's appropriate."

Speaker Pollak: "Are you ready for the question? (Some people call out 'No.')

Professor Henry Shue, Wyn and William Y. Hutchinson Professor in Ethics and Public Life: "I'd like to speak in support of the Baer substitute motion. Perhaps I could also

respond to the two comments from the other side. One question was, "What's missing from the committee resolution?" What's missing is the acknowledgement that students have consciences as well as faculty. That's a valuable part of the Baer substitute motion. As far as biology professors having technical knowledge, of course they have technical knowledge in biology, but they don't have technical knowledge of values and consciences, and what this is about is a provision for what amounts to a conscientious objection. It seems to me that Professor Baer made the crucial arguments in the beginning and I would like to read from them. 'The reason that academic freedom matters is because it respects the consciences of professors.' What the Baer substitute motion does is respect the consciences of students. There is absolutely no reason why respect for technical science is incompatible with respect for conscientious objections of students. As Professor Baer pointed out, what's being done here is exactly like the acknowledgement of religious holidays. When a Jewish student says to me, 'I can't come to class on Thursday because of Passover,' she doesn't say, 'So I want you to cancel your class.' She just says, 'Don't penalize me.' These students are not saying, 'You can't dissect animals.' They are saying, 'I can't dissect animals and I ask you to respect my conscience.' It seems to me that the Baer substitute motion is an extremely moderate position and I don't understand the enormous anxiety about faculty prerogatives. Nothing is done to faculty prerogatives in the Baer amendment whatsoever. What it does do is acknowledge that our students have consciences and that it is as important as the fact that we have consciences."

Speaker Pollak: "We're going to be going over time if we continue the discussion, which is okay. But, in doing so, we are committing ourselves to extending the meeting. Is that acceptable? Are you ready for the question? They're not ready for the question but they're not going to stay later."

Professor Mary Beth Norton, Mary Donlon Alger Professor of American History: "Mr. Speaker, I move the previous question."

Speaker Pollak: "Okay, the question has been moved. Is there a second? (People call out 'second.') This means that we're going to be voting on whether to cease discussion and vote between the two motions. It needs a two-thirds vote. All of those in favor signify by raising your hand. All of those opposed? Okay, we will proceed to vote on the motions. What we are voting for is to replace the motion from the University Faculty Committee with the Baer substitute motion. All of those in favor of substitution raise you hand. All of those opposed to the replacement. The proposed substitution fails and we will now discuss the motion pending from the UFC. Is there any discussion on this motion?"

Associate Professor Jonathan Ochshorn, Architecture: "I'd like to speak against the motion. I think that the motion is inherently meddlesome and it may be true that there are times for the Faculty Senate to work in meddlesome ways in terms of course content. I asked myself in terms of looking at this, what I would do had the faculty who had a stake in this reached the opposite conclusion. Would we be prepared to make a motion that condemns the existing potential practice of not offering alternatives? I would say that I am not prepared to condemn the opposite, which tells me that the motion does not rise high enough in some overarching principle that it would justify meddling in course content. I don't absolutely say that we can't meddle in course

content, but for me, this is just not that important an issue and therefore I will vote against it."

Speaker Pollak: "Any more comments on the motion? Seeing none, are you ready for the question? All of those in favor of the resolution raise your hand. All of those opposed."

The resolution carried as follows:

*BE IT RESOLVED, that the Faculty Senate affirms the right and responsibility of instructors to determine the content and conduct of their courses and scholarly activities, and*

*BE IT FURTHER RESOLVED, that the Faculty Senate applauds the practice of offering alternatives to dissection in all instances where the instructors determine it is consistent with the educational goals of the course and commends the efforts of biology instructors to evaluate the relevant innovations in educational technology as these are brought to their attention.*

Speaker Pollak: "We'll now go to the next item on the agenda which is the Resolution on TIAA Withdrawals and Transfers. Each of the speakers will have about two minutes to comment. David Wilson?"

## 5. RESOLUTION ON TIAA WITHDRAWALS AND TRANSFERS

Professor David Wilson, Biochemistry, Molecular, and Cell Biology: "I hope all of you have a copy of the resolution. We're trying to ask Cornell to ask TIAA to make it a little easier for people with money in the TIAA bond fund to withdraw. Currently, it requires a ten-year period and we would like to be able to do this more immediately. When we met with people from TIAA, they were not able to say that there was a problem. The question was whether there was enough money coming in, both in terms of new money and returns on investments, to meet the demand of those who would like to withdraw money. If there is, then there is no problem. So this resolution is very straightforward in that they make it easier unless this particular problem arises of not having enough cash on hand to do it."

Professor Emeritus Scott Maynes, Policy Analysis and Management: "I'm on the University Benefits Committee and I wanted to ask for a showing of hands for people in this room who have money in TIAA. Almost everybody, so this is a big problem. Let me ask you for a showing of hands of how many people knew before this motion that it would take you ten years to get your money out. I'm curious as a social scientist. Well, very good, many of you know. We think that there are many people out there unlike you. The question is how can we move a giant organization to change. The first step is to ask you and the Employee Assembly to pass this motion. Then, how else do you get going? Well first, we are working to make sure that we have all of Cornell behind us. I'm sure that this can be accomplished. The next question is how to get TIAA to change because their letters say that they are strongly resistant. Sy Smidt says that you construct a small political earthquake. And so I consulted with Dean Cooke on how one might do this. One way one might do this is to get a set of major universities to join Cornell in asking TIAA to change their ways. Bob said to talk to Tom Jones.

(Laughter). Why Tom Jones? Not because of 1969 but because Tom Jones put in five years or so as President and Chief Operating Officer of TIAA. So I buttonholed Tom Jones and said, 'Supposing we got Cornell, Princeton, Harvard, and Chicago, what would be the reaction of Chairman Biggs?' and he said that Chairman Biggs would consider change. So that's what we're out to do is to get that or some other group that will command respect and induce them to act on our behalf. It may not be all that we want or immediate, but it will be better than what we have. So I ask your support to push this forward, not only for Cornell, but I take it as a cache that we, at Cornell, would like to be leaders in getting TIAA to change. Thank you."

Professor Seymour Smidt, Nicholas H. Noyes professor of Economics and Finance: "I'll try to be very brief. I completely support this resolution but my guess is that it will take four or five years for TIAA to change; even if today it became a top priority, because they have to get laws changed in a lot of different states. There are things that we can do. The first thing is to think about stopping putting in the TIAA account. If you're unhappy that you might not be able to take it out for ten years, stop putting it in the first place. There are many good substitutes in CREF and Fidelity. The second thing is to think about taking money out now. If you do that it will take ten years until you can get all of it out, but if I'm right that they'll change, you might be able to take it out instantly in five years but I wouldn't bet on it too much. There are forms up in front that you can use or you can call TIAA and they will send you a form. Start to move the money out to Fidelity or CREF."

Speaker Pollak: "Okay, discussion on the resolution? Seeing none all of those in favor of the resolution raise you hands. All of those opposed. Motion carries."

The adopted motion is as follows:

*The Faculty Senate urges TIAA to permit Immediate Withdrawals and Transfers of Funds from TIAA.*

*(Note: This implies the termination of TIAA's current policy of only permitting Withdrawals and Transfers from TIAA over 10 years.)*

Speaker Pollak: "I want to take one second to back up to see if the Provost has a report. No, okay then we'll continue down the agenda. We'll go to the next resolution from Elizabeth Earle."

## **6. RESOLUTION ON AMENDING THE FACULTY COMMITTEE TO ADVISE THE PROVOST ON ALL TENURE DECISIONS**

Professor Elizabeth Earle, Plant Breeding: "I'm here to present a motion making some minor amendments in the legislation of the Faculty Advisory Committee on Tenure Appointments, known as FACTA. In the second paragraph of the legislation, it is suggested that the words 'very brief' be deleted because those words are very redundant with the rest of the sentence which calls for a report not to exceed one page. (Laughter). The rationale for deleting the last sentence of the second paragraph is that most members of FACTA really don't want to receive copies of all of the positive reports. It's true that committee members should have access to this information if they

feel it would be useful to them, either positive or negative recommendations, but availability of access is sufficient for the members in most cases and we are not eager to get a big flow of paper or extra e-mail with these evaluations.

"Now, in the third paragraph, the original legislation stated that if any of the four initial readers of the tenure dossier had a reservation about recommending it to the Provost, then the entire committee would read the file, provide evaluations and discuss it in a group. The amendment here states that the nature of the reservation, pointed out by the initial readers, be communicated to the whole committee prior to them doing their preliminary evaluations and prior to the discussions. The argument here is that it allows the other readers to know in advance what the concerns were. This is helpful because sometimes one of the initial readers picks up something that is not evident to the others. This prior notice allows for more efficient reading of the file and more informed discussion when FACTA gets together as a group.

"Finally, the fourth paragraph is added to ensure that the committee would have access to all of the positive recommendations since, in the second paragraph, the automatic distribution of those recommendations is deleted. So, the whole motion to be voted on is presented here and I commend it to your consideration."

Speaker Pollak: "Questions or comments?"

Professor Joseph Ballantyne, Electrical Engineering, At-Large: "I'm a little confused by the resolution because when I read the 'Whereas' because it appears that the readers were considering, at this time, that this committee was to be re-evaluated for its effectiveness and procedures at the end of the first year of operation. I presume that this motion is a result of that re-evaluation of the effectiveness of the procedure, but I have received no information on which I can evaluate the effectiveness of this committee except that I know that in our own department, promotions have been delayed and have missed the Trustee Committee meeting for approval and have had to wait for the next meeting. I'm also aware that in our college, at least, the college ad hoc committee is doing a very energetic job of reviewing the cases that are brought to it by departments. I'm also aware that when this motion was passed, it was a controversial motion and I'm very uncomfortable with the idea of a change in the procedures that might substitute for a substantive evaluation of the effectiveness and need for this committee. If that's the intention of this, I strongly oppose it."

Dean Cooke: "That is not the intention. There will be a full review, but we decided that we shouldn't bring it now until after the committee has acted on a bunch of folders that have not yet gotten to the Trustees. For us to disclose the outcome would not be appropriate. So this, in no way, overrides the mandate to review."

Professor Galik: "I can imagine that some people on the committee, when they realize that they have to look at the dossier after the four initial readings, would not want to know the nature of the problem but would like to read it and not have that as a bias. I would think that the word 'communicated' be replaced by 'shall be made available.' So that if people want to see what the reservation was, they can, but if they want to see it blind they can also do that."

Professor Earle: "Can we change that? Is that an option?"

Dean Cooke: "With unanimous consent."

Speaker Pollak: "Is there unanimous consent for that substitution? Anybody opposed? There is not unanimous consent for that substitution."

"Are you ready for the question? All of those who are in favor of the resolution raise your hand. All of those opposed. Motion carries."

The motion follows:

*WHEREAS, the Faculty Committee on Tenure was legislated by the Faculty Senate on November 12, 1997, and*

*WHEREAS, the legislation directed that, after its first full year of operation, the Faculty Senate re-evaluate the effectiveness and procedures of the Committee, and*

*WHEREAS, the Tenure Committee concluded that the legislation should be amended in order to streamline the tenure review process at the University level,*

*THEREFORE, BE IT RESOLVED, that amendments to the second and third paragraphs in the section on Procedures be adopted as follows: (additions appear in BOLD and CAPS, deletions are in brackets)*

**Procedures:**

*Paragraph 2.*

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

*Paragraph 3.*

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

**Paragraph 4.**

**ALL MEMBERS OF THE FULL COMMITTEE SHALL HAVE ACCESS TO ALL RECOMMENDATIONS SENT TO THE PROVOST.**

Speaker Pollak: "We'll move on to the Resolution on the Election of the Speaker and Speaker pro tem. Sally?"

**7. RESOLUTION ON ELECTION OF SPEAKER AND SPEAKER PRO TEM**

Professor Sally McConnell-Ginet, Linguistics: "I'm sorry I don't have a transparency but this is very straightforward. I assume that you all have the resolution on the Senate Speaker election. I'll read it to you:

*Whereas, the Organization and Procedures of the University Faculty (XI.A.2) specifies*

*"2. The Speaker, who will serve as an impartial moderator of Senate meetings. The Speaker shall be selected by the Senate, which may also select an alternate Speaker to serve in the absence of the Speaker."*

*Therefore Be It Resolved That, effective July 1, 1999*

- 1. The Speaker's term of office shall be two years.*
- 2. A Speaker Pro-Tem, an alternate speaker, shall be elected to a two-year term.*
- 3. If the person elected to serve as Speaker is a voting member of the Senate, that person's constituency shall elect a replacement voting member.*
- 4. The Nominations and Elections Committee shall prepare an initial slate of nominees, but additional nominations may be made by members of the Senate.*
- 5. The election shall be conducted by mail ballot prior to the first meeting of the academic year; the Hare system method of vote tally shall be used.*

"What is happening today is that we select alternates on an ad hoc basis. What this resolution does is systematize that so the idea is to have an elected Pro Tem speaker who would serve in the absence of the Speaker. There would be a two-year term for both the Speaker and the Speaker Pro Tem."

Speaker Pollak: "Any questions on the resolution? Yes?"

Professor Judith Reppy, Science and Technology Studies: "Will this vote be a vote for the Speaker and a vote for the Speaker Pro Tem?"

Professor McConnell-Ginet: "Yes, each name will be on the ballot; there will be candidates for both positions."

Speaker Pollak: "Yes."

Professor Rosen: "I was just curious about the origins of the motion and the sponsors."

Professor McConnell-Ginet: "I'm presenting this on behalf of the University Faculty Committee."

"Speaker Pollak: "Other questions or comments?"

Professor Philip Nicholson, Astronomy: "This is a technical thing but when I was reading this it was confusing to me as to whether four or five referred to the election for the Speaker or for the replacement of a voting member."

Professor McConnell-Ginet: "It refers to the election of the Speaker not for a replacement. Sorry."

Professor P.C.T. de Boer, Mechanical and Aerospace Engineering: "Can you comment on the feasibility of this? The first meeting of the year is in early September and by that time we may not know who is a member of the Senate."

Professor McConnell-Ginet: "I think that the members of the Senate are by that time already in place and this would be conducted by mail right at the very beginning, after July 1, at which time members of the Senate will have already been elected."

Speaker Pollak: "Any more questions? If not then I'll ask the question. All of those in favor of the resolution signify by raising your hand. All of those opposed? The resolution carries."

"We'll now move on to a report from the Financial Policies Committee. Peter Harriott?"

## 8. REPORT FROM THE FINANCIAL POLICIES COMMITTEE

Professor Peter Harriott, Chemical Engineering: "I want to give just a brief report on the status of the faculty salaries at Cornell, information that many of you may have seen in the Ithaca Journal or the latest issue of Academe. As far as the statutory colleges are concerned, the salaries of professor went up on the average of a little over 6%. Assistant professor salaries went up 6.2%, associate professor salaries went up 7.4%, and full professor salaries went up 6.1%. While this may seem encouraging, it was also pointed out in Academe that the number of faculty members in the statutory colleges declined by about 4%, so the actual amount of money spent in those categories went up only about 2%. That means that it may be difficult to match that kind of performance in the coming years if the number of faculty stayed the same or even increased. I would also point out that after that change, if you correct to the 9-month basis, the average salaries of full professors is 80% of the average salaries of full professors in the endowed colleges. However, the endowed college average includes our colleagues in the Business School and the Law School and if you exclude that then the full professors in statutory colleges are receiving about 85% of those in the endowed. As far as the endowed colleges are concerned, the raises were not as much in spite of the 5% increase in the salary pool provided by the administration. Average salaries for assistant professors did go up 5%. For associate professors, the increase was 4.8%; but for full professors,

the increase was only 4% and the average for all groups was about 4.3%. For the associate and the assistant professors, the increases keep them at about the same places with their peers whereas for full professors, the 4% increase merely cancels the increase from the previous years and leaves the average salaries for full professors in the endowed schools at 16% below that of a group of 8 universities that are considered our peers.

"I tried to see if I could find out why when there's 5% allocated in the pool, the average increase for full professors was only 4% and in looking at individual colleges, there was a range of 2.7% increase up to 4.3% increase but in none of these schools that the university controls was the increase anywhere near 5%. We may be looking at the figures further to try to see what the significance of this is. We will meet with the Provost next week to discuss this and other salary issues."

Speaker Pollak: "Questions on the report? Okay, seeing none, we'll move to the next item which is a report on the Proposed Policy for Time Reporting of Faculty Effort by Carlo Montemagno."

## **9. REPORT FROM CAPP ON PROPOSED POLICY FOR TIME REPORTING OF FACULTY EFFORT**

Assistant Professor Carlo Montemagno, Agricultural and Biological Engineering: "I'd like to give a report on a piece of work that has been being done in the last five months by the Committee on Academic Programs and Policies. We've been tasked with trying to establish a policy for reporting faculty time. We're being mandated to do this by the federal government and, for those of you in CALS, you know that this occurs periodically, but in other colleges people don't report their time. We're trying to establish a policy that meets the requirements and has a minimal impact on the reporting of your effort. To try to describe, so that we can allay the issue of why we're doing this because we have to do this, we have Jack Lowe here from Day Hall who will explain the mandate that requires us to do this."

Jack Lowe, Executive Vice President for Research and Director of Sponsored Programs: "Very briefly, because I don't want to go into indirect costs and cost recovery, Cornell, as you all know, is very dependent on federal funds, grants, and contracts. As such, we have an accounting system that is designed to comply with those needs. The federal regulations require that the University show an audit trail for the amount of effort that is put in as charges to those grants and contracts and to other activities that wind up going into the indirect cost pool and are recovered by the University in indirect costs. About three plus years ago, the defense contract audit agency, which Cornell was subject to at that time, started a campaign across the country with those institutions that were under its jurisdiction and went around various universities and found that many universities, including Cornell, were not very active in keeping track of the effort. In fact, usually what effort was reported was reported by departmental administrative managers, not by faculty members. It was not reviewable or auditable and, worst of all, it showed a complete disconnection between what was being reported as effort on specific projects and another reporting system that the University is required to maintain -- that is on space use and space allocations. When the auditors went around the University and asked people how much time they spent on research, the rather

typical answer was about 50% of their time. Then they would go to the University books and they would find zero attributable to research or maybe 5%, very small numbers. What they said then was that something was wrong. Obviously, if we're putting in for all of these grants and contracts and have all of the statements for work and for effort, they were saying that zero is not an acceptable answer. So they said, 'We're going to tell you what to put in your calculations for the indirect costs' and they essentially took 50% of the total faculty salaries on the endowed side and wanted to put it in. That would have cost something on the order of 10 million dollars in recovery in the general purpose income fund or something of that sort. Well, again, to make a long story short, after about 9 months of negotiations by a lot of people, the hit was 2 or 3 million dollars three years ago and each year it has grown. So basically what has happened is that we've had an effort reporting system for years. What we're trying to do is put together a policy that is straightforward, meets the minimum requirements, is as simple as we can get, make it mesh with the reporting system for space utilization, and have it so that it is completely understandable. That is what this is all about. This is a requirement; we don't have much of a choice about it. We do have a choice about how we do it and how we explain it, and it is certainly my effort in the Vice Provost for Research office to work with Carlo's committee to find some way to put this down in a very straightforward way that meets the minimum test so that we can get on with the business at hand."

Speaker Pollak: "Any questions?"

Associate Professor Randy Wayne, Plant Biology: "I'm always curious about how many hours a week is 100% of my time?"

Director Lowe: "It's one of the things that needs to be stated in this policy. The government rules say that the policy that you record for the university is related to the effort for which the University is compensating. So it doesn't include consulting. It's just the time for which the University is compensating an individual. It also says that the percentage of effort must equal 100%. It doesn't make a difference for this purpose if you put in your effort as 80 hours a week. That constitutes 100%. If you put in for your effort for the University, for which you're compensated, that's 100%. It is a percentage of effort for the University commitment that is important, not a percentage of the time that you spend."

Professor Wilson: "Why is it that if Cornell's faculty spends 50% of their time on research you get less money than if we put no time in research. Did I misunderstand that?"

Director Lowe: "No, you understood it very well. There's a simple equation for indirect costs. The numerator of the equation are all of the research-related costs from all of the schools. The denominator of the equation is the modified total of direct costs of organized research. That must include both dollars that are charged to the sponsor, the direct costs that you see on your grant, and the costs that are contributed. It's related to that project if it's contributed. If you say that you worked on a project 50% of the time, and if every faculty member said that, then literally 50% of all faculty salaries would have to go in that denominator and, obviously, the bigger the denominator, the smaller the indirect cost rate, the lower the recovery for the University. It's a 'Catch-22' for the

University that we all face. In fact, we sort of get double jeopardy. The government comes along and says, 'We really want you to contribute all of this effort; we want to have cost sharing and all this kind to pour in to be competitive, but we'll penalize the institution when you do that if you do it in excess because we're going to pay you less on the indirect cost recovery side.' Now remember that this institution, especially on the endowed side, is 70% dependent on tuition revenue and about 20% dependent on the indirect cost recovery. That's the general purpose fund from which all of the faculty and a lot of other costs are paid. So it's a very important calculation. We try to walk a line; we don't want to maximize the recovery and make the projects less competitive, but we also don't want to undermine that revenue tree to where we can't be competitive with faculty salaries. It's a delicate balance and we try to optimize that and so the policy that is put out would, I hope, suggest that you, the individual investigator, have to determine what to put in. Nobody can tell you to put in this amount or that amount. We ask to consider the reality of things. The simple answer that I spend 50% of my time on research and 50% of my time on teaching is really not correct. Out of which half do you take the time that you're spending here today or other committee assignments as a faculty member? Does that always come out of the teaching half and not out of the research half? Are you aware that the same regulation that requires all of this basically says that writing and preparing a research proposal is not an allowable charge? It's not part of organized research by that definition. I won't argue about whether it should be or shouldn't be, but the fact is that that definition is there. It isn't organized research, it's administrative. So if you dump all of that into the research and water the overhead down, it puts the institution in jeopardy. Thank you."

Professor Subrata Mukherjee, Theoretical and Applied Mechanics: "But this research may not always be funded research. I could be doing my own research that is not funded. If I do research half the time, some of it may be my own research."

Director Lowe: "That's something else that needs to be clarified in the policy. That's known, in the language of this regulation, as University research or departmental research. There's a category of costs called 'Instruction and Departmental Research' and there's something called 'Organized research.' Now don't get on the defense, I'm the messenger (laughter) – research is not research. Organized research which is what counts here is research that is separately identified, budgeted, and accounted for. Other research that is not funded, not separately budgeted or accounted for, is called department research and goes into the 'Instruction and Department Research' account. We have to make that distinction."

Professor Wayne: "Would it be possible for Cornell to multiply the denominator by .85 or so to better reflect the hours we're compensated for?" (Laughter)

Professor Reppy: "Is there any hope that in the great hope to reinvent government and streamline the defense department that all of this will go away?" (Laughter)

Director Lowe: "Well, it's interesting that you ask that. I guess that I don't expect in my lifetime, my active lifetime at Cornell, to see this requirement go away. But there is something afoot on the federal scene that you should be aware of. President Clinton put a committee to work about a year ago, referred to as the President's Research Initiative or something like that. That group, operating out of the President's Science

and Technology Council, has just come out last week with a whole set of recommendations on a variety of subjects. The bottom line of what they're recommending is that over the years there has been an erosion of the relationship between the federal government and academia. What used to be thought of as a partnership became more of a procurement process. What this committee is now saying is that we need to redefine the relationship between the federal sector and the university community. Then it goes into a series of recommendations. For example, one critical recommendation is that we all think of the graduate students on a research project as both an employee producing research results and a student. In effect, that's what we encourage. The audit circle says that the only basis for compensating a graduate student on a research grant is in lieu of salary and wages for compensation. That student is an employee and not recognized as a student. This has caused a lot of stipend limitations, stipend caps, and a comparison between those salaries and the salaries of postdocs. Post-docs are full-time, more productive in research. Why should we allow student costs to exceed postdoc costs? So they cap it. There are all kinds of ramifications. The committee recommends that it needs to be re-evaluated and restated that they are one and the same thing and that's good – it's in the national interest. They've also taken a strong stand on cost-sharing, and the cost-sharing business is partly what is driving this effort reporting. So indirectly maybe with this whole new initiative if there is a new policy coming out recognizing the different relationship, then we might start to see some turnaround in the audit. I am modestly hopeful but it's a long road."

Speaker Pollak: "Okay, well, thank you for the report and if there are any more questions, you'll be here afterwards, right? I'm glad to see that we enjoy talking about all of these costs. (Laughter.) Now we'll move on to Paul Bursic and questions regarding health plans."

## 10. RESPONSES TO QUESTIONS ON ENDOWED HEALTH PLAN CHOICES

Paul Bursic, Director of Benefit Services: "We have been working reasonably hard over the last year to address your questions -- some of which have been expressed by this body -- about the efficiency and effectiveness of Aetna/US Healthcare running our endowed plans. There have been a lot of concerns about it. The report was posted on the web with the help of Dean Cooke, whom I want to thank for giving me the opportunity to take questions on the report. I would also like to thank the executive committee of this body for giving me the opportunity to do that. The report is there and there is an executive summary on the report as well. Are there any questions about the report or the summary? We are now going through the tail end of the approval process on this interim set of recommendations from Towers Perrin, a national employee benefits consulting firm that has been working closely with us and Ithaca College. Ithaca College also has Aetna, and it has been a problem for both of us. We've been trying to work together to reach a resolution of our problem with Aetna and to reach a resolution with our conflict with the local doctor and hospital monopoly that we have to deal with here. My e-mail address is jpb22 if you haven't had a chance to look the report over but would like to and would like to give me your comments within the next couple of days. I'd be more than glad to take them that way. I'll be quiet now and wait to see if there are any questions."

Speaker Pollak: "Are there any questions? Okay, you have the e-mail address. Yes?"

Professor Maynes: "I would just like to say that the University Benefits Committee has gone over this and we think that it is being well-managed."

Speaker Pollak: "We have a full schedule for the Good and Welfare, so I would ask each person to take just a couple of minutes. Barry Carpenter?"

## 11. GOOD AND WELFARE

**A. Local Advisory Council.** Professor Carpenter: "I'm the chair of the Local Advisory Council and if you don't know what that is, it is part of the body that you set up to advise the Provost, or more specifically the Vice Provost for Research, on expenditure of University resources in support of research in the natural sciences. The enabling legislation says that there should be a formal report from the Local Advisory Council after two years, so this does not constitute that formal report. I thought I would just informally let you know how things are going. You may have reason to question my objectivity since I was part of the group that created the committee and I'm chair of the committee, so if I tell you that it's going very well, you can take that for what it's worth, but it's going very well. (Laughter.) I think that the thing that has been most striking is how open the Vice Provosts have been in sharing information with this committee and how diligently my colleagues on the committee have been working to evaluate proposals for support by the University. I think that is all going very well. I did want to alert you to the fact that probably early in the fall semester we will be bringing a resolution asking for a modification of the second half of the Advisory Council, that is the External Advisory Council. The intention is really just to sharpen the focus of the External Advisory Council. And the third and final thing I wanted to show was something on the web which is a memorandum for which I've put only the bullets that came about as a result of the Local Advisory Council receiving information from people in other colleges who are responsible for college support of research. We discovered that things are handled very differently in different colleges. We thought that there were some practices that deserved wider advertising because they looked like good ideas and weren't carried out across the University. So we put together a memorandum that was circulated to Dean, Department Chairs, and Center Directors summarizing what we had heard and letting people know what was going on elsewhere in the University. We thought it might be nice for you to see that memorandum also and to take from it what you will. That can be read in its entirety on the Web. Thank you."

Speaker Pollak: "Thank you. Is there a question? Terry Fine? I don't think Terry is back. He was traveling and he asked for some time but he's not here so we'll skip to Robert Johnson, who is also not here. Keith Dennis asked for some time."

**B. Faculty Salary Comparisons.** Professor Keith Dennis, Mathematics: "I have some slides (Appendix A) from Peter Stein, who couldn't be here today otherwise he would be presenting this. This is just a slide we've all see before continued by one more year of data. It's a comparison of the statutory colleges within a peer group. I'm not going to go through a list of all of the colleges involved, but, as you can see, there is a significant improvement at the end. This is the good news. The bad news is that in the endowed colleges it looks like we're on our way back down again. I could give you more

information, but I'm sure that everybody wants to leave. The graphs speak for themselves. Again, this was a comparison among a peer group; colleges that were considered comparable to Cornell."

**C. Speaker's Comments.** Speaker Pollak: "Okay, the last item on Good and Welfare is that I want to take the liberty to spend a moment myself. My three years are up and I want to say that it has been a very enjoyable three years listening to you deliberate. You do it well and I mean that in all honesty. I've enjoyed very much being up here in front of you, pointing when appropriate to try to get us out on time. I don't think that I will be running again because other commitments have come up within the College, but I signed my copy of the Roberts' Rules and in July I'll go ahead or the Dean can go ahead and give it to the next Speaker. Thanks for making it such an easy job. (Applause.) Can I adjourn the meeting? No, there is one burning question for the Provost."

**D. Reactions to Demonstrations.** Professor Baer: "I do not have enough information to form a settled opinion on the matter, but it does seem to me that there is at least a possibility that the University overreacted to the animal rights students in the way that was handled. They've been charged with criminal trespass, reckless endangerment by the police, criminal tampering and criminal mischief, and conspiracy to commit a crime, among other things. My concern is this: I think it will produce an extraordinarily cynical attitude among many of our students if the impression gets abroad that we treat white students differently from minority students. I think what we have seen in the last five years or so in terms of occupation of Day Hall and other activities have been at least as serious perhaps considerably more serious than what happened with the animal rights students. I don't approve of what they've done. I think that they acted badly. I wonder if you have information that could help us understand this issue. Is there a double standard? Is the University overreacting in this case and, perhaps, underreacting in other cases? Can that be defended at this assault?"

Don Randel, Provost: "The University certainly does not have a double standard, to my knowledge. I personally have not been involved in any of the issues to which you refer. There is a Campus Code of Conduct. When someone is accused of violating it, there is a judicial administrator and a rather elaborate hearing process for that, which is not in any sense managed by the University administration. The Campus Code was voted on by the community and the panels that judge that are elected groups of students, and so forth. So, in point of fact, such a thing is not really managed by the central administration. There is not a point at which the President or I decide we're going to go after these and not after those."

Speaker Pollak: "Okay, one last question and then we'll adjourn."

**E. Interchange Between Day Hall and the Faculty.** Professor Wayne: "Last week in the question-and-answer period, you spoke a lot about how there's been so much interchange between Day Hall and the faculty. From my position, I see this started when you denied tenure to a number of faculty, joking to us that it was a 'ruthless usurpation of faculty prerogatives by Day Hall.' Then you went on to dissolve the Division of Biological Sciences, against the wishes of the majority of the faculty. You're putting together a biology major now secretly, without any of the biology faculty involved. There's been a merger of departments done from above and four job

descriptions just went out from our department where the faculty in that department, as a whole, never got to see those job descriptions until they were published in the outside world."

Provost Randel: "The question?"

Professor Wayne: "Is this the kind of interchange that you think is terrific between Day Hall and the faculty?"

Provost Randel: "I suppose I would have to begin by denying most everything that you asserted. I certainly can't speak for when you saw four faculty position descriptions because I did not compose those four position descriptions nor anything else having to do with that, so I suggest you take that up with your department chair or you dean. The biology major is certainly not being constructed in secret. I don't know if Professor Walcott is here, but he, along with many other people, can testify to the amount of work they have been doing in putting together that major. The people who are taking the lead in that are the people who have managed the biology major until now. What else did we do in secret?"

Professor Wayne: "You dissolved the Division of Biological Sciences against the wishes of the majority of the faculty."

Provost Randel: "I'm not sure that that can be true either. . ."

Professor Wayne: "We would know if there was a vote."

Speaker Pollak: "Let's not get into a dialog, we're about to adjourn."

Provost Randel: "There was a recommendation to dissolve the Division produced by a Task Force which labored for a long time. The membership of that was open and included people who were thought to have a stake in that. It was their recommendation that the Division be dissolved and this was supported by the deans. The question of merging of Plant Science departments was certainly not mandated from on high – central administration. That was a decision taken entirely within CALS and if you have questions you ought to ask the dean of that college."

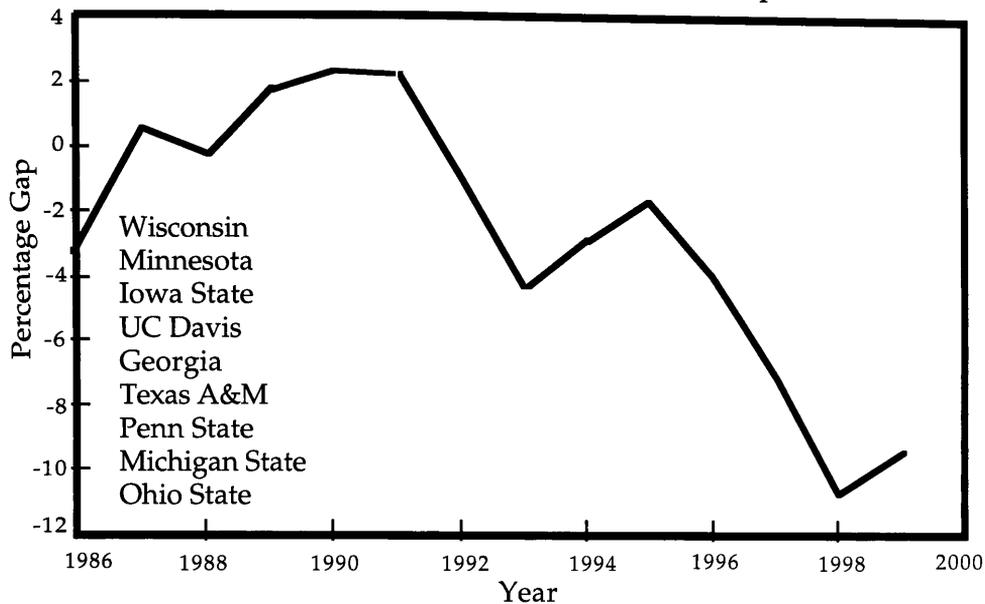
Speaker Pollak: "Thank you, Provost. The meeting is now adjourned."

The meeting was adjourned at 6:00 p.m.

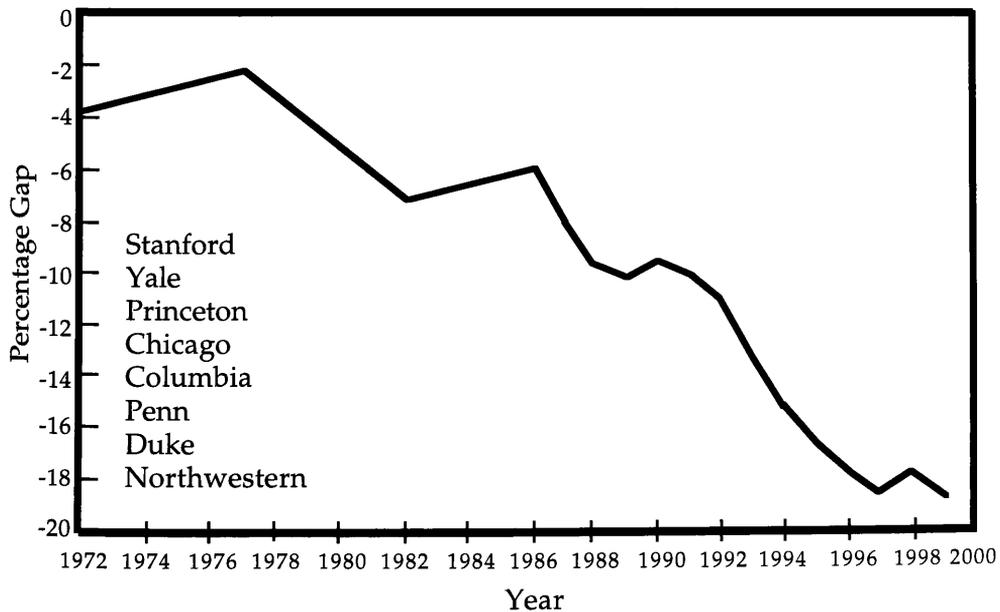
Respectfully submitted,

Kathleen Rasmussen, Associate Dean and  
Secretary of the University Faculty

**Full Professor Salary Gap  
Cornell Statutory vs. Public Peer Group**



**Full Professor Salary Gap  
Cornell Endowed vs. Private Peer Group**



**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**September 8, 1999**

J. Robert Cooke, Dean of the University Faculty: "First, I would like to let any new members of the Senate know to sign in because that is the basis of the quorum. There are also handout materials up here; some are duplicates of what you have received already in case you did not receive them in the mailing. Next, I would like to introduce the new Speaker of the Faculty Senate, Professor Howard Howland." (Applause)

Speaker Howard Howland, Neurobiology and Behavior: "Thank you for that kind applause. First, I should remind you that no photos or tape recordings are allowed of the meeting; and when you speak, please state your name before you start. Now it is my great pleasure to call on President Hunter Rawlings."

**1. REMARKS BY PRESIDENT RAWLINGS**

President Hunter R. Rawlings III: "Thank you. It is a pleasure to welcome all of you to the new semester at Cornell and to say how delighted I am about a number of developments from this past spring and summer. I thought I would mention just a couple that, to me, deserve emphasis in the beginning of this new academic year.

"First, we have an enormously strong freshman class, and I wanted to underline how much I appreciate the efforts of faculty members in bringing us this new class. This was a banner year for admissions at Cornell, owing to a number of different factors—and it's always hard to sort out what they are—but this is certainly one of our strongest classes ever. It is also a larger class than we had anticipated because the yield went way up, in admissions parlance. It went up two plus percent, which is very unusual. As a result, we have a lot of students living in lounges still this fall but that is probably not a bad problem because these students have decided to come to Cornell and, as a result, we are delighted to have them. In terms of their test scores and class rank, this is an outstanding class and it is a pleasure to see the yield go up in just about all of our undergraduate colleges. We also have a stronger than usual group of transfer students and the result overall for the campus is very positive. I've heard from a number of departments that while it is difficult to meet the demands in every case, we really do have a terrific crop of new students. We don't know much yet on a campus life basis about our graduate students; the early returns are certainly good and by the end of this month, we should have data that will help us know just what went on in terms of graduate recruiting.

"We also had, this past spring and summer, an outstanding year in faculty recruiting. I would like to underline a couple of facts. First, we made more appointments than we have in recent years and that is a plus. As you know, we saw a steady decline in the number of new appointments that we made through the late 1980s and early 1990s. It's now good to see the numbers turn to a positive direction. In addition, we made a number of superb appointments at the senior level as well as a large number at the junior level. I would particularly single out new appointments in Sociology, where we made several new appointments at the senior level to build that department further. We also made a number of strong minority appointments and I am very pleased about

that. I would single out senior appointments in Engineering. I would also like to point to a number of appointments in the English Department and a number of other departments in Arts & Sciences.

"I am especially pleased to note this because this is the year when we want to make significant progress in the number of minority appointments that we make throughout the campus as a whole. Bob Cooke has made diversity an important agenda item for this body, and with the help of Bob Harris, he has embarked on a new program to have diversity as a major item of discussion in a number of departments. I know you'll be hearing more of that through the course of this year, but it's important to all of us at Cornell to increase diversity on campus in the student body, the faculty, the staff, and in the administration. I wanted to say at the beginning of the semester how pleased I am at the number of very strong faculty appointments who are minorities. Bob Cooke and Bob Harris have embarked on an ambitious agenda that I went over with them a couple of weeks ago. Bob Johnson is also co-chair of the group that is working on diversity initiatives. They are honing their agenda, making it more precise, and I wanted to say how fondly I support that agenda as one that the entire University should be embarking upon. It's good to see some momentum building and we'd like to be able to build the momentum further through the course of the year.

"I should also tell you that we're beginning to take major steps in terms of our State relationship in order to improve the lot of our statutory colleges. All of you are familiar with some of the issues we have confronted in the recent years in terms of downsizing and meeting faculty salaries. It is very important that this be high on our agenda list and it is. I wanted to signal to you that this summer we made some very substantial progress in our discussions with the Governor's office and the Legislators' office in order to give our statutory colleges greater flexibility in the way they are able to manage salaries. I think that we have made some substantial steps forward that we intend to build on in the following year on this very high priority item. I can't go into more detail at this point because the discussions are ongoing, but I wanted you to know that we are beginning to see signs of progress in terms of developing more flexibility for Cornell in the way it is able to manage the statutory colleges and in how to manage faculty salaries in those colleges. We have a good deal of ground to make up and it is important that we make up that ground as rapidly as possible, and I think that we are now beginning to see means to do that.

"I would be happy to take any questions that you might have for me."

Speaker Howland: "Yes."

Associate Professor Randy Wayne, Plant Biology: "Can you tell us what thoughts you've given to having the faculty review the President's Office?"

President Rawlings: "The President's Office gets reviewed frequently, as do faculty departments and faculty members, by the Board of Trustees. In addition, there has been a proposal in past years that various administrative offices at Cornell be reviewed as a part of the Program Review process and I know that there is ongoing discussion on this."

Speaker Howland: "The President is on a tight schedule. If there are no further questions, thank you, President Rawlings."

President Rawlings: "Thank you."

Speaker Howland: "I'll now call on Dean Cooke for his remarks."

## 2. REMARKS BY THE DEAN

Dean Cooke: "Any new members who came in and didn't know to sign in, we still need you to do that to ensure that we have a quorum. I have a number of items that I want to go through rather quickly. I will put the transparency materials on the website so that you can look at them and think about them further, if you wish to do so. One of the long-standing traditions is that we announce the deaths of former faculty members, which I have on two transparencies. (Appendix A, attached) Please take a moment to scan these. Please stand for a moment of silence. Thank you. You may note that the Office of the Dean of Faculty does produce a booklet of the Memorial Statements and copies of that are in the office.

"Another one of the mandates that I have is to report on the Faculty Advisory Committee on Tenure Appointments for the period covering September 1998 through May 1999. (Appendix B, attached) The report follows promotion of faculty to tenured: 45 were positive and 1 negative were forwarded to the Provost. The Provost agreed with all 46 cases. Yes?"

Associate Professor Steven Vavasis, Computer Science: "Does negative mean that you disagreed with what was said at the Dean's level?"

Dean Cooke: "It means that the Dean of the College had said 'yes' and the committee said 'no.' I'll give you a report at the next meeting probably; the legislation requires that we report on how well the committee is operating and it's been in operation for a year. That's for next time. We welcome any questions or comments on it in the meantime.

"We have a new website, which you may have noticed in the mailing. It has been a long time in coming, and here are some of the people who have worked on it (Appendix C, attached). I wanted to put it up so that you can appreciate the people who were involved. I'll show you some pictures and talk about it a bit. There is also a Calendar of Events. We started an initiative a while back of posting the academic seminars around the University so that everyone can have access to it. It is up in the test mode and there are thirty departments participating. Eventually, every department will have a password and will be able to post things directly onto the server. Anybody can now use and generate a list of seminars for today, this week, and other extended periods of time. Part of the plan that will be implemented later in the semester is that you will be able to have a profile of the topics or key words that interest you and have the computer generate, say on Sunday, a list of the seminars for the week, regardless of where on campus they are coming from that would match your interest. This is not yet in place. We will broaden from the thirty departments as quickly as we feel we can do so to ensure that it works. This is what the site looks like (Appendix D, attached). There's a menu down the left side with items of interest to us. The current Senate Meeting is

always the first item and then there are announcements here, both current and archive. There will also be Faculty Forums and discussions taking place and the links for those are here. The Academic Policies will be a compilation of all of the policies that have evolved over the years; everything from Academic Integrity or retirement procedures. This will be things that are open to the public. There is also a link for the Emeritus group and they have provided information for their page. Under 'Forums and Discussions' you will find the previous discussions we have had such as those on Cornell Athletics, Biological Sciences, or Cornell '69. There are also links that are for use by the faculty governance, which is you. The key means that it will require your password to gain access. The Kerberos part is not yet implemented, so the minutes are temporarily not there. We wanted to have the minutes that are not yet approved to be accessible only to you and not the entire faculty. This is to ensure that the minutes made available to the faculty are correct. Once they are approved, they will be available to the faculty, but not to the whole world. There are some things that will be added likewise to the 'Committees' page for them that will be passworded. If you are a member of the Senate, there will be a list maintained so that you can enter your regular password; you won't have to learn a new one. Here we also have an 'Op-ed' page, which will give us a place for more extended dialogue in a virtual mode to carry on conversations on issues that are facing the campus without having to convene in a meeting. 'Links for Faculty' will include things of interest to you and things that you would be interested in finding out such as addresses for other universities, a weather report, or finding things on campus. It is intended to give you a quick access to resources. 'Seminars and Events' is a link to the calendar that I just mentioned.

"I will also hastily put in a plug for the Faculty Forum to be held next Wednesday, September 15. The announcement went out earlier this semester but some of the documents that were supplied to you and others that weren't can be found here. The 'Op-ed' essay that I wrote is here plus one has just been added by Bob Constable and Charlie Van Loan.

"Let me shorten this, I'm taking more time than I ought to. Here's a transparency that will grab your attention (Appendix E, attached). (Laughter.) I thought so. I picked the one that didn't have the year, but it goes up to last year. It is a graph of the salaries adjusted by the professorial rank of CU endowed. Other universities have a very old population or a very young population so we've taken the average of those ranks and mixed the proportions according to Cornell proportions. The legend is organized in descending order; the two at the top are Harvard and Stanford and they keep coming down and down and eventually you find Cornell and if you go further, past Virginia, Rutgers, North Carolina, Illinois, Davis, etc., you get to Cornell statutory. I haven't shown this before but I think it shows rather dramatically that the trend is not in the right direction at this point. There were two plateaus for the Statutory colleges and the line should be adjusted slightly because there was a mid-year correction that is not reflected. So it's slightly better than shown.

"Here are a few pieces on enrollment (Appendix F, attached). This is total student enrollment, undergraduate, graduate, and professional, broken down into ethnic groupings. At the top of the circle are foreign citizens, the largest group; next is Asian and Pacific, which has plateaued a bit; next is unreported; next is Hispanic; then black or African-American, which peaked and then dropped to a new plateau; and finally

American-Indian, which has a very small enrollment. I'll shorten this even more. This shows graduate students. I'm saying this not to chastise you, but to let you know that the enrollment of black students in the graduate population is not going up as in the undergraduate enrollment it is not going up. So, if we thought we were filling the pipeline, we are not moving as quickly as we thought we were. This is the minority faculty. Asian is going up; Black reached a peak, again this is 1992 and now has dropped; Native-American went from near zero up to a very small number and stayed flat. I think I will stop at that."

Speaker Howland: "Thank you very much Dean Cooke. I would like to call on Provost Don Randel for a discussion of the salary issue."

### 3. DISCUSSION OF SALARY ISSUES WITH THE PROVOST

Provost Don Randel: "I would like to pick up where both the President and Dean Cooke left off, beginning with the Statutory colleges. There were, in fact, some fruitful discussions in Albany this summer, including discussions between President Rawlings, our current Chairman of the Board, and the preceding Chairman of the Board with the Governor and his close associates, and salary was the number one issue to be discussed in that forum and others that have ensued. We're hopeful that new and more flexible arrangements may be put in place.

"In the meantime, rather independently of all that, the faculty union that represents the faculty of SUNY did negotiate a new contract, which provides for four percent per annum for the next four years. That contract needs to be ratified by the membership on the 28<sup>th</sup> of this month. If it is ratified, there will be a one-time \$500 signing bonus for everybody made available as quickly as possible. Three percent each of the Januaries going forward and a separate one percent in July. Which is to say that it makes it complicated for us to administer, but it will be four percent in the aggregate. Simultaneously, we have been discussing with the deans ways in which we can supplement that further. This is a matter that is under discussion with SUNY and the State, to be sure, but we believe that we will be able to augment that four percent pool for specially targeted situations where we know that we have problems with salary compression and so forth. That will be done off-cycle, as they say. We will not be able to advertise, publicly, that there is a program different from SUNY's, but in the aggregate by using the same techniques that we use on the Endowed side, it will be the case that something equivalent to five percent or more becomes available for distribution to faculty members over the next four years. If that is added to the last up tick that Dean Cooke mentioned, at least we have the grass growing in the same direction and some hope of making other gains as well, even if nothing changes about the State relationship. For the next four years, we will be in a better position than we have been in recent years.

"On the Endowed side, we will continue with the effort we have undertaken. We are now in the third year of a program that has been described as 5%. What I can say on that front is that the colleges have been able to further augment that pool. So, if one looks at what actually was distributed, in terms of increased salaries for continuing members of the faculty, the amount is distinctly above 5%. And if you look at it by rank, the number is above 5% for all ranks and strikingly so for Associate Professors

and Assistant Professors. One of the features of most of the colleges' salary programs is to provide some kind of added burst at the time of promotion, so if you look at Associate Professors becoming Full Professors or Assistant Professors become Associate Professors, there the percent increases tend to be above average. In any case, the program on the Endowed side did in fact in the last year result in increases for continuing faculty on average across the board rather higher than 5%, and in junior faculty, strikingly higher.

"You will have read in the 'Chronicle of Higher Education' a story about faculty salaries corrected for cost of living. This was done based on data supplied by the U.S. National Chamber of Commerce. We have looked at such numbers ourselves and have typically used a different index that is widely used in corporate America for the purposes of relocating executives. Either of those methods does show the Cornell faculty strongly benefiting from cost of living features, though we like the one that we use better. If you look at the Runzheimer Index, it turns out we're ranked first for Assistant Professors and second for Associate Professors in the nation and sixth or ninth for Full Professor. In any case, the aim will continue to be to provide pools of the size that we talked about and to encourage colleges to find ways to augment the pools that are provided. I'll take your questions on that in just a moment.

"Let me just say something first. I'm truly sorry that the matter of Computing and Information Sciences has generated some of the consternation that it has generated. My aim there, and I think that aim is shared by the President, has been to facilitate the discussion that began with a Task Force, the members of which were appointed in conjunction with the Faculty Senate last January. There is considerable enthusiasm, I think, for moving in some forceful new direction in computing and information science. I believe that we can't not do something. If you look at other institutions and the kinds of things that are in the works, if you look at the government and the sorts of resources brought to bear, if you look at virtually any discipline that you can think of, the impact of computing and information sciences is very profound. We need to be able to bring to bear on all of those disciplines the kinds of tools and thinking that are emerging from Computer Science and closely related fields. What to do about that is still to be decided. We set up the Task Force as producing two reports; one at the end of last semester and one at the end of this semester. This was to create a space in which there could be campus discussion so that the final report would reflect something of that discussion. Here it seemed that, perhaps, we had learned something from the Biological Sciences situation. Rather than let a Task Force produce a report and then have another extended period in which everyone complains and objects that they weren't consulted, we would have a preliminary report, have a period for discussion, and hope that the Task Force final report would reflect that discussion so that we could get on with it.

"To give you a comparison of the rate in which this is happening in this field at other universities, Penn State had a similar task force started in the fall of 1997. In the fall of 1998, it had been through their Senate and their Board of Trustees and now they are building a 100,000 square foot building for their new school of Computing and Information Sciences, or whatever they're going to call it. I don't think that this is a field that is going to wait for us. The aim was to create a task force with two stages so that discussion could take place. In the meantime, what I did was to appoint Bob Constable, the then chairman of Computer Science, as a member of the Task Force and gave him

the title of Dean for Computing and Information Sciences. This is something that the President and I discussed with the Dean of the Engineering College and with the chairs of the Engineering departments last spring. There was some discussion as to what the title would be. The point was to have in place someone from the faculty who could exercise some leadership in carrying on the discussions so as to be in a position then to move on to implement whatever it was decided that we should implement. I think, and it cannot be said in any way, that there is a foregone conclusion about what's to be implemented or how it will be implemented.

"In the meantime, we have recognized that we are likely going to have to put new resources into the matter; we will certainly have to put additional resources into Computer Science itself, even if nothing changes. For that reason, I have felt that I should assume responsibility for providing finances there. Some of you all know that there has been some tension within Engineering about the flow of other resources away from other departments and into Computer Science. So I said that I would assume responsibility for making sure that the money got where it needed to go. As we began to seek new resources it worked to have Constable in place to work through the discussion and then be able to move briskly into an implementation phase when we begin to return to what we ought to do. I continue to believe, and I believe many people on campus continue to believe, that something ought to be done to this set of disciplines and its effect on the rest of the University.

"Let me add one thing more. At this moment, the Department of Computer Science remains a department in both Arts & Sciences and Engineering. They have no ability to change degree requirements, to admit students, to offer new courses, without working through the Educational Policies Committees of those two colleges. So the whole question of how that academic program works or will work has remained completely unchanged. Now for your questions."

Associate Professor Brad Anton, Chemical Engineering: "I've been watching this faculty salary issue with key interest, principally because my own department, Chemical Engineering, has lost 3 established or rising stars to 'greener pastures' in the last two years. I'm glad to hear some good news on the statutory side, it seems like there's been progress. The Faculty Senate has requested rather specific actions be taken and I'm curious about the status of those. For example, in December of 1998 there was a Faculty Senate resolution urging you to work with the Financial Policies Committee to develop targets for faculty salaries and a means to achieve them. As I recall, Paul Sherman, the chair of that committee, felt that progress was not being made and resigned in frustration. Then in April of 1999, another Faculty Senate resolution implored the Dean of the Faculty and the University Faculty to achieve the goals of the first resolution by working with you on this. Then in May of 1999, new data showed that we had slipped a little bit, which punctuates the urgency of the situation. It appears as though no significant progress, relative to our peers, has been made in the last four years. So the question I have is, have you been able to meet with the Financial Policies Committee, the Dean of the Faculty, and the University Faculty Committee to discuss specifically this issue that targets faculty salaries? If not, why not? If so, what progress can you report in your interactions with them?"

Provost Randel: "We have met with the Financial Policies Committee last spring on a number of occasions and have assured that committee of the central administration to continue to do that as regularly as they want to. The sticking point has been over the question of would we say that we guarantee to make Cornell rank nth in some particular poll? I do not see, as I've said many times before, how anybody in his right mind could do that. I'm certainly committed to seeing faculty salaries improved as steadily as we can improve them. This is the first time in the history of the University that for three years running we are raising faculty compensation at a higher rate than we are raising tuition. Those two numbers are the two biggest numbers on the revenue and expense side, respectively. The pressure to hold down tuition mounts daily, if you read the newspapers. We are, nevertheless, finding ways of driving faculty salaries up in spite of that environment. In the last four years we have made more progress on this than in the preceding twenty years, one would have to say. We'll aim to continue to do that. I think that the rate of increase, as I have described it for you based on last year's data, is better than ever. Do I believe that that we'll get Cornell to sixth when I have no control over what any of our competitors is going to do? I do not think that I can honestly say that and I think that anyone who promised it to you would be a fool."

#### **4. APPROVAL OF MINUTES**

Speaker Howland: "I'm sorry, but I think that we're going to have to cut off this discussion and move on. I'd like to call for approval of the minutes of the May 12 Faculty Senate meeting as posted on the web. If I hear no objections I'll assume that there is unanimous approval. Hearing none, they're approved."

"I'd now like to call on Associate Dean and Secretary of the Faculty, Kathleen Rasmussen, for a Nominations and Elections Committee report."

#### **5. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE**

Associate Professor Kathleen Rasmussen, Nutritional Sciences, Associate Dean and Secretary of the Faculty: "Unfortunately, I am low of voice, as it is the beginning of the year and the students are back and I usually catch a cold. I have a long report, (Appendix G, attached) so I will try to hit the highlights. I do want to bring to your attention the results from the election that we held last April. We have also just completed an election for Speaker Pro Tem and the winner is Mary Beth Norton. You have received in writing in the call to the meeting these actions, which are replacements to committee members who have rotated off. I do want to bring your attention to the new chairs of committees: Melissa Hines for the Committee on Academic Freedom and Professional Status of the Faculty; Richard Galik for the Educational Policies Committee; Jon Macey for the Faculty Advisory Committee on Athletics and Physical Education; Charles McCulloch for the Financial Policies Committee; Sandra Siegel for the Lectures Committee; Keith Dennis for the Library Board; and Olan Forker for University-ROTC Relations Committee. We also have appointed two members to the University Faculty Committee as a result of resignations. These are short-term appointments, not for the full three years. They are Keith Dennis and Terry Fine. We have also made most of the appointments to the Assemblies committees, but there are a few more to go. Are there any questions? Thank you."

Speaker Howland: "Thank you very much. I'd like to call now on Professor Terrence Fine to give a report on Computing and Information Sciences."

## 6. REPORT ON COMPUTING AND INFORMATIONAL SCIENCES

Professor Terrence Fine, Electrical Engineering: "Well, part of my report was already given by Dean Cooke and Provost Randel – as you will see I agree more with one representation than another. To set the stage, I have two quotes that come from the June Task Force Report. 'Nearly every discipline is changing, not just because of new tools but because of computational ideas and new paradigms.' 'We can be the first University to broadly integrate Computing and Information Science into education for all students and into research and scholarship across the campus.' That is the broad-scale picture. I want to address four issues and follow the process to date, which has been addressed by the Provost as well: The Vision, The Vision Statement, Organizing how we are going to meet that Vision, and then how we are going to do what is left to do. So those are the four things I want to address in the time that I have here. I've been told that this overhead (Appendix H, attached) has far too much print for this room – I was told correctly, but we are all in love with our own words. I wanted to put up a kind of document history. I hope it's complete, but there are things that I don't know about the committee.

"Very quickly, the chronology starts in October 1997 with a report from the Research Futures Task Force about three strategically enabling areas, biology, advanced materials, and computation. There is a fourth one too, informational sciences. In March of this year, a charter was provided, I believe by the Provost, but my copy wasn't signed, to create a membership to a Task Force and charged to act. The first report of it that I know of was in the 'Cornell Chronicle,' in an article by Bill Steele about that matter. There was a response at the end of May before the June report appeared that I do want to mention because it was really in disagreement with the report that came out. It recommended against the creation of an autonomous academic unit. It went on to say, 'we are particularly concerned that engineering faculty, other than those of Computer Science, have not consulted with the committee deliberations.' None of those caveats found their way into the June report. This was, I believe, a unanimous report from the chair with the exception of Computer Science. When they were consulted at the end of the month, before the report, the complications had no effect on the outcome. We heard from the Provost, correctly, that in the course of the summer there was some consternation on the subject. There was quite a bit of consternation. There were rumors down the halls, people were saying, 'I walked down by somebody's door and his title was changed.' We were getting information from that kind of channel. Not a satisfactory state of affairs. The Provost was then urged to respond to that, and he did. He responded by a memorandum of August 19 but, by that time, things had already happened. We have just been told that nothing has been set in concrete, and I can accept that. But, the first changes were a little more substantial than was indicated. The Computer Science Department now controls its own tenure process and controls hiring; it has more than just budgetary control. A lot of the control exercised by the college has been transferred to that entity as well. It has been detached in more respects, not all respects. Dean Constable used that in a talk he gave a few days ago, 'Repositioning the CS Department as a University-level Administrative Unit.' It seems they want to go

further with this process than there has been any consultation warranted at that point. Understanding, however that there is a feeling of urgency in this matter.

"There has been a repositioning in the Computer Science Department, not just a matter of a change in budgetary control. So from the point of view of the members of the Engineering College, there is a substantial undertaking in this process all in a rather urgent basis. This is not to invent a pretext to do nothing; we are getting a sense of the urgency of this issue and things have been happening without broad consultation.

"There is a document trail, some of which will be on the Faculty website; others will be added to it. Some of the extended versions of the overheads will be available as well. There has been a process in place that has been going on throughout the summer. There is a feeling that there has been a *fait accompli*; we have been assured that it is not a *fait accompli* but the word 'consternation' is a fair word to use to describe what is being felt of this process.

"Let me go on then to substance. The division has been an attractive one to those who have seen it. It engenders enthusiasm. Professor Huttenlocher assured us that the November report will not address organizational issues but principles. It will be a clear convincing statement of principles and leave organizational decisions to Dean Constable. CAPP has, in the meantime, asked the Task Force to embed their statement of principles in a larger context. The principles seem very personal. They are very convincing, but there are other people who are talking about this. It would be nice to relate to something that is going to be an engine, driving as big an enterprise as this one, which is already starting to leave the station. It would be nice to know that those principles are well-founded in a community of people who will create with it. We do not have that evidence in the Task Force Report. We are seeing persuasive but still individual statements.

"There are some things out there about the centrality of Computer Science, what they call Information Science, which is not about merit and I have some information on that. This is why I think that this needs faculty involvement. Some things are debatable; they are not obvious truths. I think it may be the truth, I may not agree with it; I think it needs your attention and not something that can be overpassed. The Web, as I recall, was invented by the bloody physicists and lives on what us electrical engineers build. You can make an argument that a lot is being left out here. It's kind of a hegemonic plane -- I learned that word recently from my colleagues. (Laughter.) This is not a foregone conclusion what they are saying. Engage with them. You may agree, but engage with them.

"With respect to substance and organization, CAPP met twice. We were going to start to discuss the organizational issues; we didn't want to postpone them and were able to meet with Dean Constable. There are three kind of entities in play here; there is the CS Department, which in some way seems interchangeable with the Task Force even though it is a minority member of the Task Force with only 3 members, but it seems to be the leadership element. There is the CIS, which contains CS and Dean Constable and would be the driving force of the FCI which will contain maybe 200 faculty. One of the issues I raise here is that inflation may be from where problems in Engineering and Computer Science come and implementing the vision. Both the birds are being killed

with the same stone, maybe not successfully. They are kind of intermixed. I liked Dean Cooke's comment, so I put it up here, 'Being the Dean of Faculty is like herding cats, put out food and they will come.'

"One of the good things to come out of this was that on August 25, Dean Cooke put out a second version of a memorandum with this thought on how to organize this. It disagrees some with what was put out from the Task Force. As of yesterday afternoon, there was a memorandum circulated from Constable and VanLoan. There may be some convergence between those two things on organization. There are some prospects here that perhaps something productive will come out. However, I am not ready to present them. CAPP has not met, I just received this memo early yesterday evening.

"So, what is the role of faculty in this? We are already engaged in moving targets. CAPP expects to see a fixed proposal. If someone wants a degree in Atmospheric Sciences, then they give us something specific and we look at it. This is moving at a great rate, which is not a bad rate – it just doesn't fit it with the way we're used to operating. However, there will be some kind of Faculty Forum on the 15th. We should be targeting a response from the Senate at our meeting on October 1. The final Task Force Report is expected on November 1st. The Provost has mentioned this himself that there will be some opportunity following the November 1st final report to engage in the issue. I think that's very important and everyone deserves that. I am very concerned about the sense of urgency here, which could engender some recklessness. We see urgency in different things and look at it in different ways. Finally, you're going to like this Howard, before you try to shut me up. This came from a discussion last December. I think it's an interesting analysis of how things can be done around here, a Periclean and Odyssean mode. President Rawlings, when asked about this, agreed that the Periclean mode was more desirable, but I have to say that the events of the summer indicate more of an Odyssean mode in operations. I hope that with some of the remarks today, we can re-establish the Periclean mode. Thank you." (Laughter.)

Speaker Howland: "Next, I'm going to call on Professor Christine Olson and Professor Stein who have a resolution amending the Faculty Committee on Program Review."

## **7. RESOLUTION AMENDING THE FACULTY COMMITTEE ON PROGRAM REVIEW**

Professor Christine Olson, Nutritional Sciences: "Other than Peter Stein, I am the longest standing member of the Faculty Committee on Program Review. This is a fair committee and we seek to amend the legislation that speaks to the size and composition of the Committee. Specifically, we would suggest, or hope that you pass a resolution, that will allow us to change the size of the committee from nine to 'no fewer than nine and no more than eleven.' In addition, a second change that we would suggest, which is more in line with the administrative structure of the University, there is an ex officio member of this committee, who in the legislation is stated as being the Vice-President for Academic Programs, Planning, and Budgeting. That is no longer an existing position, so we would suggest that this be changed to 'a senior member of the administration, appointed by the Provost.' And, as I said before, this is an ex officio position. Our rationale for the change in the size is that this is a committee with a heck of a lot of work and each review that happens at this University has two members from

the committee that sort of follow it through. Often, this is a nine-month to one-year process. Academic leaves and sabbatics are a feature of life at this University and when a faculty member goes on leave, it doesn't work very well for someone to be appointed to the committee for six months or one year to take that person's place. So, if we have a slightly larger committee i.e., no more than eleven but no fewer than nine, there would be a little more flexibility in covering this."

Speaker Howland: "I'll call on Professor Stein to move the motion and then we'll open for questions."

Professor Peter Stein, Physics: "I'll move."

Speaker Howland: "Second? (Someone calls 'second'). Thank you very much. The motion is open for discussion. Are you ready to vote? All in favor say 'aye.' Opposed? Resolution passes unanimously."

*The Faculty Committee on Program Review (FCPR), a new university-wide professorial faculty committee, will oversee the program review process. The Committee will consist of no fewer than nine and no more than eleven faculty members representing the broad disciplinary areas and academic functions of Cornell and a senior member of the administration appointed by the Provost ex-officio.*

I will now call on Professor Barry Carpenter. This is a resolution amending the Natural Sciences Research Advisory Council."

## **8. RESOLUTION AMENDING THE NATURAL SCIENCES RESEARCH ADVISORY COUNCILS**

Professor Barry Carpenter, Chemistry: "Let me begin by reminding you what the Natural Sciences Advisory Council was designed to be. About a year ago, this body brought this council into being largely, I would say, as a result of our displeasure with the action of the Research Futures Task Force Report. A number of people thought that this was putting in place a kind of top-down way of running research at Cornell and we wanted something else. So the Senate put together the Research Advisory Councils as an alternative structure for providing input to the central administration on research. That had two components as originally envisioned; a local component that has been meeting over the last year and what I have on the overhead is a list of the membership as it currently stands (Appendix I, attached) and just a little bit about what we have been doing since inception. We began by educating ourselves about what the University-supported research looks like. That involved hearing in impressive detail from Vice Provost Richardson and also from the people involved in research support from some of the colleges of the University. As a result of educating ourselves about that, the Local Advisory Council put together what one might call a 'best practices' memo, which was circulated to deans, department chairs, and center directors that I actually brought before this body before the end of last semester. In addition, we have been acting as a central source for looking at proposals that go out of the University to the various funding agencies, many of them private foundations. Those foundations often are looking for only one or two proposals to come from the University and, often there are more proposals than that that are eligible, so one has to choose amongst them."

Vice Provost Richardson has called on the Advisory Council for the particular foundations and fellowships listed on the overhead to make those selections. So, we've been doing that too.

"So, that's kind of what we do, but there was a second part to the original proposition and that had to do with the External Advisory Council. The idea here was, originally, that this would be a group of five luminaries, people who would be major figures in research, science policy, or perhaps in funding at the federal level, who would come to Cornell on an annual basis and would have two principal functions. One was to tell the central administration what was important and to give the central administration some idea of where Cornell stood in the larger scheme of things. The other was to provide some objective assessment of proposed initiatives that would be involving expenditure of major resources of the University, just to make sure that those decisions were really being made on the merits of the case and not because of any particular influence of individuals at the University. Well, when the Local Advisory Council came to try to put together an External Advisory Council, we came to recognize that there were some difficulties with the original plan and those difficulties seemed to us to be significantly profound that we wanted to amend the original plan and that is what is now before you.

"Let me tell you briefly what we thought the difficulties were. In summary, one could say that in the original conception—and I must say that I was a part of this, so it is partly my fault—this group of five external advisors probably could do something that with reflection we wouldn't want them to do and couldn't do what we did want them to. What they could do was make prognostications about what would be happening in science and pass these on to the central administration. The problem is, what would happen next? Suppose that central administration believed them, how would that lead to the new research at Cornell? It seems upon reflection that this might actually be encouraging the kind of top-down administration research that the whole thing had been set up to get around. So that's what they could do that we wouldn't want them to do. And, as far as what they couldn't do, they probably couldn't give us any useful advice on any new initiatives that had been generated by the faculty at Cornell. What five people are going to be able to give us useful advice on all of the possible research enterprises at Cornell? So, it didn't seem like there really was the expertise nor would an annual visit schedule work well with the realities of federal funding, where often major research initiatives are brought about as a result of some requested proposal that comes out of a few months at best, or a few weeks notice.

"Finally, when the original proposal had been put together, we didn't really take account of the fact that there are already a whole bunch of external advisors that come to Cornell and much of what we had in mind would simply be duplicating what those people were doing.

"So for those reasons, we want to suggest a change and that change would be that now the External Advisory Councils would not be just one group of five people but would be different Ad hoc groups that we would put together as a result of some major initiative being started by faculty members and that the deciding principal would be whether that initiative would involve expenditure of significant quantities of University resources. The purpose of that group would still be to provide us with external

validation of the scientific merit of this initiative and to tell us that this is really the right direction.

"So that's what we'd like to propose. As far as the Local Advisory Council is concerned, the only major new task for the Local Advisory Council is that we would like to propose that the group communicate with several of the External Advisory Councils that are already coming to campus and to act as a sort of central clearinghouse of information. At the moment, those groups tend to work rather independently of each other and it seems that it would be valuable to have a group that knows about all of them and can correlate the information we have on them. So, that is our proposal and I will attempt to answer any questions you may have on it."

Speaker Howland: "I believe we have the proposal here on the overhead (Appendix J, attached). Is there any discussion on the motion?"

Professor Richard Galik, Physics: "One thing that your proposal doesn't seem to address is new directions that have not been proposed for new initiatives on campus. I can imagine a scenario in which the five luminaries that we had envisioned said that the next important thing for universities in this country to be doing is x and Cornell is not doing x. Whereas, the people that you're bringing in are going to be reviewing initiatives that the administration has already thought about. How does your plan address that?"

Professor Carpenter: "It doesn't, and it doesn't do so deliberately for the reasons that I tried to allude to. Let's take a hypothetical case. This group of luminaries came to Cornell and said exactly that, 'Here is something that you should be looking at.' What would happen next? How would that get translated into faculty members getting involved in that research? The feeling of the Local Advisory Council is that we want research at Cornell to be driven by faculty initiatives. That was the whole point of this thing, that we don't want it driven by the central administration. I think that it doesn't address it and nor do we want to address it."

Speaker Howland: "Professor Stein?"

Professor Stein: "Before we approve this unanimously, I would just like to add a little note of sadness that, in fact, this initiative wasn't tried. I know that Rich Galik and you were on the drafting committee. I don't know if Linda Nicholson is here, but it was her basic idea. There was a seed of a thought there that when we talked about that we recognized the problems that you're alluding to, but the feeling was that there are people in science administration who have a very broad view, for example, the head of the National Science Foundation, has got the whole perspective of Natural Sciences under his or her purview, as well as the director of the NIH and so forth. The feeling was that, if you recall, one problem that Cornell has because of our location is that we tend to be more insular than other places and the idea of having a very broad-based group that can understand the scope of the funding situation of science in the United States to react to a proposal might teach us something or other. If I recall, the interaction between the Local Advisory Committee, who would have a detailed knowledge of what we have in terms of resources and what we're good at, and the External Advisory Council, which would have a broad understanding and appreciation for the direction of

science in the country, could really tell us something about how we could link what we have to where the world is going. Maybe it's no good, but it seemed to me at the time that it was worth trying since no one had tried it before, and I'm a little disappointed that we didn't try one round of it by selecting a committee and then bringing back results that it doesn't work."

Professor Carpenter: "Let me just respond to that. I think it's not that we just didn't want to give it a try. I think that it's that when we thought about putting this thing together, the sorts of problems that I alluded to arose. It seemed to us that risks that perhaps you understood at the time—I must confess that I did not understand at the time—became clearer to me as I thought about it. It seemed to those of us on the committee that the risks outweighed the rather ill-defined, if I might say so, benefits."

Speaker Howland: "One more question here and then I think we'd better decide on what we're going to do."

Professor Joseph Ballantyne, Electrical Engineering: "In the proposal that you have assembled, External Advisory Committees will be formed in response to new initiatives. . ."

Professor Carpenter: "Not all new initiatives. . ."

Professor Ballantyne: "To some new initiatives, but major ones. It's my impression that such a procedure might be quite unwieldy and not very productive because most major new initiatives that involve external funding as part of their own process have to get a very credible external body in place, so they've already done that. Why does your committee want to make another one? It will slow up the process by have two such committees. I think that the vision for this setting up additional committees is redundant."

Professor Carpenter: "Well, actually, if you look in detail to what the resolution says, it addresses precisely that point and says that for those initiatives with major external funding we would not institute our own external advisory group precisely because those kinds of initiatives already have their own external advisory groups. So, there wouldn't be a second one, that's pretty clear in our legislation."

Speaker Howland: "We're at the end of our time for discussion. What is the feeling of the body? Do you want to vote now or do you wish to postpone this? Someone make the appropriate motion."

Someone unidentified called to close discussion and to vote. The question was moved.

Speaker Howland: "All in favor of voting now please raise your hand. All of those opposed to voting now please raise your hand. It clearly carries so we'll take a vote. You are voting on the motion and the text is in front of you. All of those in favor of the motion say 'Aye.' All of those opposed say 'Nay.' The motion clearly carries. Thank you very much. I'll call now on Professors Bob Harris and Bob Johnson to give a report on the Campus Climate Initiative."

## 9. REPORT ON CAMPUS CLIMATE INITIATIVE

Professor Robert Harris, Africana Studies and Research Center: "Let me just begin with a quotation from a pamphlet called 'Reasons for Hope.' This is a publication that is put out by the American Association of Colleges and Universities from the pamphlet 'Diversity Initiatives' that was sponsored by the Ford Foundation. I believe that we still have some copies of this publication available in the Dean of Faculty's Office. This is the quotation: 'Even though we live in a nation where issues of race are continually in the news, few of us have learned how to talk across racial lines. Our silence, aggravated by persistent social segregation, means that college is often the first opportunity many Americans have to live and work in a multiracial setting, and to engage in multiracial dialogue. . . .I've learned that dialogue about racism can be a powerful catalyst for change.' This is from the Dean of Mount Holyoke College. I think that the quotation summarizes part of the problem that we're facing in that we have students who are entering Cornell University who really have very little experience engaging with others who are different from themselves. Some of the incidents that occurred on the campus during the fall of last year and a few of the incidents that have taken place this year suggest that we really need to have a discussion within departments, across the University as a whole, about difference and diversity and how we can create a wholesome learning and living environment for our students.

"We've made available a Mission Statement that the Campus Climate Committee has developed. There are still copies that are available on the handout table (Appendix K, attached). We've also indicated the role, as we envisioned it, for the committee and then our plans for the 1999-2000 academic year. Also, as a part of the handout is a statement of why diversity is important and how it enhances Cornell's mission. It looks at the environment for learning, curriculum and faculty development, intergroup relations in campus life, recruitment, admission, retention, and community relations. One thing that we would like to do this academic year that was started in the Spring of the last academic year was when we had some pilot conversations in a couple of departments. Of course, we learned from those because we were ambitious and wanted to bring together faculty, staff, undergraduates, graduate students, and post-doctorate fellows in a conversation of difference and what could be done to improve the climate at Cornell. We learned that it maybe better to start with faculty and then also to have separate conversations among students and staff. That's the direction in which we're heading this year. We're encouraging each academic unit and each department to devote a department meeting this term to a discussion about what the faculty can do to improve the climate at Cornell. We have discussed this with President Rawlings and we have his support, but we're trying to do this from the bottom up as opposed to from the top down. We're not proposing a one-size-fits-all solution to some of the problems that we face. We would like for each department to discuss among its faculty, initially, what faculty can do to improve climate at Cornell and then we would encourage departments to have conversations with students and staff associated with those particular departments. I want to make this very brief so that we can have an opportunity to answer any questions that you might have."

Speaker Howland: "Questions? Thank you for that presentation. Fortunately, we're a bit ahead of time and we can pass to the Good and Welfare time. We have about 15 minutes and 4 people to speak. I'm going to list the people I'm going to recognize first

Opperman and Sass for an announcement on the United Way, Professor Brad Anton, Professor Charles Walcott, and Professor Stein. So, if you take about 3.75 minutes each, we'll be fine. I call on Vice President Mary Opperman and Professor Steve Sass for an announcement on the United Way."

## 10. GOOD AND WELFARE

Mary George Opperman, Vice President for Human Resources: "Like any good administrator, I came in through the back door. (Laughter.) I want to be very quick. This is just a reminder that the Annual Tompkins County United Way Campaign will kick-off on the 15th of September with a 'Day of Caring.' We're looking for about 75 to 85 volunteers to spend the day down on the campus. We know that this is a bad time of the year for you but we don't set the day, the county does. So if you get a request from a staff member to spend the day downtown cleaning shrubs or painting, we hope that you will do that. Now I'll turn it over to Steve and then follow up with some logistics."

Professor Steven Sass, Materials Science and Engineering: "Thanks Mary. First of all, I've spoken to some of my friends out there who might ask me why I'm standing here. When Mary asked me to help her out with the United Way campaign I thought that I would do what I always do at Cornell when I'm faced with being on a committee, which is 'Just say no.' (Laughter.) After you've been here a while, you learn that. But Mary is smart and she told me a few facts and one or two of them got my attention. She told me that only 22% of the faculty and staff give to the United Way and that in the faculty that number is probably less than 22%. I was both surprised and disappointed and I thought to myself, 'boy what tightwads these people are.' So I was hooked in and I told Mary I would help out. What I thought I would do is tell you very briefly why I give to the United Way to kind of appeal to you. When I looked at all of the organizations under the United Way, I saw the Boy Scouts and thought that my two sons, who are both away from Ithaca, benefitted from that, so that's nice. I saw other ones like Challenge Industries and I thought that my family is very fortunate because we haven't had to benefit from that but some people do. So when I give to the United Way I'm saying 'Thanks – thanks for all of the services that helped my kids but also thanks for the fact that I don't need certain things but other people do.' So I want to thank the folks that do give to the United Way and I admonish you to give more and for the folks that don't give I would like you to open up your hearts and your wallets and pocketbooks as well and make any kind of contribution that you can. Ithaca is a very special place and United Way helps Ithaca to be nicer. I really appreciate your listening to me."

Vice President Opperman: "Just quickly, did you know that you can designate your gift? You can designate for or against any of the member agencies. Less than 1% of our dollars go to the National. All of the rest of the money stays here and supports only 4 people at the local United Way and the rest goes to our agencies here in the area. There is \$175,000 challenge grant from a donor for all new gifts that are increased this year. Thank you very much."

Speaker Howland: "Thank you. The speaker recognizes Professor Brad Anton."

Professor Anton: "I'm an associate professor and I've been here for thirteen years and want to quickly demonstrate how the financial issues we've been dealing with, such as faculty salaries and rising tuition costs, can cloud the future for some of us. Young faculty who are thinking of starting a family should pay attention to this. I'm 43 and I just got married this summer, finally. My wife Susan, who is 33, and I would like to have children. Now, she's a very shrewd planner, she's much better with money than I am and she said, 'We need to figure out what we have to do to make sure that when our children grow up we can send them to college and we'll have retirement benefits left over' because my kids will be going to college at about the same time that I'm getting close to retiring because I'm a slow mover. So I went through the exercise and used data that I've collected over the last 13 years at Cornell and projected into the future (Appendix L, attached). First of all, I started working in the beginning of 1987 and the numbers I have here I got from some colleagues whose averages are very close to my own and I'm not afraid to reveal them. My month's salary expanded to 10 1/2 months. In the College of Engineering roughly about half of the months of summer salary are paid. I started at about \$45,500 and that's expanded now on average for people of my rank to about \$79,900 and this shows that the salary has grown in this period at an average of 4.4% per year. Tuition during the same time period went from \$11,500 to \$23,700 and you can see that from a fraction of salary it went from 25% to 30%, one year of tuition versus one year of faculty salary. We take from that the rise in tuition as 5.7% per year. Let me project twenty years into the future when my kids will be going to school. My salary will be \$188,000 for ten months—if this sounds ridiculous, go back to 1969 and try to guess what would be happening now—and the tuition will be \$71,600.

"So, here's the planning exercise. Let's say that we want to have 2 children attend Cornell for four-year degrees beginning in the academic year of 2019-2020. Two years/four years tuition each, 50% Cornell tuition benefit from the Cornell Tuition Scholarship; that means I need four tuitions in 2019, that's \$286,000. If I'm going to save to achieve that in a savings account, I need to save \$650 a month for 20 years at 6% per year interest rate or, alternatively, if I wanted to invest in a house and then use that to borrow against I would have to accumulate about \$1,200 a month in principal over that time period. So, one final point. An interesting comparison is if you look at tuition growing at a rate of 5.7% per year as it has from my starting date and then look at it as if, instead, tuition had grown at 3.5% per year which is the Consumer Price Index, the general rate of inflation, during the same time period and project that into the future, the tuition comes up half as large, which means that increase of the growth of tuition over inflation has consumed the 50% childrens' tuition scholarships. Thank you very much."

Speaker Howland: "The speaker recognizes Professor Charles Walcott."

Professor Charles Walcott, Neurobiology and Behavior: "Thank you, I'll be brief. The Federal Office of the Management of the Budget, a wonderful organization in Washington, has instituted a new requirement that Universities report the faculty effort devoted to various sponsored projects. This effort reporting system needs to be put in place at the University. We have been asked by the various financial powers that be to look at these proposal and the proposal is very simple. We need to report the percent of effort devoted to research. In making a proposal for the Office of Sponsored Programs, one has to fill out a Form 10, which says how much effort we propose to devote to this

activity. Clearly, here's a good beginning and we propose that once a year faculty look at that number and say 'Yes, that's about right' or 'No that's violently wrong' in which case they get to change it. The administration has asked us to look at these procedures and we think it can be as simple as that. In the event that it turns out not to be that simple that might be something the Faculty Senate wishes to consider further."

Speaker Howland: "Thank you very much, Professor Walcott. The speaker recognizes Professor Peter Stein."

Professor Stein: "I would just like to say a word about my favorite topic, or my unfavorable topic, meaning faculty salaries and respond to what the Provost said about salaries. When I taught Physics for the first time in Physics 112 I learned – and I think every professor who teaches 112 learns to say to students when they say 'this is big' or 'this is small' or 'this is going up' or 'this is going down' or something like that I know in my sleep what to say – to say 'compared to what?' It's always 'compared to what?' If faculty salaries are getting better, then compared to what? What do we compare faculty salaries to? When the Provost says that we have a steady program of improvement and that faculty salaries are a high priority, then the question comes up, 'compared to what?' Faculty salaries are getting better—compared to the Consumer Price Index, the median family income, the average industrial wage, Ithaca College salaries? I don't think so. I think that when we talk about faculty salaries, it's always 'compared to what?' And what it is compared to is what other institutions that are like us pay. In fact, if one looks at those numbers, it is clear that over the past four years, in the endowed part of the University, our salaries have not gone up; they have gone down. Now, compared to other institutions, full professors are paid less than what they were paid four years ago. It's very difficult for me to see how one can from those data say that salaries are going up. It's as simple as that. When the Provost says that we can't promise, of course we can't promise, but we can plan. We're in a real world where everybody else is acting and doing something and like in all our other endeavors, when we talk about Information Technology, when we talk about Biotechnology, when we talk about the Genomics Issue, we don't work in a vacuum. We think about how we're going to be able to compete in the world we compete in and faculty salaries are no different. When the Provost says that we want him to promise to make Cornell salaries 6th and he can't promise that, I understand full well that he cannot promise that, but we ain't anywhere near 6th. Do you want to know where we are for full professor salaries? 6,7,8, 9, 10, 20, 30 – 37 for full professor salaries. That 's where Cornell is and I find that a disgrace. As the Provost knows, I sent him a memo whereby I demonstrated, and I have not heard it refuted, that the current plan that we are on, namely the five percent plan, if one looks to see what the rest of the world is doing, this plan will take us down and not up. I believe that this is a matter of great importance to this institution and cannot be answered by saying that it's one of our high priorities or that we are getting better. I'm sorry to make that statement so strongly, but I believe that if a person who does not have a stake in it looks at the numbers with a dispassionate eye, the way that my colleagues have learned to look at the numbers, they cannot conclude from that data that our relative situation is getting better or that the present course that we're on will succeed."

Speaker Howland: "Okay, we have about two minutes left." (Laughter as Provost stands up.)

Provost Randel: "I should have left sooner (Laughter) or, Peter should have spoken longer. (Laughter.) Compared to what? Well, compared to the Consumer Price Index, for one thing. Real income, real faculty income, is growing. The problem has to do with the comparisons that Peter invoked. He always wants to speak about full professors and they're not the only people who work here. When we say 'Get us to six because we are the sixth ranked University' well, not every department is ranked sixth and they're not all operating in the same competitive environment. Compared to what, well, compared to other things that we're trying to do. We're pouring more money into compensation than we are into growing any department's budget for an other purpose. So, I'm sorry it's so unsatisfying. It is a high priority and we will try to do still better, but I'm afraid that we're going to have to continue to disagree on what the limits of our possibilities are and what the consequences will be. As I said in the beginning, as is demonstratively the case, that as the year just ended, Cornell faculty salaries went up on average across full professors by something like 5.6%. They went up 9% for Associate Professor and in some cases it was up in double digits. One would have to take a much more fine-grained approach, I think, if you wanted to look at numbers dispassionately than to say talk only of averages or of rank alone."

Professor Stein: "But you do agree Don, do you not, that the full professor salary compared to peer institutions, has over the past year gone down 8/10 of a percent?"

Speaker Howland: "Gentlemen, I'm sorry we're out of time."

Provost Randel: "Saved by the bell!" (Laughter.)

Meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

## ANNOUNCEMENT OF DEATHS

Barbour L. Herrington, Professor Emeritus of Dairy Chemistry,  
February 6, 1998

John C. Cain, Professor Emeritus, Pomology and Viticulture,  
June 16, 1998

Vernon H. Jensen, Professor Emeritus, ILR, September 27, 1998

William H. Erickson, Professor Emeritus, Electrical Engineering,  
October 21, 1998

Charles S. Levy, Professor, English, November 5, 1998

William T. Miller, Professor of Chemistry, Emeritus,  
November 15, 1998

Harlan P. Banks, Liberty Hyde Bailey Professor of Botany,  
Emeritus, November 22, 1998

Paul W. Gates, John Stambaugh Professor of History, Emeritus,  
January 5, 1999

Oliver H. Hewitt, Professor Emeritus, Natural Resources,  
January 27, 1999

Burnham Kelly, Professor Emeritus, Architecture,  
February 3, 1999

Frank A. Long, Henry R. Luce Professor of Science, Emeritus,  
February 8, 1999

William C. Kelly, Professor Emeritus, Vegetable Crops,  
March 20, 1999

William C. Rebhun, Professor, Clinical Sciences, March 24, 1999

Orval C. French, Professor Emeritus, Agricultural Engineering,  
March 30, 1999

William W. Reeder, Professor Emeritus, Rural Sociology,  
April 2, 1999

Max E. Brunk, Professor Emeritus, Marketing, April 8, 1999

A. Thomas Kirsch, Professor, Anthropology, May 17, 1999

Paul H. Darsie, Professor Emeritus, Clinical Medicine,  
May 29, 1999

Martin W. Sampson, Professor Emeritus, Operations Research  
and Industrial Engineering, June 6, 1999

Alvin J. Braun, Professor Emeritus, Plant Pathology, Geneva,  
June 7, 1999

H.A. Willman, Professor Emeritus, Animal Science, July 14, 1999

Robert M. Gilmer, Professor Emeritus, Plant Pathology, Geneva  
July 17, 1999

Barbara H. Cooper, Professor, Physics, August 7, 1999

# **REPORT OF FACULTY ADVISORY COMMITTEE ON TENURE APPOINTMENTS**

**September 1998 - May 1999**

**46 files were reviewed:**

**45 positive and 1 negative  
recommendations were forward  
to the Provost.**

**The Provost concurred with the  
Committee's recommendations.**

# University Faculty Web site

## Web Site Credits

Content and Webmaster: Judy Bower

Site director: Dean J.R. Cooke

Production advice: Jan Kossowski

Site design and production: Adam Ware

Site design and production: Mike Tolomeo of  
Academic Technology Center

Site hosting and security: Academic Technology  
Services

## University Calendar of Events

### Seminars and Events

Molly Darnieder and Lisa Krakowka of  
Cornell Information and Visitor Relations



# CORNELL UNIVERSITY

## University Faculty Website

- ◊ [Main Page](#)
- ◊ [Academic Policies](#)
- ◊ [CAPE](#)
- ◊ [Forums/Discussions](#)
- ◊ [Faculty Governance](#)
- ◊ [Approved minutes](#)
- ◊ [Faculty Senate](#)
- ◊ [Committees](#)
- ◊ [Op Ed page](#)
- ◊ [Links for faculty](#)
- ◊ [Seminars and Events](#)

[Site Information/Help](#)  
[E-mail Webmaster](#)  
[Get Adobe Acrobat Reader](#)



[Welcome to the Web site](#) - a message from Dean Cooke

### Current Faculty Senate Meeting

- Information on the current Senate meeting  
[Agenda for September 8, 1999](#)

### Announcements

- [Campus Week of Dialogue, October 4-8, 1999 \(PDF\)](#), 10/1/99
- [University Faculty Forum on Computing and Information Sciences](#), 9/15/99
- [Availability & Confidentiality of Course Photos and Course NetIDs](#), 9/1/99
- [Religious Holidays, 1999-2000](#), 8/27/99
- [Evening Examinations and Evening Academic Activities](#), 8/27/99
- [Faculty Task Force on Long Range Financial Planning](#), 4/5/99

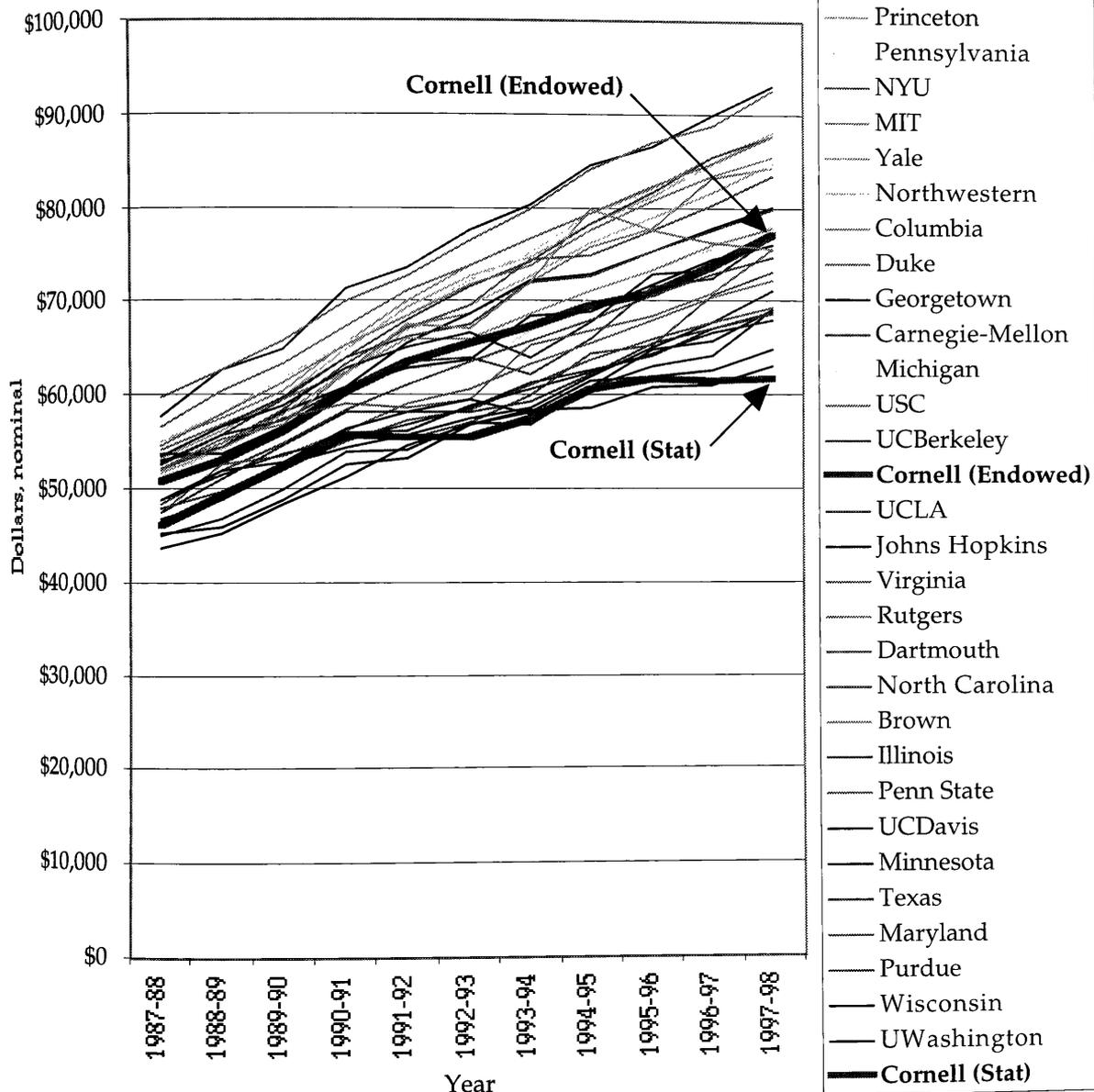
[Archived announcements](#)

### Active Forums/Discussions

- [University Faculty Forum on Computing and Information Sciences](#)
- [Dialog on Campus Climate for Students: Diversity and Inclusion](#)

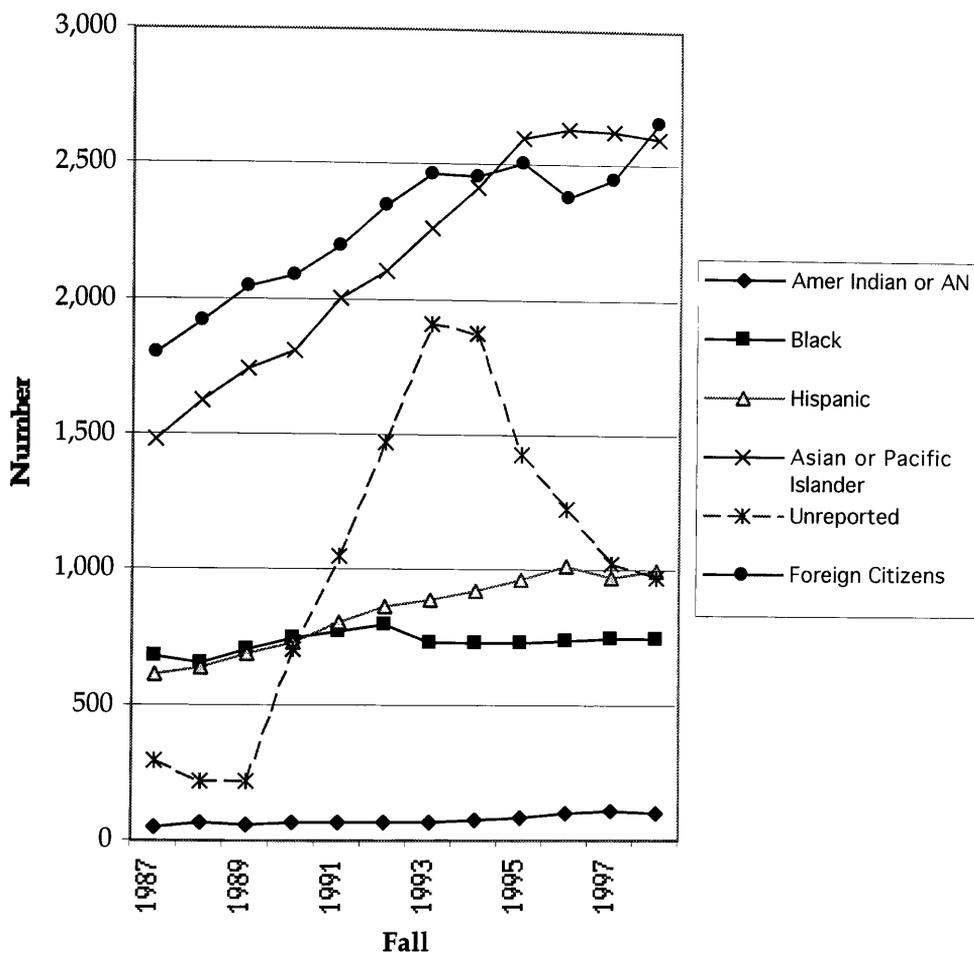
- Emeritus section
- Kerberos-secured sections
- Link to Op-Ed Pages
- Links of particular interest (campus and beyond)
- Link to seminar database
- Link for obtaining free Reader

**Faculty Salaries**  
(adjusted for professorial rank  
distribution of CU Endowed)



(The legend lists institutions in decreasing order for the most recent year.)

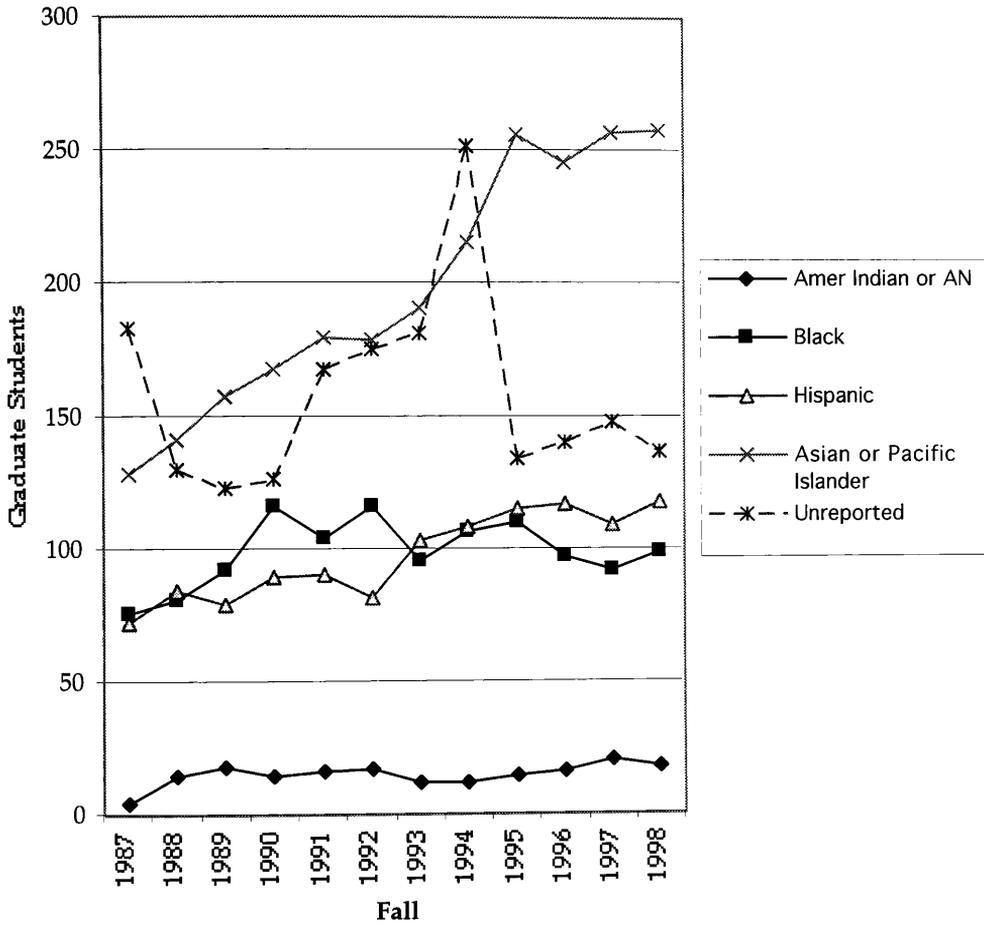
## Total Student Enrollment/Ethnic UG, G & Professional



# Graduate Students

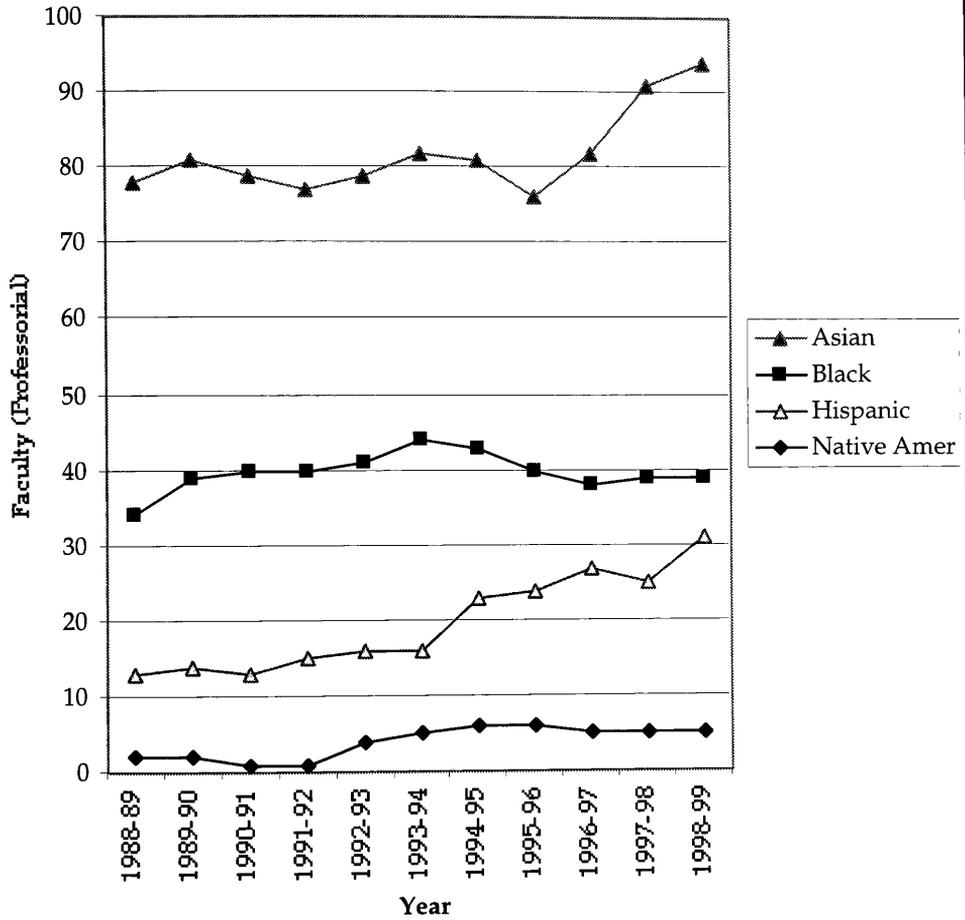
Total Fall 98 = 3,797

Foreign Citizens Fall 98 = 42%



# Minority Faculty

Professional, Part time and Acting  
Not Adjunct, visiting, courtesy, and emeritus appointments



## REPORT OF UNIVERSITY FACULTY ELECTION OF APRIL 1999

### **Faculty Senate-at-Large, Tenured**

Bruce Lewenstein, CALS  
Henry Shue, A&S

### **Faculty Senate-at-Large, Non-Tenured**

Beth Ahner, CALS

### **Nominations & Elections Committee**

Jennie Farley, ILR  
Christine Shoemaker, Engr  
John Wootton, Vet

### **University Faculty Committee**

Locksley Edmondson, Afr. Ctr.  
D. Peter Loucks, Engr  
Charles Walcott, CALS

## REPORT OF NOMINATIONS & ELECTIONS COMMITTEE September 8, 1999

### **Academic Freedom & Professional Status of the Faculty**

Martha Fineman, Law  
Melissa Hines, A&S, Chair  
Alison Power, A&S

### **Academic Programs & Policies**

Terrence Fine, Engr, Chair  
Richard Rawson, Vet

### **Affirmative Action Committee**

Maria Antonia Garces, A&S

### **Campus Life Faculty Committee**

Robert Babcock, CHE  
Michael Walter, CALS

### **Educational Policy Committee**

Richard Galik, A&S, Chair  
Ali Hadi, ILR  
Robert Kay, Engr  
Charles Seyler, Engr

### **FABIT**

Daniel Aneshansley, CALS  
Michael Kazarinoff, CHE  
Paul Velleman, ILR

### **FACAFA**

Antonie Blackler, A&S  
David Powers, A&S  
Robert Smith, ILR  
Kay WalkingStick, AAP  
Winthrop Wetherbee, A&S, Chair

### **FACAPE**

Timothy Fahey, CALS  
D. Peter Loucks, Engr  
Jonathan Macey, Law, Chair  
Andrew Novakovic, A&S

### **FACTA**

Terrence Fine, Engr  
\*Dorothy Mermin, A&S  
\*John Pollak, CALS  
Peter Stein, A&S  
L. Joseph Thomas, JGSM  
Kay WalkingStick, AAP

\*Appointed by Faculty Senate

### **Financial Policies Committee**

Thomas Dyckman, JGSM  
David Lipsky, ILR  
Charles McClintock, CHE  
Charles McCulloch, CALS, Chair  
Leslie Trotter, Engr

### **Lectures Committee**

Roald Hoffmann, A&S  
Sandra Siegel, A&S, Chair

### **Library Board**

Julia Blue, Vet  
Keith Dennis, A&S, Chair  
Stephen Pope, Engr  
Robert Thomas, Engr

### **Local Advisory Committee**

Larry Walker, CALS  
Charles Walcott, CALS

### **Music Committee**

Theodore Hullar, CALS

### **University Assembly**

Donald Barr, CHE  
Subrata Mukherjee, Engr  
Jeremy Rabkin, A&S  
Peter Schwartz, CHE

### **University Benefits Committee**

Richard Burkhauser, CHE  
Seymour Smidt, JGSM

### **University Conflicts Committee**

Bruce Ganem, A&S  
Douglas McGregor, Vet  
Thomas O'Rourke, Engr

### **University Faculty Committee**

Keith Dennis, A&S  
Terrence Fine, Engr

**University – ROTC Relationships**

Stephen Colucci, CALS  
Olan Forker, CALS, Chair  
Margaret Rossiter, A&S

**ASSEMBLIES**

**CURW Advisory Board**

Mark Psiaki, Engr

**Dining**

Anne Kendall, CHE

**Residence Life**

Jennie Farley, ILR

**Transportation Hearing and Appeals Board**

Richard Ripple, CALS

Committee on Academic Programs and Policies  
Initial Report on  
Computing and Information Sciences Initiatives  
for the  
Cornell University Faculty Senate  
8 September 1999

**Setting:**

There is an information revolution. We quote from the Task Force June Report, *Cornell in the Information Age*.

“Nearly every discipline is changing, not just because of new tools but because of new computational ideas and paradigms.”

“We can be the first university to broadly integrate Computing and Information Science into education for all students and into research and scholarship across the campus.”

“...we hope that these ideas will serve as the basis for productive discussions across the campus,...”

**Issues:**

- Procedures and processes followed to date.
- Vision, goals, and principles as articulated in the June report and in subsequent discussions.
- Organizational structures needed to reach the goals.
- How can the Senate and CAPP respond?

# Process and Documentary History

See the web site for many of the items cited below

<http://www.cornell.edu/UniversityFaculty/forums>

(1) Report Research Futures Task Force I: Physical Sciences and Engineering and their Relationship with Biological Sciences, dated 16 October 1997, chaired by Dean John Hopcroft, Engineering, and Vice President for Research Norman Scott.

## IV. Strategic Enabling Areas: Cornell's Focus

### IV.2 Information Sciences:

(2) Computing and Information Sciences Task Force, dated 17 March 1999, provides membership and the charge

A first report by June 1, 1999, "recommend those actions to be taken by the University most immediately and should serve as the framework for a broader discussion by the University community. A second report should follow by November 1, 1999, reflecting this broader discussion and incorporating recommendations for organizational change and strategic investment."

(3) *Cornell Chronicle* article by Bill Steele on 13 May 1999 entitled

"CU's Position in Computing/Information Revolution is Task Force Focus"

(4) Response of 24 May 1999 from College of Engineering Department Chairs and Directors concerning the Task Force Preliminary Report.

“The creation of an autonomous academic unit...would have significant adverse impact on the College of Engineering’s reputation and, ultimately, upon the reputation of the University.”

“...we are particularly concerned that Engineering faculty other than members of Computer Science have not been consulted in the Committee’s deliberations.”

“We are concerned that models for achieving these goals, other than through an autonomous academic unit, have not been thoroughly considered. Moreover, it is not clear to us that the model of an autonomous academic unit can achieve these goals.”

(5) *Cornell in the Information Age*, Initial Report of the Task Force on Computing and Information Science, June 1999.

(6) Department of Computer Science detached with respect to budget and with respect to supervising Dean and administration of tenure by letter of 28 June from Provost to Dean of Engineering.

(7) Provost's Memorandum of 19 August 1999 concerning summer activities:

Appointment of Robert Constable as Dean for Computing and Information Sciences;

Dean Constable to work with Vice President Ainslie and Vice Provost Garza

"The charge to him and the task force is to identify how computing and information sciences can best be advanced throughout the University; it is not to invent, on whatever pretext, the way to do nothing."

"to develop pilot management procedures for the new Office of the Dean for CIS. I have asked that these pilot procedures encompass administrative responsibilities for the present Department of Computer Science, reflect the anticipated University-wide roles for the new dean's office, ..."

"...the limited administrative responsibilities outlined above have been transferred tentatively from the Colleges of Engineering and Arts and Sciences to the new Dean's office....In the meantime, the Department of Computer Science remains a department of the College of Engineering and the College of Arts and Sciences..."

(8) Dean of Faculty Cooke circulates a response to the Task Force report on 11 August. This response is revised and circulated on 25 August,

*‘Organizational Arrangements Implementing the June 1999 Initial Report of the Task Force on Computing and Information Science: Cornell in the Information Age’*

(9) “Academic Computer Science and the Information Revolution,” CS Colloq. by Dean Constable on 2 September.

“I will explain the new actions that Cornell has taken to respond to these forces, such as repositioning the CS Department as a university-level administrative unit, and proposing a new academic structure, tentatively called a “faculty” of computing and information.”

(10) *Response to Dean of the Faculty Robert Cooke’s Memo on the FCI* by Dean Robert Constable and Charles Van Loan, Chair Department of Computer Science, dated 7 September 1999.

“1. An FCI should encourage active faculty involvement in computing and information in every existing and future academic department. It should not drain talent from those units but help them attract the best possible faculty and students.

2. The university community would be best served if the faculty involved in computing and information could collaborate actively across departmental lines, both in teaching and research. An FCI should facilitate this collaboration and help coordinate funding opportunities as well.”

# Vision, Goals, and Principles

Chair Huttenlocher, in a meeting on 9/1 with Fine and Associate Dean Rasmussen, anticipated that the final Task Force report would focus on vision, goals, and principles and leave organizational questions to be resolved by Dean Constable.

CAPP has asked the Task Force to embed their eventual statements in a broader setting of the thoughts of others on this issue, both those who agree with and those who disagree with the perspectives of the Task Force members.

The foundational vision needs to represent more than the personal beliefs and interests of Task Force members, although it currently clearly represents these.

While many have a positive reaction to the vision portion of the June report, it deserves closer scrutiny. There are assumptions of the centrality of Computer Science that are over-reaching and have been challenged by others.

“While the information revolution rests on fundamental advances in many fields, the core enabling disciplines are in the Computing and Information Sciences (CIS).”

“It is the embodiment of knowledge and techniques in computer software and protocols that is driving the change.”

There are issues of what is being included and what perforce excluded.

What is the role of information technology, systems architecture, and hardware? These are arguably more responsible for what we have today than the claims made above.

# Organizing to Reach the Goals

Thus far, the most controversial aspect of the initiative and one that is evolving.

CAPP has met twice and was prepared to discuss organization, but postponed in order to hear first from Dean Constable.

Inter-related units leading the current process:

Task Force largely led by its CS members and the channel to the Provost/President,

Computer Science Department,

CIS currently containing a Dean and CS,

proposed entity of a Faculty of Computing and Information (FCI) to be led by CIS

Conflation of solving perceived problems with Computer Science in Engineering and implementing the Task Force vision.

Alternative models of graduate fields and centers to promote teaching and research across unit boundaries.

Need for additional financial resources

“Leading faculty is like herding cats...

if you put out some food, they will come.” (Dean Cooke)

Convergence between Cooke Memo of 8/25 and

Constable-Van Loan memo of 9/7?

# Role of the Faculty

We are engaged with a moving target.

University Faculty Forum on 15 September at 4:30pm in Call Aud.

Response from the Senate on 13 October and from other groups at Cornell.

Final Task Force report expected on 1 November.

Response period following 1 November.

Remarks of Provost on 7 September.

“Nov. 1 is not in my view a drop dead date. But I do believe that we should have the report and everyone’s comments by the end of classes for the fall term.”

“Hunter and I will of course be glad to hear directly from the Senate about this. But it will be much better for the Senate to contribute to the outcome rather than wait for the final report and then object.”

“We must, I believe, implement something. But what that will be remains entirely to be determined.”

There is a sense of urgency that may be encouraging recklessness.

## Faculty Senate Discussion on Biological Sciences of 12/9/98

Professor Howard Howland:

“Well, those decisions are behind us now. They’re past us, and they raise questions about your future decisions. My question is, do you agree with Pericles that the discussion is an indispensable preliminary to all wise decisions, or are you following some other ancient classical tradition—Odyssean perhaps—since we are in Ithaca, where a tradition that requires secrecy and surprise, and above all, the helpful intervention of the Gods?”

President Rawlings:

“...I do agree strongly that discussion is a strong preliminary to decision making. ...we tried to listen very carefully over a long period of time and then to make a decision.”

# Local Advisory Council

Member	Title
Bartel, Donald L.	Professor of Mechanical and Aerospace Engineering
Bauman, Dale E.	Professor of Animal Science
Carpenter, Barry K.	Professor of Chemistry
Cordes, James M.	Professor of Astronomy
Drell, Persis, S.	Professor of Physics (Council Chair, 1999-2000)
Hartmanis, Juris	Professor of Computer Science
Riha, Susan J.	Professor of Soil, Crop and Atmospheric Sciences
Thorp, James S.	Professor of Electrical Engineering
Walcott, Charles	Professor of Neurobiology and Behavior
Walker, Larry P.	Professor of Agricultural and Biological Engineering
<i>Ex Officio Member</i>	Title
Adler, Kraig	Vice Provost for Life Sciences
Lowe, Jack W.	Executive Vice Provost for Research
Richardson, Robert C.	Vice Provost for Research
Silcox, John	Vice Provost for Physical Sciences and Engineering

## Activities since Inception in Fall 1998

- Educated itself about University and College support for research in the Natural Sciences. Resulted in a "Best Practices Memo" circulated to Deans, Department Chairs and Center Directors and reported to the Senate.
- Recommended proposals to be selected as the University's entries for the following funding competitions:
  - ◇ Burroughs-Wellcome Foundation Grants
  - ◇ Packard Foundation Grants
  - ◇ NSF Major Research Instrumentation Grants
- Recommended individuals to be selected as the University's candidates for the following fellowships:
  - ◇ Searle Scholars
  - ◇ Packard Fellowships
  - ◇ Howard Hughes Fellowships
  - ◇ Keck Foundation Distinguished Young Scholars
  - ◇ Pew Scholars

# External Advisory Council – Original Plan

## Makeup

Approx. 5 major figures from scientific research, science administration or Federal funding agencies who would visit Cornell on an annual basis.

## Purposes

I. Alert central administration to new directions in research in the Natural Sciences, and evaluate Cornell's strengths and weaknesses in those areas and in existing major fields of study.

II. Provide objective assessment of major new research initiatives proposed for implementation at Cornell.

## Problems with the Original Plan

1. Purpose I above could promote "top-down" administration of research at Cornell.
2. Improbable that 5 people could comment knowledgeably about all existing and proposed research in the Natural Sciences at Cornell.
3. Annual schedule of visits doesn't mesh with funding opportunities for research.
4. Does not take into account the many existing external advisory groups already coming to Cornell.

# External Advisory Councils – Proposed New Plan

## Makeup

*Ad hoc* groups of approx. 5 major figures from research, selected by the Vice Provost for Research in consultation with the LAC. Assembled only in response to major initiatives requiring substantial expenditure of University resources.

## Purpose

To provide objective and expert assessment of major new research initiatives proposed for implementation at Cornell.

# Local Advisory Council – Proposed New Plan

Responsibilities largely unchanged from those of the original plan, with one addition – communicating with relevant external advisory groups that already come to campus.

# RESOLUTION AMENDING THE NATURAL SCIENCES RESEARCH ADVISORY COUNCILS

WHEREAS, in its resolution establishing the Natural Sciences Research Advisory Councils, the Senate proposed the formation of both a Local Advisory Council and an External Advisory Council, and

WHEREAS, the Local Advisory Council now believes that an alternative structure for the External Advisory Council would be more effective than that proposed in the original resolution, and

WHEREAS, the Local Advisory Council wishes such modifications to preserve the intent of the original resolution while more sharply focussing the roles of the external advisors,

THEREFORE, BE IT RESOLVED, that the Senate repeals the original resolution establishing the structure and function of the Natural Sciences Research Advisory Councils and proposes instead the following replacement structure, to be in effect for the remaining year of the two-year trial period approved in the vote on the original resolution.

## NATURAL SCIENCES RESEARCH ADVISORY COUNCILS

The goals of the Natural Sciences Research Advisory Councils established in this resolution are unchanged from those described in the original resolution. Namely, they are to provide expert guidance from both global and local perspectives that will help Cornell maintain its reputation as a leading teaching and research institution, and to ensure that Cornell utilizes its resources effectively and responsibly.

The structure and function of the Local Advisory Council are largely unchanged from those in the original resolution. The differences all concern interactions with External Advisory Councils. Specifically, the makeup and operation of the Local Advisory Council will be as follows:

### I. Local Advisory Council

The Local Advisory Council will be composed of 10 faculty members appointed jointly by the administration and the Faculty Senate. Nominations will be solicited from faculty in the natural sciences, including engineering. Members will serve for staggered three-year terms, so that approximately one third of the membership will be replaced each year. The Local Advisory Council will play strictly **advisory and organizational roles**. Members who have a direct interest in any proposal being considered will not take part in the voting on that proposal.

The Local Advisory Council will:

- A. advise the administration on issues and proposals in the area of the natural sciences that may involve expenditure of significant resources by the University, but do not represent major strategic changes in emphasis or direction of the research enterprise at Cornell,
- B. advise the Vice Provost for Research on the need for *ad hoc* External Advisory Councils,
- C. advise the Vice Provost for Research on the membership of *ad hoc* External Advisory Councils, and on the questions to be addressed by such external groups,
- D. act as the primary faculty liaison with the *ad hoc* External Advisory Councils, ensuring that they receive all relevant information necessary for their tasks, and providing the local perspective on research at Cornell,
- E. present recommendations of the *ad hoc* External Advisory Councils to the Faculty Senate at the first Senate meeting following the receipt of such recommendations.
- F. meet with the external advisory committees that already exist for the research centers of the University.

## II. External Advisory Councils

The External Advisory Councils (excluding those already in existence) will be *ad hoc* and will be constituted by the office of the Vice Provost for Research, in consultation with the Local Advisory Council.

- A. Each *ad hoc* Advisory Council will consist of approximately five internationally recognized leaders in the field(s) appropriate to the initiative under consideration. (The breadth of definition of a "field" will generally be case specific, and decided as part of the selection procedure for the *ad hoc* council.)
- B. The mandate of these groups will be to advise the faculty and the administration on the timeliness of major initiatives of the Cornell faculty and on the appropriateness of the plans for pursuing those projects. This advice will be sought only for those major initiatives requiring significant expenditure of University resources.
- C. They will interact extensively with both the faculty initiating the project and the Local Advisory Council in order to gather information on the current status and future plans of related research efforts at Cornell. They will provide written recommendations to the administration and to the Local Advisory Council.

## Rationale

The overall aim of the proposed structure is the same as that in the original resolution establishing the Natural Sciences Advisory Councils, namely to ensure that the administration has the best possible advice to guide it in the expenditure of Cornell's limited resources on research in the area of the natural sciences.

The Local Advisory Council is of the opinion that another purpose of the Natural Sciences Advisory Councils, although not spelled out in the original resolution, should be to ensure that decisions on major research expenditures at Cornell be made solely on the scientific merits of each case. In particular, external advisory groups can guard against exertion of undue influence on these decisions by individuals who happen to be in positions of particular power or prestige at Cornell.

The Local Advisory Council believes that these aims preserve the spirit of those in the original resolution. The reasons for the change in structure of the External Advisory Council are practical. Namely:

A. The original proposal would have created an External Advisory Council that was in some ways too broad and in other ways not broad enough in its coverage of the natural sciences. With just five people, no matter how eminent, it would be difficult to cover the vast range of research in the natural sciences at Cornell. In that sense, then, the coverage of the original External Advisory Council would not have been broad enough — risking the possibility that two proposals of equal merit might not have received equal review if one of them happened to match the interests of an external expert whereas the other did not. In the original proposal there was no mechanism to define the makeup of the External Advisory Council in order to avoid this problem.

The sense in which the expertise of the group might have been too broad is that a small group of individuals with widely different areas of expertise would probably not have been able to provide clear and coherent recommendations that would have been of real value.

B. The originally proposed annual cycle of visits by the External Advisory Council would not have fit well with the realities of research funding. Many major initiatives are driven by opportunities that arise from Federal funding agencies. These initiatives do not fall in neat annual cycles with long lead times. Rather, they are sporadic, and may have response times of only a few months. Furthermore, bringing in a prestigious external group on a fixed schedule, even when there did not happen to be any new initiative for them to discuss, would probably not have been a good way to showcase the best of Cornell's research efforts.

C. The Local Advisory Council is strongly of the opinion that research initiatives should be faculty driven. In the original proposal, the External Advisory Council would have made their recommendations about major new directions in research to the central administration. Such an approach carries the risk of promoting

precisely the kind of top-down management of research that the Natural Sciences Advisory Councils were designed to guard against.

D. The original resolution did not take into account the fact that a large number of external advisory committees already visit the Cornell campus.

The proposed restructuring of the External Advisory Council seeks to address these difficulties, as follows:

A. *Ad hoc* External Advisory Councils will be constituted from experts in field(s) appropriate to the project under consideration, and so the problems of breadth of coverage of research fields that were addressed above should no longer apply.

B. By constituting *ad hoc* external groups one can avoid the timing mismatches between initiatives from funding agencies and visits of the External Advisory Council that were outlined in B above.

C. By initiating visits of *ad hoc* External Advisory Councils in response to major research proposals from Cornell faculty, one can ensure that the research Cornell continues to be a bottom-up, faculty-driven enterprise, and that all major proposals for expenditure of the Universities resources on research in the natural sciences receive an objective and authoritative evaluation.

Whether a proposal for a major research initiative should be brought before any external group will be decided by the Vice Provosts for Research, Life Sciences and Physical Sciences and Engineering in consultation with the Local Advisory Council. Of primary concern in this decision will be the need to expend significant resources of the University on the project. Projects that are entirely externally funded (and anticipated to be so in the future) will generally not result in the constitution of an *ad hoc* External Advisory Council by this procedure, since such projects usually involve the formation of their own external advisory committees.

D. By communicating with the existing external advisory councils for the research centers — for example, those for Biotechnology, the Cornell High Energy Synchrotron Sciences center (CHESS), the Cornell Nanofabrication Facility (CNF), the Cornell Center for Materials Research (CCMR), the Cornell Electron-positron Storage Ring (CESR) and the National Astronomy and Ionosphere Center (NIAC) — the Local Advisory Council can be kept more fully aware of current research in the natural sciences on the Cornell campus and elsewhere, and can thereby view any new initiatives from a better informed perspective.

## **Campus Climate Committee**

### **Mission Statement**

The Committee will facilitate efforts on campus to create and to institutionalize a respectful, inclusive, diverse community where we learn, through reasoned, sustainable, and civil discourse, to make decisions through a process that is fair and inclusive, to celebrate each other's successes and to pursue actively the challenge of breaking down barriers and promoting greater interaction across the campus community. Diversity and collegiality among students, staff, and faculty are central to maintaining the high standards of excellence that characterize Cornell. The principal task of the Committee is to enable members of the Cornell community to participate personally in a campus-wide effort to affirm the value and importance of diversity.

#### **Role:**

1. facilitate, encourage, and support dialogue across ability, age, class, family status, gender, nationality/ethnicity, race, religion, sexual orientation, veteran status, and other differences on issues of diversity
2. generate and organize materials and data on which to base dialogue aimed at improving diversity and the climate at Cornell
3. facilitate assessments of climate and encourage follow-up from such
4. work with related university offices and committees in order to provide guidance, support, and assistance, and to highlight successful efforts to improve climate and increased diversity on campus

# Diversity

## Why Is It Important? How It Enhances Cornell's Mission?

### Environment for Learning

- for students to learn to the best of their abilities, they must feel comfortable in the learning environment
- a high level of comfort will allow students to voice opinions in class and to ask questions as they arise
- a more diverse environment will allow students to feel that essential level of comfort that they might lack if they were the sole representatives of a group
- diversity also leads to a mix of opinions, viewpoints, and experiences that all contribute to the academic environment and to the learning process
- when there are students with a wide variety of opinions, it forces people to think and results in a greater learning experience
- when there are faculty and staff able to share different perspectives and to serve as models, even more breadth and depth in learning can be obtained as all are challenged intellectually and interpersonally to grow

### Curriculum and Faculty Development

- Cornell University was founded on the premise that students would be able to find instruction in any topic of interest
- increased diversity among faculty creates more opportunity for the development of new and different courses and also provides for new and different perspectives in existing courses and programs
- the intellectual environment can be more stimulating as differences are articulated, shared, investigated, and discussed
- faculty will have greater opportunities to grow professionally and personally, to collaborate within a wider range of differences, and to be challenged in their teaching and research as well as in their student interactions

### Inter-Group Relations and Campus Life

- education and development at Cornell is about much more than just classes
- there are many great minds at Cornell and students are constantly learning from those around them
- there are also opportunities to learn and to grow beyond the academic/intellectual realm
- the lack of interaction among individuals from different groups on campus places limits on what types of experiences students have at Cornell and hence on what they can learn about themselves and others, such as citizenship, respect, etc.
- students at Cornell deserve the opportunity to learn as much as they can from exposure to peers, campus staff, and faculty who represent diverse backgrounds, viewpoints, and ways of living

### Recruitment, Admission, and Retention

- Cornell is in a very competitive educational marketplace
- there is high competition for quality students, faculty, and staff
- it is also in an environment in which students, parents, and alumni seek the best in educational outcomes
- these two issues are directly connected, which is why Cornell must seek to do better in diversity recruitment and retention
- if the campus population is a homogeneous group, students are less likely to gain new knowledge through interactions with their peers, faculty, and staff
- working toward a more diversified community requires a sincere, highly organized, and sustained approach to recruitment of faculty, staff, and students, diversified admission outcomes, and effective retention of those hard fought for once they join the Cornell community
- success in these areas helps to create a pattern of continued attraction and retention which then works naturally to enhance the learning environment, the curriculum, and campus life

### Campus-Community Relations

- in developing a more diverse campus community, Cornell, as a leading employer in the region, can have a major impact on the local community and on improved Campus-Community relations
- the more diverse the student and employee populations, the more likely that Ithaca community members will identify with members of the University and feel less separation
- there will also be a wider range of opinions as to issues that involve Cornell's relationship with the Ithaca community
- in addition, the role that Cornell can play in influencing community practice is enhanced, and the attraction of Cornell for community members can be strengthened
- because many students volunteer on community projects, as do staff and faculty, the more diverse the population that interacts within the community, the more the possibility that diverse communities downtown and throughout the region may come to value Cornell and its contributions to its environment

# **Plans for 1999-2000 Academic Year**

## **Inter-Group Relations**

- work on civility and sustainability of reasoned discourse among students
- seek to develop a consensus among student groups about reasoned and sustainable civil discourse
- facilitate dialogue on student/staff issues in non-academic student services departments

## **Faculty Development**

- engage faculty in discussions within academic departments about the faculty's role in shaping the campus climate
- emphasize the importance of diversity on campus for our students to succeed in an increasingly diverse workplace
- compile data on the campus climate at Cornell

## Send My Children to Cornell?

**A. Brad Anton**

**Associate Professor, School of Chemical Engineering**

(Age = 43 years; Cornell start date = 1/1/87)

<b>Academic Year</b>	<b>Salary (10.5 mos.)</b>	<b>Cornell Tuition (endowed)</b>	<b>Tuition as % of Salary</b>
1986-87	\$45,500	\$11,500	25%
1999-2000	\$79,900	\$23,760	30%
<ul style="list-style-type: none"> <li>• Salary grows @ <math>\langle r \rangle = 4.4\%/yr</math></li> <li>• Tuition grows @ <math>\langle r \rangle = 5.7\%/yr</math></li> <li>• Compare to CPI @ <math>\langle r \rangle = 3.5\%/yr</math></li> </ul>			
2019-20	\$188,000	\$71,600	38%

# Send My Children to Cornell?

## A. Brad Anton, School of Chemical Engineering

### 1. Basis for calculation:

- Two children attend Cornell (endowed) for 4-yr degrees, beginning AY 2019-20
- Cost = (2 children)(4 yrs tuition each)(50% Cornell Children's Tuition Scholarship) = 4 tuitions in 2019 = **\$286,000** in 2019

### 2. Savings plans, 2000-2019:

- Invest \$7800/yr = **\$650/mo** @  $r=6.0\%/yr$
- Buy a house for \$14,300/yr = **\$1200/mo** @  $r=0\%/yr$

### 3. Effect of $r=5.7\%/yr$ for tuition vs. $r=3.5\%/yr$ for CPI:

Academic Year	Tuition [@ $r=5.7\%/yr$ ]	Tuition [@ $r=3.5\%/yr$ ]
1986-87	\$11,500	\$11,500
1999-2000	\$23,760	\$18,000
2019-20	<b>\$72,000</b>	<b>\$35,800</b>

- *The value of a Cornell Children's Tuition Scholarship in AY 2019-20 is the same as the increase in tuition cost over CPI inflation since AY 1986-87!*

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**October 13, 1999**

Speaker Pro Tem Mary Beth Norton, Mary Donlon Alger Professor of American History: "Counting everyone who is filing in, we will have a quorum, so I now call this meeting to order. The Speaker, Howie Howland, is out of town today so you are stuck with me, the Speaker Pro Tem, for the afternoon. I remind all of you that no photos or tape recordings are allowed during this meeting and I will now call on the Dean of the Faculty for a Proposed Strategy on Distance Learning. One more point is that we have a very full agenda this afternoon, as all of you have noticed, so I'm going to really keep to the time limits."

**1. A PROPOSED CORNELL STRATEGY FOR DISTANCE LEARNING**

J. Robert Cooke, Dean of the University Faculty: "We do have a very full agenda. I'd like to outline the Proposal on Distance Learning for you (Appendix A, attached). It's not a new topic but it is certainly something that is going to have a profound effect on the University and it will certainly have a lot of business around the country. There have been a number of task forces and committees dealing with this and I decided that I should try to put together a proposal to see the world through the eyes of the faculty and try to structure whatever we do in a manner that is most supportive of faculty. I will post a more detailed statement on the University Faculty website for you to look at. I'm going to move rather quickly now. We've had the Office of Distance Learning Task Force Report, the Academic Leadership Series discussion in December of last year, a group of ad hoc individuals met through last semester once a week, and the trustees also have a Task Force on Distance Learning, so there's been a lot of activity, discussion, and individual action. Some faculty at this University have been deeply involved in this for years.

"Here's my sense of what you would expect of a distance learning program. We should establish the highest standards of excellence as our hallmark in order to protect and enhance our reputation. In other words, the distance learning program should not be permitted to diminish, drain or deplete the reputation that we have. The residential program is core to the University and we need to be careful that our reputation is not sold in a way that would diminish what we do.

"Second is that all faculty participation must be voluntary. No one should be required to participate in this activity who does not wish to do so. That means that there will be some incentives that I will talk about later. It is very important that those who wish to do it are given help and those who do not wish to engage in this (as most of us who came to the University without the expectation that we would be teaching students at X, Y, Z University) do not have to. This is a significant departure and it should be done in a way that will make faculty want to participate.

"My third point is one that you have heard me talk about often, that given the tuition growth and the demand for faculty salaries (which come primarily, in Endowed at least, from tuition) that there is a collision path that we're on and if we wish to protect and sustain what we already have, we need to find additional sources of income. I propose

that one of the legitimate purposes of a distance learning program would be to generate income to make it possible to continue to have the residential program that we have long had and that we should preserve.

"The last point is that we should utilize our existing strengths. There is a temptation around the country in distance learning to become fascinated with the technology and to spend most of the time on that piece of it. It is the enabling technology, but the faculty here have been hired because of their interest in content -- not because of their interest in technology. So rather than become a deliverer for the end-user, I'm proposing that the faculty would be served best by having them focus on content and let us become the supplier of the distinguished textbooks for the next generation -- the digital, interactive, multimedia textbook. That is the place we ought to make our contribution because it has a great many benefits that flow from restricting ourselves.

"There would still be cases where we would do delivery and actually try to set up some infrastructure, but it's important to have a human at the other end of the distance learning operation if you really expect it to succeed. If we concentrate on the wholesale instead of the retail part of it, we will be able to keep the faculty dealing with the parts of it that are important to us. We should deal with wholesale, not retail.

"The second major point that I would make is that we ought, in my opinion, make a commitment to our alumni that we will provide life-long support for them. Kenneth King, who was a former Vice Provost, suggested at a committee meeting about a decade ago that this is the direction that he thought we ought to follow. Of all of the audiences that we might serve beyond the laws of the University, this is the easiest audience to address. We already know them and the standard of material that we can present to them and it presents an interesting new opportunity. That would come over time, but we ought to set ourselves to the task of figuring out how we might serve that group and how to generate revenue.

"In this emerging phase, the technology is changing very rapidly such as the quality of video, and so on, as Professor Greenberg suggested at the distance learning conference. We should spend the effort on high-end because high-end today will be middle-range very soon.

"We ought to remain focused on the faculty interactions on campus and not interactions with students on X, Y, Z campus because we don't want to create a demand that will take faculty away from Cornell. The wholesale approach will prevent this. Another problem of distance learning that we can overcome with this approach is that we remain free of a responsibility for assuring accreditation of the courses that are taught in distance learning. If we produce the textbooks wholesale to other universities, the credit, at least in the short term, will be given by the host institution, not Cornell, and we would not be insulting our standards by trying to certify an instructional program over which we would have very little control.

"In summary, a wholesale focus will free us from the responsibility of creating an elaborate technology infrastructure, interactions with the end user will be reduced, and the certification of degrees would be minimized. I fully expect that there will be some degree programs. For example, the Johnson School, as I understand it, has been actively

negotiating it. Degree programs will require a massive commitment and also a long-term commitment. By taking this approach, we give ourselves some breathing room before we commit ourselves to something that is going to require a long-term commitment. If you start a degree program, you have to stick with it long enough to see it through.

"There are other issues to consider. I propose that we create a Cornell Digital Press or something like it, something free-standing and for profit. It has an advantage in that the issue of intellectual property ownership would be put in a typical pattern. If we were to do it and invest large amounts of money in this, the University will be tempted to assert control over the copyright, legitimately. On the other hand, if we create a free-standing publishing house, then the faculty are accustomed to negotiating with a publishing house and then you can negotiate over royalties and financial issues as well as control over content. That would remove one of the most serious obstacles we would have if the discussion were to go down the path that the University has to control copyright. This would leave our current copyright policy in place.

"Financial support to produce a serious multimedia interactive course requires on the order of \$500,000 to a million dollars. We have one example of that in the Engineering College, a fluid mechanics course. We're talking about large amounts of money. If \$10 to \$20 million were available for competition, the faculty could treat the teaching materials on the same basis it treats research. Our courses now, even large courses, may have a few thousand for support and if you have large amounts of money, such as is required here, then it becomes a legitimate exercise for the faculty to spend serious academic time involved in it. It also provides an opportunity for employment for our Emeritus faculty so that they can continue their professional experience and also for faculty spouses, which is another problem this University faces because of its geographical location. Digital learning and the digital press could cover the entire gamut of intellectual interest in the University not just a fairly narrow path such as we have now."

Speaker Pro Tem Norton: "The chair would like to tell the Dean that his ten minutes are up." (Laughter.)

Dean Cooke: "Okay. Well, on the issue of alumni, we can ask the Emeritus faculty to produce materials that we could share with prospective students. If we could share at least the first chapter with students, it would be an ideal recruiting strategy to give them a glimpse of the content and the quality of the faculty. For enrolled students, whatever we produce will be available to residential students and it also means that we would have the option, if we chose to do it, of allowing students to do a Cornell flavored advanced placement to allow them to graduate in seven semesters instead of eight thereby reducing the total amount of tuition that they pay for a Cornell degree.

"There are some obvious omissions, of course. We have not talked about degree programs or bringing resources from outside the University to the campus and I know of at least two cases in which the courses at Cornell are made much richer and better because of that, and the potential is there to serve the international audience. Thank you."

Speaker Pro Tem Norton: "Thank you, Dean Cooke. I now call on the Provost for a very rapid five minutes of questions. Speak in shorthand, okay?"

## 2. QUESTION AND ANSWER SESSION WITH PROVOST RANDEL

Don Randel, Provost: "Yes, there are only five minutes allowed for the ritual flogging. Why don't we get right into that?"

Speaker Pro Tem Norton: "Are there any questions for the Provost? Yes, please identify yourself for the minutes."

Associate Professor Randy Wayne, Plant Biology: "You certainly know that I don't like the top down way that you treat the faculty and I asked you during the Biological Sciences debate which biology books you had read lately, and now that you're dealing with computing, I'd like to know which computing books you've read lately?"

Provost Randel: "I take it that the question is rhetorical. Thanks."

Professor Wayne: "No it isn't. I'd like to be just as educated as you are."

Speaker Pro Tem Norton: "The Provost has given an answer. Does anyone else have a question for the Provost? Yes sir, please identify yourself for the minutes."

Professor Richard Galik, Physics: "The major thing we're going to talk about today for almost an hour is Computing and Information Sciences for which you now have a dean and a department which is under that dean's purview. I thought that perhaps in upcoming years, there would be new departments spurned, excuse me, spawned by the entity. Do you actually see this evolving into a new college?"

Provost Randel: "I have no view of that. I think that there's a general consensus that no one looks forward to a new college by anything like the definition of college that we now entertain. I wouldn't rule it out, but I don't have a belief that it is what we ought to do. In fact, suppose as a strategy, you thought we needed more nimble organizational structures that can evolve and adapt to the change in the science and the scholarship that we want to do, and if every time something new comes along we have to create a whole new unit, department or college, the rate at which we are able to adapt to changing scholarship and science will be slow. I think that one of the ways in which we have done a lot of things here is by virtue of having these structures that can thrive across departments and colleges. We don't need to reinvent that basic organization that we've had for a long time."

Speaker Pro Tem Norton: "There is just enough time for one more question, if there is any. Seeing none, we'll move on, unless the Provost wishes to speak. (Laughter.) Thank you, Mr. Provost."

## 3. APPROVAL OF MINUTES OF SEPTEMBER 8 FACULTY SENATE MEETING

"The question now before the body is the approval of the minutes of the September 8 Faculty Senate Meeting, which you have had a chance to read on the web. Are there

any corrections or additions to the minutes of the September 8th meeting? Seeing none, I will assume you are ready to approve them. All in favor say 'aye.' All opposed? The minutes are approved. I now recognize the Secretary of the Faculty for one minute."

#### **4. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "I'll make in it a minute too. I bring you the report of the Nominations and Elections Committee (Appendix B, attached). The first two overheads were in the Call to the Meeting, and these are general actions. We appointed two new chairs, Clare Fewtrell has agreed to chair the Affirmative Action Committee again and Anthony Ingraffea will chair the Minority Education Committee. It seems as though the list of Assemblies Committees never ends. We have been at this for months and I don't think we're done yet, but this is the latest issue of people who have agreed to serve on committees.

"Of higher interest are two search committees for deans. Both of the search committees will be chaired by the Provost. On your behalf, the Nominations and Elections Committee, as is our custom, has named at least half and, in the case for the search committee for the Dean of the School of Hotel Administration, more than half of the committee. There is an out-of-the-college faculty member who, unfortunately, is not on my list and I apologize to that person. The dean who will be appointed to this committee is Dean Swieringa. We have also named the search committee for the Dean of the College of Agriculture and Life Sciences and the Dean on that committee will be Dean Patsy Brannon. Are there any questions? Yes?"

Assistant Professor Tony Simons, Hotel Administration: "I'm curious about the search committee for the Hotel School dean. Neither of the Senate representatives from the Hotel School were consulted about any of that and I'm just curious as to the information that went into making those selections."

Professor Rasmussen: "Vice Provost Garza consulted extensively with faculty in the Hotel School and particularly with the Executive Committee in the Hotel School in giving us guidance as to the lay of the land. In particular, he was sensitive to the request of the Hotel School that untenured faculty be included and that is the specific reason for including Professor Sherwyn. Are there any other questions?"

Speaker Pro Tem Norton: "Thank you very much. Now we'll move on. I recognize Fred Rogers and Yoke San Reynolds to give a five minute report on indirect costs."

#### **5. REPORT ON INDIRECT COSTS**

Fred Rogers, Senior Vice President: "Thank you very much. We're going to briefly report on the status of the indirect cost negotiations which were completed this past summer. Yoke San is handing out copies of the handout that will help understand this (Appendices C1-C5, attached). There was a miscommunication and we didn't know that we would have a projector. I would ask Yoke San first to go through the numbers and talk about the results of the negotiations. If we have a minute at the end, I'd like to

talk about some of the new regulations that we operate under and answer any questions."

Yoke San Reynolds, Vice President for Financial Affairs and University Controller: "We thought it would be important for you to know what the differences are from the change in policy. Every research university in the country is assigned to one federal agency for negotiations of indirect cost rates and that is a cognizant agency. For many years, Cornell's cognizant agency was the Office of Naval Research. In May of 1998, the Office of Management and Budget (OMB) changed the regulations so that now there are only two federal agencies that are responsible for negotiating with every university in the country. The two agencies are DHHS and ONR and at the same time, the OMB changed the regulation to assign Cornell from ONR to DHHS. There are differences in philosophy between the two federal agencies and also differences in perspectives and the way they negotiate. The most important difference for faculty is that ONR negotiates 'fixed-rates' that carry forward whereas DHHS negotiates 'pre-determined rates.' With ONR we would make an estimate of what our indirect costs were projected to be and also we would project the research base. We would have an estimated indirect cost rate that we would apply to the year in question. After the year ended, we would do a 'true-up' so we can compare the true costs and actual research base with the estimated costs and research base that we used to set the rate. If we had over-recovered in the year, then we would have to repay that to the government in the form of reduced rates going forward. In the handout (C-1), what you see on the first page is the history of our billing rates and the rates going forward to the year 2000 when negotiations may adjust. You can see that prior to that time, the rates were up and down and this is due to the phenomenon of 'truing-up.' We can talk about that if you want, but we don't have much time. There is a lot of variability with ONR and what you see going forward then with DHHS is a predetermined rate situation of a rate that we expect to be pretty constant and there will be no adjustments. On the endowed rate, you will notice that for the years 2000-01, 2002-03, we're at 57% percent and for 2003-04 we are at a provisional rate of 59%. The reason for the two point reduction for the first three years is that we are paying back some over-recoveries with ONR. So, in one fell swoop we have closed out all of our prior 'carry-forwards.'

"We're often asked what the indirect cost rate covers and what are its individual components? So turning to the second page (C-2), this is for endowed for FY04, which is the most recent year we have data for. You'll notice at the bottom on line 12 that our billing rate is 59%, which is prior to our adjustment for 'carry-forward.' No, I'm sorry, in FY04 we do not have an adjustment. There are two components, two major sections: administrative costs add up on line 5 to 26.4% but there is a cap on administration costs and we are limited to 26% of modified total direct costs so we lose that 0.4% on the endowed rate. For facilities, as you can see, the bulk of our 59% applies here. You'll notice that the depreciation for building is only 2.7% and the reason is that we use a convention of historical costs. So what you're paying for in your indirect cost rates is use of the facility based on historical costs. If this were based on placement costs or the real costs of capital, it would be much higher. Down at the bottom, I wanted to put down a formula that I have here. The indirect cost rate is facilities and administrative costs that are allowed to be allocated, divided by modified total indirect cost for research. We have federal rates that constrain what we can put into our indirect cost rates. At the same time, the DHHS will not allow us a certain rate for components just

because of general practice. For example, DHHS does not believe that it should be reimbursing any university more than 2% for library and at Cornell if we allocate the library to research, the points that we can justify on calculation is about 7.2% but we don't get that. The other point is that the denominator is not the total research funding dollar. It is modified total direct costs for research so that there are certain categories of expense that we have to take off of direct costs before we can apply the formula. That's always very complicated for people to understand. On the next page we have a pie-chart (C-3) which puts it in simpler terms. It is for 1998 because that is the last year that we have data for our direct costs. This says that for every dollar of research, every dollar that is awarded by the federal government for research, 70.4 cents goes to direct costs, 3.2 cents is library, and 12.0 cents is administration. The percentages for statutory are comparable except that, for some reason, the percentage to OAM is greater, about 12.4%.

"The next table (C-4) shows the three schools that DHHS picked up were first negotiations and as you can see, Princeton submitted the highest rate. They felt that they could justify 68% of the MTEC and they ended up with 58%, the biggest cut. The best result from our standpoint was Cornell statutory. We submitted 59.89% and we were able to justify to 59%. The last page (C-5) shows the amounts that we submitted and the adjustments made by the DHHS after their review and what we finally ended up negotiating."

Senior Vice President Rogers: "Are there any questions about any of the negotiation rates? One other provision of the regulations that I wanted to comment on that a number of people have raised is that because our rate has been reduced there is a provision that was introduced in the OMB regulation A21 in 1996 which stipulated a market in which federal rates were rising. If you received an award and the subsequent change was made to the indirect cost rate, the award would always pay the rate that was in effect at the time the award was made. That was put into the regulation under the belief that the rates were rising out of control and this would be a way to gain budget stability. Of course, once you put that regulation into effect, it applies in all circumstances. So in circumstances where rates are falling, it also applies. So you have a rate stipulated at the time of an award which that award would pay for the life of the award even if the rate of the institution subsequently declines. Why does that make sense? Because in the long run it also moves in the other direction. On average, it's supposed to work out but we have circumstances at Cornell now where several people have awards that were made in the past three years at rates that were higher than our current award and those rates will continue until the award life ends. So are there any other questions? Thank you."

Speaker Pro Tem Norton: "All right, moving on, I'll now call on Robert Richardson for a brief update on the Dale R. Corson Symposium on the Future of the Research University."

## **6. UPDATE ON DALE R. CORSON SYMPOSIUM ON THE FUTURE OF THE RESEARCH UNIVERSITY**

Professor Robert Richardson, F.R. Newman Professor of Physics, and Vice Provost for Research: "This is more of an announcement. I want to bring to your attention a plan

that evolved at the instigation of Bob Cooke when he took office. An important idea to have a major symposium on research. The dates for it will be December 6 and 7 and the sessions will be held in Call Auditorium and Schwartz Auditorium. The name of the symposium is 'Strategy for a Great Research University' in honor of Dale Corson. There will be a number of moving mentions of things in Dale Corson's career that relate to this. This is a list of the speakers who have been invited and I have high hopes that we're going to get all of them. Neil Lane, Presidential Science Advisor; Harold Barnabas, the outgoing director of NIH; Joseph Wyatt, the Chancellor of Vanderbilt University and the Chair of GUIR, Government University Industry Roundtable, the National Academy of Science organization that Dale Corson was the first chair of; Charlotte Pim, the director of OSEP, Office of Scientific and Engineering Personnel of the NRC that also happens to be the organization that does the ranking of university departments, but she's not going to talk about that; Bernie Adams, Congressman from Michigan who has written the strategy for Congress on Science Policy for the next twenty-five years; Katsa Lokaili, the director of FRD of South Africa, the South African equivalent for the National Science Foundation and, if we succeed in getting him, he'll talk about the strategy for the development of research universities in South Africa as well as all of Africa. We have indications that he might be able to come. We will keep you updated and we will be sending out invitations to the entire faculty in about a week and a half to attend this."

Speaker Pro Tem Norton: "Thank you very much. We'll move on to the next item on the agenda which is a resolution that you received with the Call to the Meeting on establishing a Graduate Degree Program in Atmospheric Science. I call on Terry Fine, the Chair of the Committee on Academic Programs and Policies and Stephen Colucci, Soil, Crop, and Atmospheric Sciences, to present the motion."

## **7. RESOLUTION ESTABLISHING A GRADUATE DEGREE PROGRAM IN ATMOSPHERIC SCIENCE**

Professor Terrence Fine, Electrical Engineering: "I'm sorry I don't have this in plastic, but it's a short motion that asks:

*WHEREAS, a graduate degree program in Atmospheric Science has been approved by the Graduate School, and*

*WHEREAS, the Committee on Academic Programs and Policies has also approved the new graduate degree program,*

*THEREFORE BE IT RESOLVED, that the Faculty Senate approves establishing a graduate degree program in Atmospheric Science and urges the Administration to place this on the agenda of the Board of Trustees for consideration.*

"Professor Colucci from Soil, Crop, and Atmospheric Sciences is here and he might be able to comment on this or take any questions that you might have. Do you want to make a brief statement?"

Associate Professor Stephen Colucci, Soil, Crop, and Atmospheric Sciences: "The Atmospheric Science Program is maintained in Soil, Crop, and Atmospheric Sciences

but there are atmospheric scientists in other departments and other colleges around the University, so the proposed new program would be a means of formally linking these faculty in the education of graduate students."

Speaker Pro Tem Norton: "Are there questions? Yes, sir. Identify yourself for the minutes."

Associate Professor Stephen Vavasis, Computer Science: "Is this a Master's, Ph.D. or both?"

Professor Colucci: "Both."

Professor Fine: "It's really been an ongoing program under the graduate program of SCAS, right?"

Professor Colucci: "Right."

Professor Fine: "So, it's just separating it out from under Soil and Crops."

Speaker Pro Tem Norton: "Are there any questions? Seeing none, I'll assume that you're ready to vote. All in favor of adopting this resolution say 'Aye.' All opposed say 'Nay.' Thank you.

"Okay, we can now move on to the major item on the agenda today, or the major items on the agenda today, which is a series of six separate motions being presented by Professor Fine in his role as chair of the Committee on Academic Programs and Policies. Let me just make a comment before we start as to how we'll manage this. I'm going to try to enforce a general rule on debate or discussion on these motions so that we can get through all of them by the end of this meeting. We have people who wish to speak at Good and Welfare, so we have approximately 45 minutes. I would ask people to be concise when they speak on the resolutions and I'm going to enforce a rule that with respect to any given resolution, Senators and visitors from the Faculty may speak once on any resolution and I will not recognize anyone again to speak on the same resolution unless there is no one else seeking the floor. Also, I see many unfamiliar faces in the room, and I would point out that all members of the faculty may speak at Senate meetings but only Senators will be able to vote. Other visitors do not have speaking privileges. I will turn the floor over to Professor Fine, but first how are you going to do this? Are you going to present them one at a time?"

## **8. MOTIONS CONCERNING COMPUTING AND INFORMATION SCIENCES**

Professor Fine: "Yes. Let me just make some brief initial remarks and then start with the motions. This is the membership of the committee: Jerome Cherney, CALS; Jonathan Gerber, Student; Jennifer Gerner, HE; Douglas Gurak, CALS; Paul Hyams, A&S; Richard Rawson, Lect/Sr. Lect, Vet; Danuta Shanzer, A&S; and Jerry Stedinger, Engr. It is a large committee and has met about six times on this issue, starting in late August about every week. Members are drawn from a variety of colleges, so we have quite a bit of breadth.

"As I reported about a month ago to you, the main event that initiated a public demand was the Task Force Report of June. The Senate and other groups were asked to contribute to this ongoing discussion on the initiative in computing and information science. CAPP decided to adopt a strategy that I'm going to present that lists the motions, and there was an accompanying rationale but the rationale is kind of the Whereas's, and we separated the Whereas's from the Be it Resolved's (Appendices D and E, attached). We're not going to ask you to vote on the Whereas's, just on the Be it Resolved part. The Be It Resolved part has been cast in the form of six motions. The Whereas's took three pages of small print and I hope you appreciate that it would have been difficult to sight read as you walked into the meeting.

"There have been a large number of contributions to this discussion to this point. Following the Task Force Report, there was a memo from the Provost on August 19. There was also a memo from Dean Cooke on organizational issues and intellectual coherence issues. There have been a number of participants who organized a forum on September 15 and documents were placed on the University Faculty website, so this discussion is going in that direction. CAPP, in particular, had a long discussion with Dean Constable that occupied most of one meeting and another long discussion with Dean Hopcroft of Engineering that took most of another meeting. We tried to talk to many individual members. I would like to invite any members of the committee, in particular those who are not Senators, to come up.

"With that, I would like to put up the list of the motions. This, of course, is not readable. (Laughter.) These are the six motions. I'm going to put them up one at a time. I did do a brief excerpt of the rationale for each but I should probably blank that out. Here is what the committee is offering as the first motion. If you don't like this motion, then I suppose that the rest of them aren't much to the point either." (Laughter.)

Speaker Pro Tem Norton: "Professor Fine, do you wish to say anything more about this or just open it up for discussion? Does anyone else on the committee wish to speak? We're going to do this one motion at a time, so you don't need to worry about the other motions now. The Chair would recognize anyone who wishes to speak on this. [An unidentified Senator called out "Call the Question"] The question has been called, which makes it easier. Are there any comments or questions? I don't want to stop debate if there are any. Seeing none, the Chair will assume that you're ready to vote. The Dean of the Faculty has proposed a show of hands on this matter and I think this is a good idea. Should we do it on this motion too?"

Dean Cooke: "Either way."

Speaker Pro Tem Norton: "Okay, let's just do it by voice vote. All in favor say 'Aye.' All opposed say 'Nay.' Okay, the Chair rules that this has been adopted unanimously."

Professor Fine: "We can only go downhill from here." (Laughter.)

Speaker Pro Tem Norton: "Onto resolution number two. Oh, hold on for a second. The Chair would also advise the body that there were no amendments received 24 hours in advance and I will rule any substantive amendments out of order. This does not mean that minor stylistic changes cannot be offered, just that all substantive amendments are

out of order because none were received before the 24-hour deadline by the Dean of the Faculty's Office. In other words, it's 'yes' or 'no' on these motions. Go ahead Professor Fine."

Professor Fine: "In the events of this year, a new office was created, a Dean for Information and Computing Sciences. It was brought up in the Task Force Report and has been in place. There are issues of the processes by which it was created, but that is not what we are addressing here. CAPP decided that it was, in fact, a useful office and would like to urge that on you and that the office be supplemented by an Executive Board. The main part of this motion is that the Executive Board, in particular, be chosen in a manner not determined by this motion. We thought that there wasn't time for the Senate to get into that kind of organizational detail, but following two principles that were important. These are that the board be selected independently of the Dean; and that it have representation from the right variety of stakeholders or interest in people from all areas of the University, but not something so big that it could not meet as a Board and conduct business. It would provide policy for actions taken in fulfillment of the roles assigned to the Office of the Dean of Information and Computing Sciences."

Speaker Pro Tem Norton: "The floor is open for comment or debate on this motion. Yes, Professor Stein."

Professor Peter Stein, Physics: "I have a question. I voted for the first one because it sounded like a 'Whereas' and who could disagree with it? I have the same feeling about the second one. I feel funny about it. Is this thing we're talking about a College or isn't it? It's hard to say. If it walks like a college and it quacks like a college, I sort of think of it as a college even though it isn't called that. But then, we don't go telling other colleges how to run themselves. Some colleges run themselves with a policy committee, some colleges have an elected Senate, some colleges have committees that are appointed by the Dean, so it's not clear to me that if this is an independent unit that we should be legislating how it runs itself. That's number one. Number two is if you tell me we should, then I don't see how this has any meat to it at all. In your remarks, you said 'independent of the Dean' but it doesn't say that in the resolution. It says '. . . selected by a process to be determined that ensures that Board membership appropriately balances the interests of the University, discipline, and department', and I think that a good way to do that is to ask the person who knows the most about it, namely the Dean, to select a committee that has that function. I'm sure he would want to do it. I'm not sure if there's any point to this or, if there is, that we have any business doing it. It's a question really."

Speaker Pro Tem Norton: "Do you wish to respond to this?"

Professor Fine: "Yes. There is a strong presumption here. You are saying that something walks and talks like a duck and I am not willing, nor is CAPP willing, to assume that at this moment we have another college here."

Professor Stein: "What about the second point?"

Professor Fine: "About the independence? The words from the rationale should have been in the motion."

Speaker Pro Tem Norton: "It does say that. The Chair points out that 'B' says 'independent CIS Executive Board.' Yes, sir."

Professor Galik: "You can tell that Peter Stein and I talked about this a little bit last night about the notion of 'college.' I would assume that if a college were to be formed, would it not take some sort of faculty approval to actually form a new college at this University? That's why I asked the Provost my question before. It's more of a rhetorical question. The more substantive issue that needs clarification is that you say, 'department' in here. Do you mean the Department of Computer Science?"

Professor Fine: "No, no. In that motion that means all departments. Departments in total."

Professor Galik: "Well, then can I make an amendment to change that to plural."

Speaker Pro Tem Norton: "The Chair assumes that it is a typographical error."

Dean Cooke: "Discipline is singular also."

Speaker Pro Tem Norton: "The Chair rules that these are purely typographical. Are there any more questions or comments? Please identify yourself."

Professor Jerry Stedinger, Civil and Environmental Engineering: "I'm a member of CAPP and our understanding is that we're in the middle of a process. The Deanship has already been created and filled and we're trying to understand how this whole process is going to work. One of the goals in trying to respond to the 'computer revolution' is to think about how resources may need to move around the University and how various colleges will respond. One of the ideas of the Task Force was that we needed to be responding cross-University, perhaps moving resources in different ways and there was a concern that because the 'computer revolution' was so broad, a single dean no matter who that person was, would have trouble with the breadth of understanding to by themselves be the person making all of the decision. So what this motion was crafted to address was that to make sure the University as a whole, both department and discipline and the interests of the University as well, would be reflected in a governing board that would help and support the Dean in making decisions about how we should go. We hope that this motion would help the University to establish a process by which we could move into the revolution and make sure that all interests were appropriately represented."

Speaker Pro Tem Norton: "Other comments or questions? Yes, sir?"

Professor Donald Farley, Electrical Engineering: "Yes, I just had a question about what the committee feels the function of the Board really is. It says, 'Advise and support' and then later, 'Provide policy.' Supposing the Board and the Dean don't agree on what the policy should be, who has the final say? How does that committee interpret that?"

Professor Fine: "The responsibility is that the Executive Board provide policy."

Professor Farley: "So it's like a Board of Directors?"

Professor Fine: "Not to, itself, select all of the actions, but provide the policy by which actions will be taken."

Professor Farley: "Right. That's fine."

Speaker Pro Tem Norton: "Other comments? I see none so I assume you're ready to vote. This time I will take a vote by show of hands. Any other comments? Very well. We'll take the vote. All those in favor of Resolution 2 proposed by CAPP raise your hands. I ask Professor Rasmussen to be a teller on one side and would Professor Holloway, my colleague, be a teller on the other side? How far did you come over Kathy? Okay. All opposed? I see only three hands. Professor Holloway, what was your count? Okay, the vote was 51-3. Were there any abstentions? 5 okay. Let's move on to the third resolution please."

Professor Fine: "The third motion continues to amplify the second one regarding the roles. The rationale is that this would be a somewhat centralized structure, that is the Dean and the Executive Board, but that they would support a decentralized use of resources which we felt was characteristic of the success of many of Cornell's intellectual enterprises. It really is important to have centralized support for decentralized resources. It's a bit more specific on what the role would be for the Dean and the Executive Board."

Speaker Pro Tem Norton: "Comments or debate? Questions on resolution 3 presented by CAPP? Professor Stein?"

Professor Stein: "Yes, I'm sorry. (Laughter.) This is a question I should have asked in the very beginning that I don't understand. There's a phrase missing in these which is, 'Be it resolved that the Senate determines' or 'Be it resolved that the Senate recommends.' Is any of this legislative on the part of the Senate or is it 'Be it resolved that the Senate recommends to the Provost that'? Except for the first one. That is something that the Senate can decide, that we're in the 'Information Revolution.' (Laughter.) For the rest of them, how to set up the governance of this body, we're getting into more detail on the roles of the governance and I was wondering what the status of what we're doing is. I guess I direct that question to Terry and the Provost and anyone else who has wisdom on the subject."

Professor Fine: "I understand that it's part of an ongoing process. The Task Force will issue another report in November and that the door for discussion is open, at least until the end of classes, as we announced at the last meeting. At this point, it is a recommendation also to the Task Force but primarily to the Provost and President as what we see as a successful way to arrange this."

Provost Randel: "I would agree."

Speaker Pro Tem Norton: "The Provost said that he agreed."

Professor Fine: "Very softly." (Laughter.)

Speaker Pro Tem Norton: "The Chair would also say that it is, indeed, implicit since the Senate does not have legislative control over this matter obviously anything that the Senate passes is recommendatory to the Provost. Yes?"

Professor Galik: "Again, another question on the central role of the department of Computer Science in this endeavor. Where it says that the CIS board and Dean would 'enrich programs in their home departments,' does that mean that they would not enrich programs in Computer Science? Part B, last phrase."

Professor Fine: "It seemed that you were bringing up something in the next motion."

Professor Galik: "Well, it's also in the next motion, but let's stay here for now."

Professor Fine: "Okay, could you repeat the question."

Professor Galik: "Yes. In the last phrase, 'in their home departments' there is the implication that it would be for departments that are not under the purview of the Dean of CIS."

Professor Fine: "No, no."

Professor Galik: "So Computer Science is included in those 'home departments'?"

Professor Fine: "Yes. The deal was to provide support, not to bring people out of their home departments into some central organization, but to provide support in their home departments. There was a way to read some of the things in the initial Task Force Report that suggested that people who were involved in computing and computing thinking might be pulled out of their home departments and brought into some common area and we're emphasizing the importance for them to remain in their home departments where they could enrich their home areas rather than be pulled out."

Professor Galik: "I totally agree with that sentiment. I just wanted to make sure that this was being extended to the Computer Science Department."

Vice Provost Richardson: "Then I have a question of clarification. That is feeding against the notion of having joint appointments of faculty with their home department and as faculty of Information Science."

Professor Fine: "That would probably be a corollary to that."

Speaker Pro Tem Norton: "Other comments? If not, oh yes."

Professor S. Kay Obendorf, Textiles and Apparel: "Having watched some of the fundraising efforts of the Board of Trustees, I question whether the Executive Board that is advising on curricular matters is the best group to assist the Dean with fundraising."

Professor Fine: "Well, why are you assuming that the Executive Board would (unintelligible). That would be a function of the Board."

Professor Obendorf: "But if you select the Executive Board to help you with curricular matters, I have a hard time thinking that are the best body to assist in raising funds."

Speaker Pro Tem Norton: "There is various muttering up front and I would like people to make specific comments. Yes sir."

Michael J. Todd, Leon C. Welsh Professor of Engineering: "The beginning of the paragraph says, 'The Dean along with the Executive Board' so I assume that the Board would point out areas in which funds could be solicited but the Dean would be the one with the responsibility."

Speaker Pro Tem: "The Chair senses that the body is coming to closure on this issue. Is that correct? No. Identify yourself for the minutes."

Associate Professor Risa Lieberwitz, Industrial and Labor Relations: "I guess my question is, perhaps, embedded in some of the questions other people have asked. This is a resolution that talks about what the Executive Board should do along with the Dean, but it's embedded in an assumption that gets voted on later in terms of what the structure, which has not yet been decided upon, should be. Underlying this, there seems to be a presumption that gets voted on later in terms of whether there should be a new college or a new faculty as recommended by the Task Force. I was wondering if you could address what was underlying this."

Professor Fine: "I think that our view of the FCI, the Faculty for Computing and Information, which we'll talk about next, was that it could be a much larger body than the things we were reading. It was not one suited to act as an executive group. So, this does not preclude constructing what we saw of the proposals for an FCI. I do not see that group as being able to function in this way. The FCI would not be a decision-making group, they would be a group of perhaps 200 faculty members."

Professor Lieberwitz: "So your thought was that this could exist regardless of what happens to the structure."

Professor Fine: "Yes. We didn't feel that this precluded anything or forced an answer on the existence or non-existence of the FCI."

Speaker Pro Tem Norton: "The Chair will recognize one more speaker on this. Yes, go ahead."

Professor Stedinger: "I was also a member of the committee and I thought that this was a give away that encouraged them to do lots of good things and didn't say that other people shouldn't do good things as well. There's nothing in here that seems to be binding such that they have to do all of it or someone else shouldn't as well."

Speaker Pro Tem Norton: "All right, we will move to a vote on Resolution 3. I would like the same tellers again. All of those in favor, please raise your hands. All opposed? Are there any abstentions? Thank you. The vote is 57 in favor, 1 opposed, and 4 abstentions. We'll move on to Resolution 4."

Professor Fine: "This addresses a more controversial issue, the creation of the abbreviated FCI, Faculty of Computing and Information. There is not one unique entity of that name. There was discussion of it in the June Task Force Report. There were responses to it. Dean Constable and Professor Van Loan, the Chair of the Computer Science Department, responded to it on September 7. There have been various discussions along the way about the role of this organization. We have a fairly long discussion of this in the rationale that we provided about what we had identified to be the roles and functions of that organization. In brief, we really see the need for smaller, intellectually coherent, working groups—at least 6 or 7 perhaps—rather than a large group, previously estimated to be between 80 and 200 faculty members that might provoke feelings of warm fuzzies, but be unlikely to provide much good and might impede the smaller groups. So we don't see this as a home for Computer Science which is what it was initially proposed to be, although after subsequent discussion, that was withdrawn and the discussions weren't overlapped between Computer Science and the FCI. The function and need of this was not clear. It could be created later on, but we did not see the need for it at this point since it might be inimical to the small trees."

Speaker Pro Tem Norton: "I'm sure that there are questions and debate about this. Yes, sir."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I'm hearing several things, but on this specific point it strikes me that it might still be very useful to have an FCI as a population from which the smaller coherent faculty groups would then self-select. By being members of the larger population you would feel empowered to create and participate in these smaller coherent groups. I don't see these two as being in conflict, but essentially complementary. While I have the floor a moment, I might say that while I listen to the query on the other points, it strikes me that we have to come to grips with whether, under the conditions of the Information Age, the organization of our faculty within colleges may be obsolete and perhaps this mechanism, at least in part, might be a way of providing for a larger group to involve people from all colleges and people who find coherence to act as the smaller groups you're talking about."

Speaker Pro Tem Norton: "The Chair would encourage Professor Fine not to respond individually to these and would ask other Senators to comment. Yes?"

Professor Vavasis: "I was just wondering about something. You said something about the home of Computer Science and the FCI and the resolution doesn't say anything about that, so could you repeat what you said."

Professor Fine: "That was in the original Task Force Report. The FCI was identified as a possible home for Computer Science."

Professor Vavasis: "This motion doesn't say anything about that."

Professor Fine: "No, because that had changed throughout discussions."

Speaker Pro Tem Norton: "Yes sir."

Professor Richard Baer, Natural Resources: "I have a question about the way that this is organized. It would seem to me that one of the main functions of the faculty would be a service function to other faculty and other parts of the University. How do you see that in terms of faculty here getting tenure and promotions and so on? If they're devoting a lot of energy to serving other faculty, isn't that somewhat working against what might be their own self-interest in publishing and tenure on the basis of their publishing?"

Professor Fine: "No, I guess we didn't see this organization involving much outreach on the part of the members of the FCI. Our concern was that the FCI might give people a false sense of participating in something when participation was minimal. Some mention was made of tenure decisions and joint appointments and our feeling was that we shouldn't upset traditional structures without a very good reason for doing so and this is not a very good reason for doing so."

Speaker Pro Tem Norton: "Any other comments?"

Charles Van Loan, Joseph C. Ford Professor of Engineering and Chair, Computer Science Department: "Let me address your remark. You can be in a department and also be a member of a graduate field that doesn't coincide with your department and you can participate in that other field to your well-being and it's not a conflict with your other engagements."

Professor Galik: "Certainly the role of the broader organizational structure can be accomplished without having an FCI that has things like tenure appointments and all the trappings associated with colleges and departments. I can imagine that they could put together seminars and workshops just like any other program on campus might and serve people that are in these sub-groups that would form the body and show up for those kinds of meetings. I applaud the committee's decision that things involving tenure appointments was beyond what we need to have at this point in this new structure."

Speaker Pro Tem Norton: "Are there any other comments? Professor Stein."

Professor Stein: "I don't know whether I'm for this or against this because I really don't understand it. For instance, I don't understand why you couldn't replace the words 'large faculty of computer science and information' with 'College of Engineering' to read, 'The Senate finds that the College of Engineering is unlikely to accomplish. . . ' and so on and so on. What Alan McAdams said is that maybe we need a new organization and, if we need a new organization to deal with the Information Age, maybe this is the right organization. I have no idea but I don't really see the argument or understand how I'm to know if the organization that we traditionally have in the College of Engineering, which has worked pretty well to solve its problems, isn't right for this particular college or the College of Arts and Sciences. There must be something special about computing and information technology that makes this new organization not appropriate to deal with that and I haven't quite seen it. The arguments seem to be quite general. I don't know if I'm for them or against them but I guess I don't really understand succinctly. Why not? What's the matter with this new organization to deal

with the Information Age and all of it's couplings? Can you say that in a couple of sentences?"

Speaker Pro Tem Norton: "The Chair would allow Professor Fine to respond if he wishes to do so." (Laughter.)

Professor Fine: "You keep using the word 'college' and you keep hardening the balance of this thing. You keep putting this in a mold that I do not share with you. That's not going to read well in the minutes. (Laughter.) You keep making this much bigger than it is and much more permanent. The time is not now for a full structure with bylaws and 'Whereas's.' We say that in here. We are participating in what is still an ongoing discussion and trying to have the Senate's opinion heard. It is not yet the time to draw the detailed structures. We're concerned that creating something like this really will supplant a more rational structure. This may be the answer in the end, but it ought not be something you lead with at this point. It is too amorphous and untied to its function."

Professor William Arms, Computer Science: "I think the crux of this matter is mechanisms and patent groups in the Information Age. I have spent my career in particularly disciplined mechanisms. Typically, the problems one runs into are the practical problems, where to raise the money, where to get administrative services like computing, if you want to hire someone with a non-traditional background, who do you put on a search committee? When you have a program or an activity that fits within a structure, such as the College of Engineering, then it's critical. What Cornell lacks, as far as I can understand, is a mechanism to support and nurture those initiatives when they don't fall in the existing structures. That is what this organization is trying to do."

Speaker Pro Tem Norton: "The Chair had already announced that people would not be able to speak more than once on a particular issue"

Professor McAdams: "Unless?"

Speaker Pro Tem Norton: "Unless no one else was seeking the floor so the Chair is asking if anyone is seeking the floor or if we should let Professor McAdams have the floor? Seeing no one else seeking recognition, the Chair will recognize Professor McAdams, but the Chair also wishes to make this the last comment on this so we can finish by 6:00. Professor McAdams."

Professor McAdams: "I request that Terry Fine respond to me since I was the only one who was excluded from the comments. There are problems with language when speaking of the FCI. It strikes me that a PCI might be more appropriate. It would be a Program for Computing and Information, an umbrella group, not to replace colleges or departments, but to provide empowerment to the structures we just mentioned in which people would feel it appropriate to create the smaller, coherent, faculty groups. In other words, it is expected that within the Program of Computing and Information that such groups could and would be formed and there would be minimal barriers and blockages that often occur as we try to do things across departments and colleges."

Speaker Pro Tem Norton: "The Chair would ask if there are any further comments. If not, then we'll go onto the vote on Resolution 4. All right, will my tellers ready themselves. All in favor of Resolution 4 please raise your hands. All opposed. Any abstentions please. Okay, the motion carries with a vote of 27-8-17 (Actual vote was 37-8-17). Okay, Resolution 5. The Chair apologizes."

Professor Fine: "The Task Force Report stressed that what was happening in the Information Age should be happening in the graduate programs. CAPP doesn't support this principle insofar as the comments to try uniform requirements across the University as we have with the freshman writing requirement. CAPP decided that it would be more consistent with the Cornell tradition to have those requirements determined individually by each college, but that the colleges were urged to adopt such requirements for their own good. To do so may require use of resources available. It was really decentralizing the decision."

Speaker Pro Tem Norton: "The Chair would like to see if we can finish these last two resolutions in a total of seven or eight minutes. So, the Chair would ask the members of the body to direct their comments to the point of decentralization versus centralization with respect to this requirement. Yes, sir."

Professor Baer: "I'm not sure I favor this or oppose it, but I would simply call to your attention that it is my judgement that at least 20 or 30 percent of our graduating seniors in CALS cannot write coherently and cannot read texts coherently. I would think that before we get too excited about this we ought to attend to issues that are even more fundamental."

Speaker Pro Tem Norton: "Yes, sir."

Professor Bernd Lambert, Anthropology: "Since departments like mine are unlikely to introduce a computer course, would this mean that each department would have computer courses and would require one or two of these for all of its major. How would this apply to the social sciences or humanities?"

Speaker Pro Tem Norton: "The Chair reads this as talking about colleges, not departments, so for you it would be the College of Arts and Sciences. That's my interpretation."

Associate Professor Michael Shapiro, Communication: "I'm sitting here trying to figure out why I don't like this and I think I know. It strikes me that this is different from writing or requiring a social science because of the ways that we would implement this, at least at this point, are so diffuse. For example, teaching students how to use the library database is pertinent. This is something that I don't want to try in a way in which colleges have to have a course on the books, or a set of courses on the books, because I think it decreases it's flexibility, not increases it."

Professor Fine: "There really was no indication of that. It really should be left to the colleges. Your college will have every right to determine its requirements."

Speaker Pro Tem Norton: "Yes, sir."

Professor Farley: "I just want to say that I have a problem with 'ensure.' Is that too strong a word? If we could change it I would be happier. It sort of implies that everyone at Cornell must have had a computing course, at least that's one way to read it. Is that really what we mean?"

Speaker Pro Tem Norton: "The Chair regards that as a point of debate not to be responded to by Professor Fine."

Professor Farley: "I'd just like to know because the word is strong and it affects how I would vote."

Professor Richard Schuler, Economics and Civil and Environmental Engineering: "I'm always reluctant to urge colleagues to propose courses on people or things that in five years will become obsolete and, in this rapidly changing area of computer programming, where we seem to be inflicted with a new language every five years, I wonder about the value of the scarce resources that are available to Cornell students to urge them to deal in a computer science kind of course when the tools are like learning how to type and you know we got that backwards with the Qwerty convention a century ago."

Speaker Pro Tem Norton: "Yes, in the back."

Professor Arms: "I've got a message here from Dan Huttenlocher, the Chair of the Task Force. He says:

"I would strongly urge you to read what is actually discussed in the CIS Task Force Committee Report on Computing. I do not believe that this CAPP resolution reflects either the content or the spirit of the Task Force recommendations on undergraduate education.

"The Task Force Report recommends a program modeled on the highly successful Knight Writing Program. Moreover, the report states that while such a program would 'have the goal of educating all students, we do not envision a computing requirement for all students until there is campus mandate to do so.'

"This is in sharp contrast with the claim in the (draft) CAPP recommendation that the Task Force Report recommends a 'uniform University-wide requirement.' The Knight Program model is far from a uniform requirement, rather it is aimed precisely at educating students in their own areas of study. However, the central coordinating role of the Knight Program is crucial to both in supporting this teaching and in guiding it.

"As well as finding the CAPP recommendations to misconstrue the Task Force recommendations, I believe that the CAPP recommendation is seriously flawed. Encouraging colleges and departments to develop their own courses, without central support or coordination, simply will not work. That is essentially the status quo, and many Cornell students are currently woefully underserved in this important area."

Speaker Pro Tem Norton: "Are there any more comments? The Chair would ask you to be brief."

Professor Van Loan: "I just read that as the colleges who pay attention to computing and make sure that it squares with their ideas of liberal education. Also, about Professor Schuler's remarks, it's not just about narrow skills. The algorithmic way of knowing is just one of several ways of knowing. I think that it's a part of liberal education. You want students to be intelligent consumers, which transcends individual languages and so on. I guess this is what we should be aiming for."

Speaker Pro Tem Norton: "Professor Stein do you still seek recognition?"

Professor Stein: "No. I will call the question"

Speaker Pro Tem Norton: "The Chair will assume, if no one objects, that the question has been called. Are there any objections? Does anyone else wish to speak on Resolution 5? Very well, we will vote on Resolution 5. All of those in favor of Resolution 5 please raise your hands. All opposed. Abstentions, please? People with abstentions please hold your hands up again. Okay, the Resolution fails 23-29-9. Moving onto Resolution 6."

Professor Stein: "Point of order."

Speaker Pro Tem Norton: "Yes?"

Professor Stein: "Orders of the Day."

Speaker Pro Tem Norton: "Orders of the Day have been called. Orders of the Day are for Good and Welfare. If we do that we will push Resolution 6 onto another meeting. The Chair would ask the will of the body in this regard. Professor Stein?"

Professor Stein: "I would speak to that. I think that this is the guts of the resolution and I'm really concerned about not having adequate debate to discuss it. I think that we should not be debating this important issue with one eye on the clock."

Speaker Pro Tem Norton: "Okay, the Chair notes that under the current order we will move to Good and Welfare and this will be pushed to next week unless somebody makes a motion otherwise. Seeing no motion, we will move to Good And Welfare. I have Professors Galik and Farley signed up for 'Good and Welfare' time. We will consider Resolution 6 at a special meeting next week. Professor Galik, you're up first."

## 9. GOOD AND WELFARE

Professor Galik: "Professor Cooke and I did not want you to think that we were asleep at the wheel. There is an Educational Policies Committee, as you're probably aware. This is its membership and a list of topics that are under discussion this semester. We are the University timekeepers, we watch the calendar and there are some scheduling issues such as exam frequency, an issue brought to us by the University Assembly, final

exam issues on exemptions and exceptions, universal free-time between 4:30 and 7:30. There are also some conduct issues. Most noticeably are issues of note-taking for profit, there are many note-taking agencies that hire students who sell their notes to web-based browsers for distribution. To what degree is that immoral, illegal or unethical? What can we do about it? What modes are there to address these issues? We're actively working on that. Issues that have also come up are slipping academic integrity on the campus, particularly with respect to plagiarism. We're trying to put that under an umbrella of respect for educational study. We're trying to decide if we should put together a bill of rights and responsibilities that each student must acknowledge having read. So those are the issues that are in front of us. We wanted to let you know that they were being discussed in a Senate committee. If you have anything you'd like to share, make sure it gets to us before our next meeting."

Speaker Pro Tem Norton: "Thank you Professor Galik. Professor Jenny Farley?"

Professor Jennie Farley, Industrial and Labor Relations: "My message is brief. I recognize that every person in this room has many priorities. One that I hope we share is a concern for the needs of people who live in our town and the surrounding area. I want to talk about the Cornell contribution to the United Way. In the last two weeks, our faculty and staff have given about \$80,000 which will do a great deal of good in Ithaca. What I ask you to do is look over the list of agencies on the card that you got this week and at least think about making a gift to help the Cornell Contribution to the United Way."

Speaker Pro Tem Norton: "Since no one else has asked for Good and Welfare time, Dean Cooke has one final comment."

Dean Cooke: "I will consult with the UFC on whether we will have a meeting a week from today, which is provided for in our procedures, or if we will delay it for a month. My hunch is that we will do it in a week because of the time scale for the Task Force Report. I will send an e-mail when we decide."

Speaker Pro Tem Norton: "Okay, so the members of this body should hold themselves available for a special meeting of the Faculty Senate a week from today. Thank you, this meeting is adjourned."

Meeting adjourned at 6:00 p.m.

Respectfully submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

# A Proposed Cornell Strategy for Distance Learning: Conceptual Issues

J. Robert Cooke  
Tuesday, October 12, 1999

## Introduction

- A distance learning strategy for Cornell: a faculty perspective.
- Post on the University Faculty website to stimulate a campus-wide discussion.
- Participate in the revolution.

Numerous initiatives are underway

Office of Distance Learning Task Force Report<sup>1</sup>.

Academic Leadership Series<sup>2</sup> to explore distance learning.

Ad hoc group of individuals (David Lipsky, Jon Levy, Paul Velleman, Dan Huttenlocher, Dean Sutphin, and myself)

Trustees' Task Force on Distance Learning

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<sup>1</sup> [http://www.ipr.cornell.edu/ALS\\_Web/ALS\\_NewHighlights.HTML](http://www.ipr.cornell.edu/ALS_Web/ALS_NewHighlights.HTML)

<sup>2</sup> [http://www.ipr.cornell.edu/ALS\\_Web/distance\\_learning\\_resource.htm](http://www.ipr.cornell.edu/ALS_Web/distance_learning_resource.htm)

## General Expectations of the Cornell Faculty on the Distance Learning Initiative

- **We should establish the highest standards of excellence as our hallmark in order to protect and enhance our reputation.** We must protect and enhance our reputation and 'brand name'.

- **Faculty participation must be voluntary.**  
We became members of this faculty to teach Cornell undergraduate and graduate students.

A few members of the faculty have long had responsibility for educating older, non-resident persons, but the existence of the Internet provides a strong new incentive for an expansion of such activities.

Distance learning will and should broaden the class of those whom we serve and we must be clear about our resolve to broaden the scope of faculty service on a voluntary basis.

- **We must generate new sources of income.** Aside from our service obligation to society, we have a pressing financial problem. We simply cannot sustain indefinitely the path we're following without some fundamental change. This effort should help us sustain our current residential model of education. Quite simply, we must find a major new revenue stream to permit a more sensible rate of tuition growth and to supplement faculty salaries that are growing too slowly.

- **We should utilize our existing strengths in a constructive manner — primary focus should be on CONTENT, not technology.** We have a world-class research university faculty, whose members bring great content expertise to their assignments. Many, but not all faculty have interests in information technologies and a desire to serve broad state, national or worldwide audiences.

## **Organizing themes:**

- 1) In the language of the corporate world, we should become the wholesale, not retail, supplier of content. We should choose to establish an identity for excellence as a major source for graphically rich, interactive 'digital textbook' content for the next generation.**
- 2) We should choose to make a commitment to our graduates to serve their lifelong educational needs as a core value in our fundamental commitment to remain an elite research university into the next century. This will expand significantly our traditional outreach to the people of the State of New York.**

## Commentary

- De-emphasize the role of expensive and short-lived technology in this emerging phase.
- Remain focussed on student-faculty interactions on the Cornell campus and need not create massively new demands upon faculty time. Materials created will be utilized here and will impact resident students.
- Remain free of the responsibility of assuring that the delivery to the end-user meets Cornell standards. The awarding of course credit and conferral of degrees can be separated and delayed. [Some parts of the university will choose to make the long-term commitments needed to create and deliver high quality services and degrees/certificates to end users for highly specialized, well-funded audiences for premium costs. But we need not rush into that general market.]
- We need not invest in the end-user teachers needed to provide human interaction for encouragement and feedback if we concentrate on content.

In summary, a wholesale focus will free us of responsibility for creating an elaborate technology infrastructure, the human interaction with the end-user, and the burden of certification of learning or degrees.

## **Other Issues:**

**Create a Cornell Digital Press:** Cornell should found a for-profit digital press to service this effort and that of Cornell Cooperative Extension, ILR, etc.

- 1) **Ownership of Intellectual Property:** The thorny issue of intellectual property ownership can be resolved on an ad hoc basis, rather than as a policy mandate. Cornell faculty are accustomed to negotiating with publishers, but not with the University. We can avoid a bitter and needless confrontation over institutional policy on intellectual property.
- 2) **Financial Support:** Requires substantial support, say up to \$500,000 to \$1,000,000 for large projects and to assure the level of initial and sustained faculty involvement, some initial developmental support, maintenance support and royalty commitment must be made at the outset. Issues of ownership will require an explicit and upfront clarification of ownership issues and of the need for long-term involvement of the authors to assure its continual improvement and upgrade.
- 3) **Attractive employment opportunities** for emeritus faculty and faculty spouses.

**Options for our Alumni:** We should make a commitment to our alumni to serve their lifelong educational need. ‘

- The emeritus faculty group, CAPE, is already considering an effort to capture from each emeritus faculty interested in participating, a ‘great lecture’.

**Options for prospective students:** We should provide free access to the first chapters of these materials to those who submit an application for admission.

**Options for enrolled students:** Create Cornell-flavored advanced placement or summer course equivalent courses to facilitate graduation in seven, rather than eight semesters.

### **Other Important Issues Note Addressed:**

- Obvious omissions include specialized professional degree programs, some of which are under active discussion already.
- Great opportunity for bringing resources from outside Cornell to our students in residence
- Great potential for serving an international audience

### **We should move aggressively to implement.**

One can easily imagine other directions in which to expand this effort. Indeed, not all of the options mentioned above need be implemented to create a comprehensive program. We should begin immediately, but with the clear understanding that we can and should adapt plans as we gain experience and as the technology develops.

# REPORT OF NOMINATIONS AND ELECTIONS COMMITTEE

October 1999

## Affirmative Action Committee

Clare Fewtrell, Vet., Chair

## Faculty Advisory Committee on Admissions and Financial Aid

David Delchamps, Engr.

## Financial Policies Committee

David Collum, A&S

## Academic Programs and Policies

Jery Stedinger, Engr.

## Library Board

William Arms, Engr.

Maurice White, Vet.

## Minority Education Committee

Anthony Ingraffea, Engr., Chair

## Assemblies Committees

### Campus Planning Committee

Frank Moon, Engr.

### Committee on Committees

Pamela Tolbert, ILR

### Minority and Third World Affairs

Michael Latham, CALS

### University Health Services

Daryl Bem, A&S

Cynthia Hazan, H.E.

Lee C. Lee, H.E.

Mary Tabacchi, Alternate, Hotel

### Transportation Advisory Committee

Arnim Meyburg, Engr.

**Search Committee, Dean of Hotel Administration**

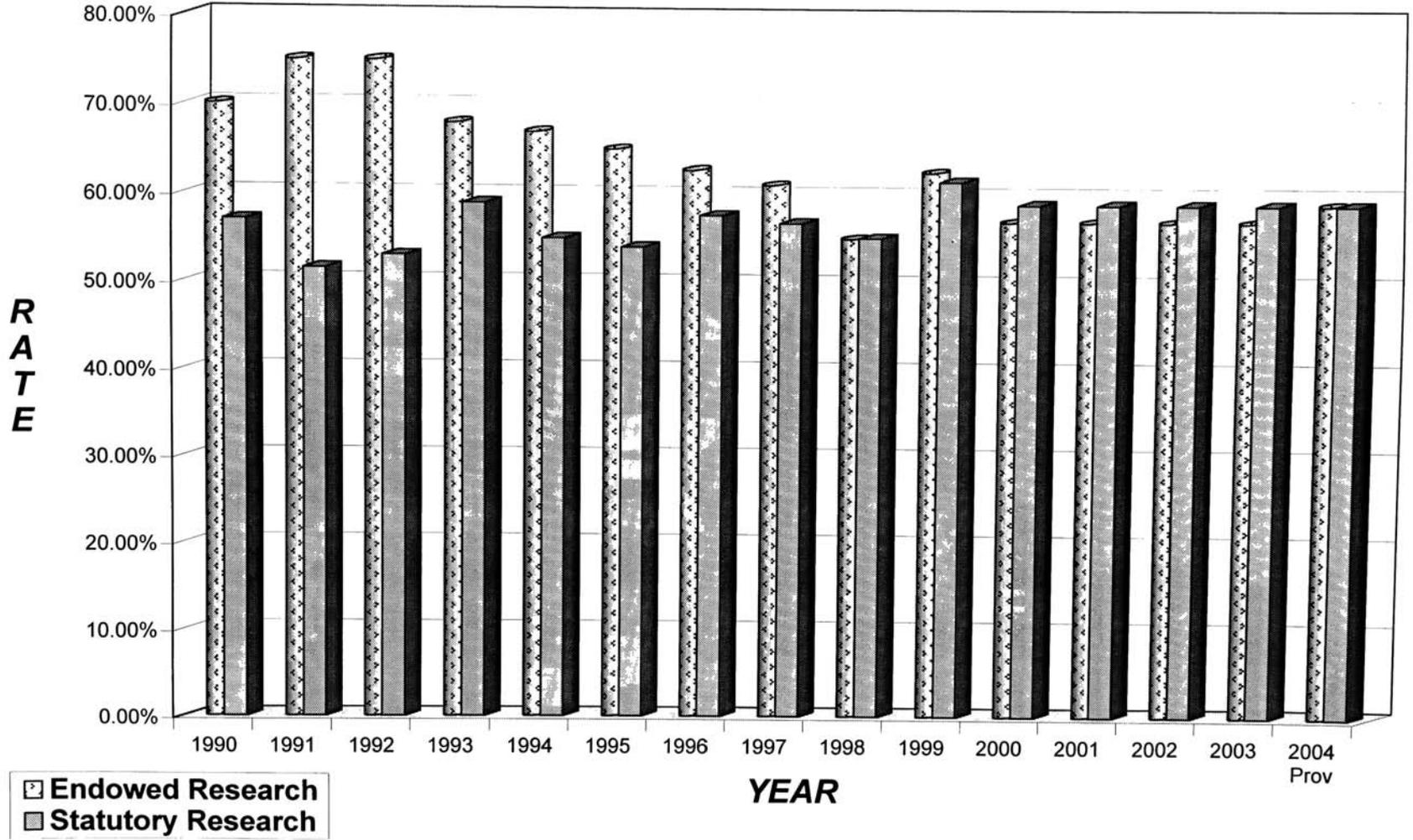
\*Florence Berger  
\*Richard Penner  
David Sherwyn  
\*Bruce Tracey

**Search Committee, Dean of Agriculture and Life Sciences**

\*Ralph Christy  
\*Helene Dillard  
Stephen Emlen  
\*David Galton  
\*Nelson Hairston  
Susan McCouch  
\*Max Pfeffer

\*Appointment by the Faculty Senate

# CORNELL UNIVERSITY BILLING RATE HISTORY



# FY04 ENDOWED IDC RATE COMPONENTS

## **Administrative Costs**

1.	G&A (General and Administrative)	3.8%
2.	Department Admin.	17.8%
3.	Sponsored Projects Admin.	2.8%
4.	Other Admin.	2.0%
5.	<b>Total Administrative Costs</b>	<b>26.4%</b>

## **Facilities Costs**

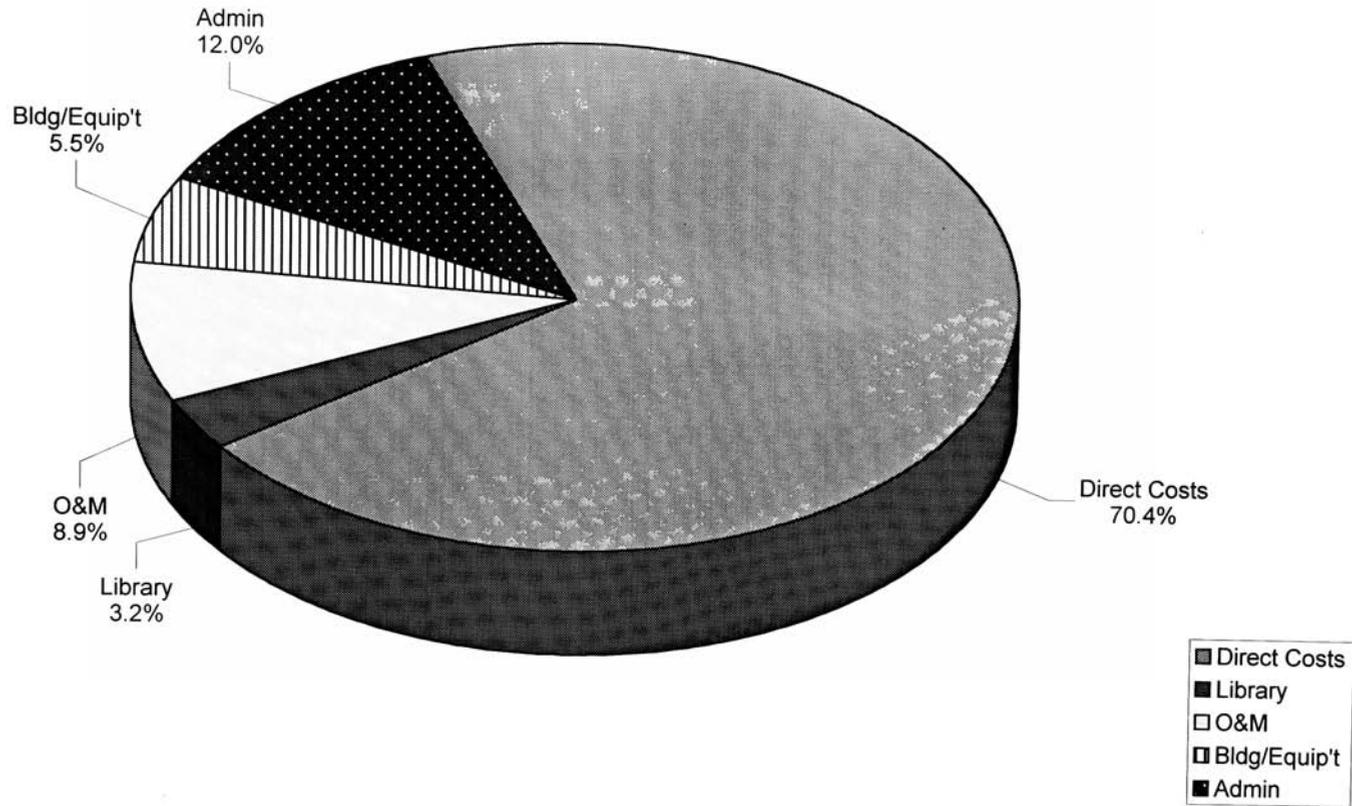
6.	Depreciation, Building	2.7%
7.	Depreciation, Equipment	6.8%
8.	O&M of Plant	18.9%
9.	Library	4.6%
10.	<b>Total Facilities Costs</b>	<b>33.0%</b>

11. **Total IDC Rate** **59.4%**

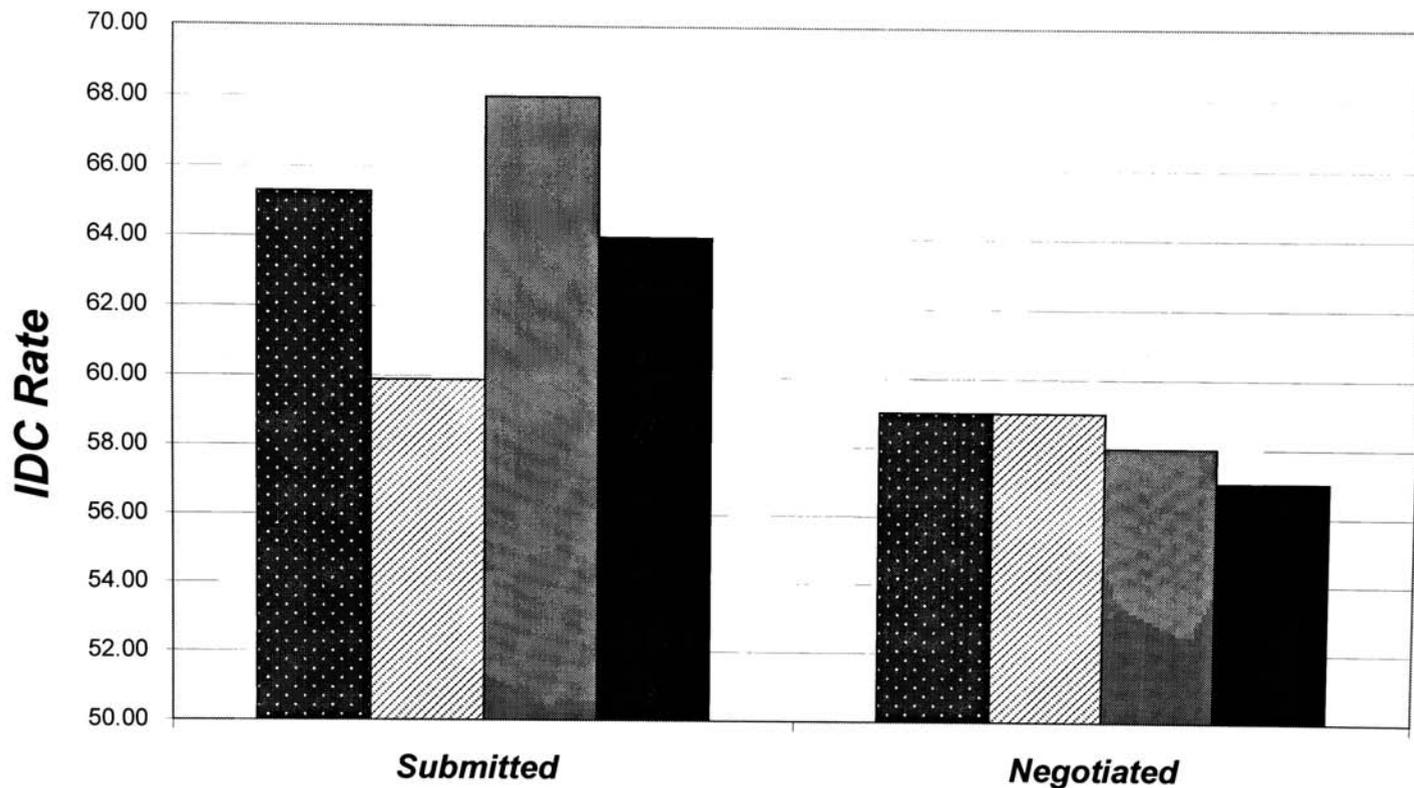
12. **Billing Rate** **59.00%**

IDC RATE = Indirect Cost Rate  
 = Facilities and Administrative Rate  
 = Facilities and Administrative Costs allowed to be allocated to Research  
 Modified Total Direct Costs of Research

# CORNELL UNIVERSITY FY 98 Composition of Total Project Costs Endowed Research



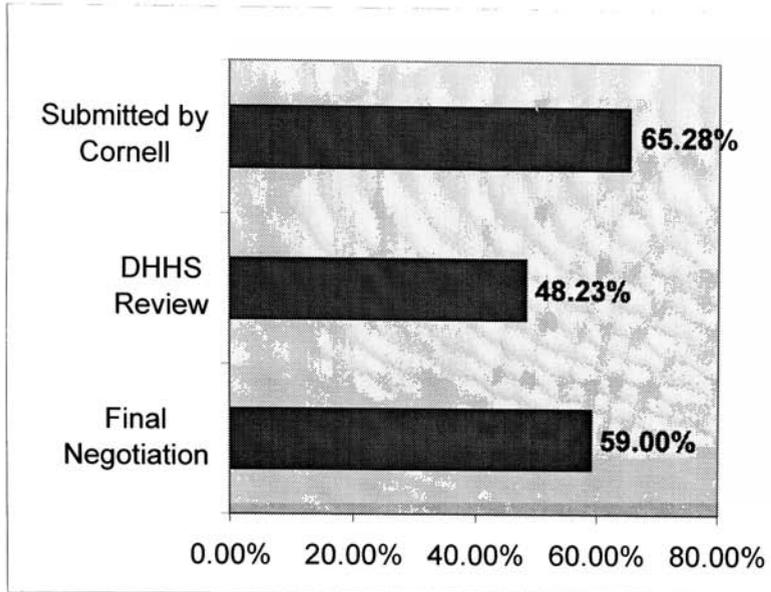
# DHHS NEGOTIATION RESULTS



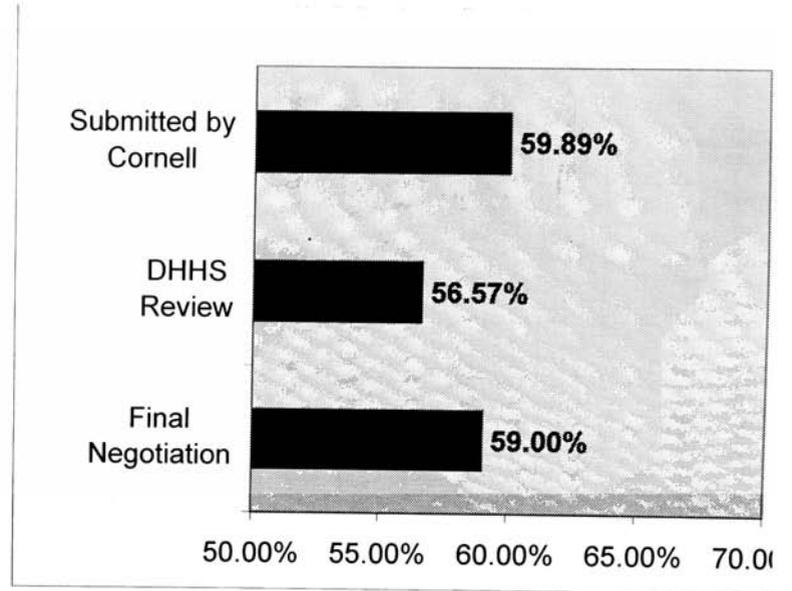
- Cornell-Endowed
- ▨ Cornell-Statutory
- ▩ Princeton
- Brown

# Predetermined F&A Rates for FY00 through 04

## Endowed



## Statutory



## Motions to be Presented to the Faculty Senate Concerning the CIS Task Force Proposal and Its Sequelae

1. [See Rationale Section I,II] The Faculty Senate shares with the Task Force, Provost Randel, and President Rawlings the sense that an information revolution has ushered in an information age with unignorable consequences for our conduct of undergraduate education, scholarship, research, and outreach and with opportunities for new directions in scholarship and research whose pursuit deserves the support of Cornell.
2. [Rationale III,IV]
  - (a) The recently-created office of the Dean for Computing and Information Science (CIS) be charged with assisting in the implementation of the vision, goals, and principles that will grow out of the Task Force efforts and those of others.
  - (b) The Dean for CIS be provided with an independent CIS Executive Board having broad membership of stakeholders selected by a process to be determined that ensures that Board membership appropriately balances the interests of University, discipline, and department.
  - (c) The function of this CIS Executive Board shall be to advise and support the Dean for CIS and provide policy for actions taken in fulfillment of the roles assigned to his office.
3. [Rationale II,VI]
 

The Dean for CIS together with the CIS Executive Board have the following roles:

  - (a) Support of instruction and instructional innovation in this area.
  - (b) Support of the development of faculty in this area both by providing bridging funds to enable departments to hire such faculty and by providing support to current faculty to develop and enrich programs in this area in their home departments.
  - (c) Proactively and specifically identify important and promising directions in computing, information science, and information technology, as they are observed across a broad frontier, and encourage movements by faculty units in these directions.
  - (d) Raise funds in support of the preceding.
4. [Rationale V] The Senate finds that the creation of a large Faculty of Computing and Information (FCI) is unlikely to accomplish the aims announced for it and may obstruct the evolution of more useful mechanisms for smaller, more coherent faculty groups to engage with the information age.
5. [Rationale VI] The Faculty Senate recommends that all Colleges at Cornell with undergraduate programs adopt requirements for such programs to ensure that their students become familiar with appropriate elements of computing and information science and technology. In achieving this, their curriculum committees should consult with the office of the Dean for CIS.
6. [Rationale VII] The President, Provost, and Deans of Engineering and Arts and Sciences are urged to rethink carefully the management of the Computer Science Department, taking into account the intellectual reach of this department and its roles in the College of Engineering and assessing whether radical change is justified by the reasons offered thus far.

## Report of the Committee on Academic Policies and Programs Rationale for Motions Presented to the Faculty Senate

### I. The Information Age and Cornell

The Committee on Academic Policies and Programs (CAPP) appreciates the emphasis placed by the President, Provost and the Task Force, in their Initial Report of June, on the need for Cornell's students and faculty to respond to the opportunities and challenges offered by the information revolution that has ushered in the information age that is transforming society. We shall argue, however, that a well-thought out response must include elements lacking in the responses made to date. Forming an adequate set of goals for an issue impacting as many as this one does also requires the insights of those impacted and must depend upon the insights and judgements of the larger community.

The bases for this transformation of academic and commercial society are the innovations and explosive growth in computing and communications paradigms and technologies. Key factors include the rapid growth of technology in computing machinery, electronic networks and communication technology, communication protocols, computer system operating software and concepts, database software and information storage concepts, computational tools such as spreadsheets and advanced languages, office productivity tools including word processors, advances in physical modeling capabilities, understanding of cognitive sciences and ergonomics, and a broad range of application tools that provide multi-media encyclopedias, interactive games, financial management tools and opportunities for commerce. A range of communication paradigms including e-mail protocols, the world wide web and web browsers and the growing provision of ubiquitous, tetherless, high-rate communications services have changed the way we access and interact with information. And of course this is just the beginning. The challenge for our species is to learn how to harness the increasing power of computer systems and communication networks to increase human productivity, human welfare, and human thought. This will involve an increasingly complex marriage of computing and telecommunication hardware, software concepts and products, understanding of human thought processes and needs, and of the character and performance of natural and man-made systems.

Thus the intellectual resources of much of the University can be brought to bear on these issues. It is for that reason that structures should be fashioned that invite scholars across the University to participate in the opportunity that is upon us. There are many stakeholders whose needs must be met through an organizational structure that respects the decentralized nature of the Cornell academic community, based as it is on small units whether they be departments, centers, or self-defined concentration areas, and that respects the panoply of approaches, viewpoints, concerns, and interests that characterizes as intellectually rich a university as Cornell.

### II. Goals

The ongoing discussions by the Task Force and others may be expected to modify this statement of goals. However, this statement should provide adequate orientation to what is anticipated.

1. Develop structures that enable Cornell to attract and retain the best faculty and students so that we will be leaders in the information age that is now upon us.
2. Increase the diversity of interests and backgrounds of students and faculty involved in research and education in computing and information so that our scholarship is enriched by its increased breadth and diversity, and so that we can reach out into new directions with innovative and effective ideas.
3. Proactively encourage the development of inter-disciplinary programs in computing and information science and closely related technologies across the University by growing existing programs, and developing new ones, that can be productive and in the vanguard of education, applications, research and scholarship in these areas.
  - Build on the strong foundation provided by the Colleges of Engineering, Arts and Sciences, and Agriculture, such other units as the Center for Applied Mathematics, Theory Center, and the Program on Cognitive Sciences, and the ongoing initiatives and efforts in computational science and computational genomics, and in the development of computational models of the physical, natural and social phenomena.
  - Continue to foster our great strengths in computational models of engineering and physical processes.

- Develop new strength in biological and life sciences.
  - Foster our strengths in Humanities scholarship.
  - Develop new strength in human and social systems.
  - Develop new strength in digital Art and cultures.
  - Develop new strength in digital libraries and electronic storage and access to information
4. Strive to incorporate the access to information and the analytical power provided by new generations of computers and computational ideas into educational programs across the University so that scholars and students in all fields can profit and be prepared to participate fruitfully in the information age.

### **III. Organizing to Achieve These Goals**

How then to organize to rise to this challenge as it is reflected in the goals above? The Faculty Senate need not seek at this point, under significant pressure of time, to define precisely either a university-wide, or a more locally-based, organizational structure adequate to meet the broad goals stated above. Rather we hope to promote agreement on essential elements of such structures. Such elements include the desirability of the following:

- (a) Intellectual coherence uniting the members of whatever group is formed.
- (b) Nurturing the interaction of both the basic and applied aspects of information science and technology.
- (c) A decentralized implementation that conforms to other successful academic programs.
- (d) The structure should facilitate and nurture rather than compete with (e.g., through supervisory control over tenure track faculty) academic departments.
- (e) An implementation that does not disrupt existing structures without strong justification. There should
  - not be conflict with the managerial responsibilities of the Colleges.
- (f) There should be explicit evaluation of the probable side effects of whatever structure is recommended, including explicit discussions of costs and how other units may be impacted intentionally and unintentionally.
- (g) Given the range of disciplines involved and that will become involved, the leadership for this effort must also be broad. No single individual, discipline, or way of thinking can be relied upon to foresee, assess fairly, or follow the paths that will open.

### **IV. The Dean for CIS and an Executive Committee**

The recently created office of a Dean for CIS is central to whatever organizational structures are developed to enroll faculty and students in the information age. We believe that the Dean for CIS must be partnered with an independently selected CIS Executive Committee. This executive committee would provide advice and develop policy for such actions taken as fund-raising to support the goals adopted, provide intellectual and financial support for a wide variety of units at Cornell, and facilitate the creation of coherent faculty working groups along the lines noted in II.3. The CIS Executive Committee needs to be large enough to have representation from the large variety of stakeholders and small enough to be a working committee that can meet, make informed decisions, and act upon them.

### **V. Faculty for Computing and Information (FCI)**

A major element in the Task Force proposal, wherein they seek “a new home for computing and information”, and its subsequent modifications by the September 7 memorandum from Dean Constable and Computer Science Chair Van Loan, [all documents can be found at <http://www.cornell.edu/UniversityFaculty/forums>] is the institution of a Faculty of Computing and Information (FCI) that is to eventually replace the CIS structure formed this summer. The contemplated FCI would have a membership estimated variously as between 80 and 250 faculty and is intended to fulfill the following roles (see the 7 Sept. memo):

- (a) be driven by faculty initiatives in computing and information.
- (b) facilitate collaboration in teaching and research across departmental lines.
- (c) attract donors and provide funding opportunities to faculty and lines to units.
- (d) increase the national standing of all units involved.
- (e) FCI membership not to interfere with normal tenure/promotion process.
- (f) contain the Computer Science Department.

We fail to identify sufficient positive rationale for the creation of such a structure beyond preservation of the CS role in the CIS. In brief, we agree with (e), believe that (a), (b), and (d) are desirable objectives but not ones that this structure has real promise of achieving, believe that (c) can and should be carried out by a smaller entity, perhaps the recently created Dean of CIS partnered with a CIS Executive Committee, as discussed in Section IV, and disagree with (f).

The FCI provides an illusory sense of “enrolling” units that may have felt themselves to be on the periphery. What would this large faculty do? They would not issue degrees, or admit students, because they are not a college. They would not vote, as members of the FCI, on tenure or promotion of their members. Would they vote on who should be hired to fill a temporary lines, what courses should be developed in target colleges, or what research proposals should be pursued? Clearly such decisions would be made by a small circle of individuals or an executive committee. Would the FCI meet to coordinate and develop computing courses across the campus? Such efforts would need to be addressed by committees of a manageable size with individuals from outside the FCI.

So what does a Faculty for Computing and Information do besides distinguish between the selected and non-select? All we see that a Faculty of Computing and Information Sciences would add is a place for the CS department to reside. The negatives are the loss of good will creation of such a faculty will cause, the unfortunate delineation of insiders and outsiders that results, the imbalance among the insiders themselves between the large, coherent nucleus of the CS Department and the other members, and most critically, the false sense created by the existence of the FCI that we have done something that will address the real challenges the information age poses for Cornell. Hastily implementing the wrong structure will block a more natural “bottom up” evolution of more appropriate structures.

## **VI. Undergraduate Education**

In the field of educational programs, the 1999 Task Force on CIS suggested pursuit of a computing and information requirement for all students. Rather than a uniform university-wide requirement, we propose that every undergraduate be exposed to the concepts and power of computing and information science and technology that are appropriate for their field of study, and should have the opportunity to take courses and participate in scholarship that makes use of the latest advances. This is a major challenge to the Colleges to identify the advances and ideas to which undergraduates in each department should be exposed, to engage the faculty in each College in this effort, and to make sure that those ideas are integrated into the programs in every college and that ample opportunity for undergraduates to pursue these ideas is provided.

## **VII. Computer Science Department**

The hasty re-organization of, and unique role that has been assigned to, the Department of Computer Science has already unbalanced and distorted the debate over these issues, placing some of the wrong issues at the center. Because the Department of Computer Science is only one of many participants in the pursuit of these objectives, because we hold that the many participants/stakeholders should be equal partners, and because it is important to preserve the integrity of the CS department in its core competencies and relationships to other departments, we recommend that the President, Provost, and Deans of Engineering and Arts and Sciences rethink carefully the management of CS with a view to embedding it in some proportion in these two colleges. Any such embedding should be aware of the actual intellectual reach of CS and the serious impact of its relocation on the College of Engineering (e.g., see the response of 14 September from the School of Electrical Engineering and that of 4 October from the College of Engineering Policy Committee) and then strive to respect the breadth of interests appropriate to CS and the balance of its contributions in education and research to Engineering and Arts and Sciences. Data provided by the Task Force, by email of 22 September, notes that, “Overall, the majority of these CS departments are organizationally part of Engineering colleges, but at the same time, the majority have programs of teaching and research that fall in Arts & Science.” In particular, the Task Force data notes that MIT and UC Berkeley having joint EE/CS departments and Stanford and Caltech have CS in an Engineering College, although Carnegie Mellon University and Georgia Tech have separate CS colleges. Thus the administration of Cornell’s CS department up to this summer was consistent with the practice at outstanding universities.

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**October 20, 1999**

Speaker Pro Tem Mary Beth Norton, Mary Donlon Alger Professor of American History: "We are two people short of a quorum as of the last count. Is there somebody here, who is not a Senator, who is willing to go make a couple of phone calls to senators who are not here? Yes, we do have a volunteer. (Applause.) Pick someone you know and call. Now before we convene for a formal debate, Terry Fine had something for Good and Welfare. I think we might have a quorum now. (Laughter and Applause.) No, we're still two short. I miscounted. Well, anyway, let's start with the Good and Welfare and then we'll see where we are with the quorum."

**1. GOOD AND WELFARE**

Professor Terrence Fine, Electrical Engineering: "This item really grows out of Motion 5, which was defeated. We're not bringing back the motion, but you will recall that the motion was defeated soundly. I noticed that the opposition was divided; some wanted stronger requirements and others wanted weaker ones. CAPP didn't have the sense of the body that we could communicate to the Task Force, the Provost, etc. So what I'm proposing to do is not to bring the motion back (because that is done with) but to give you a chance to express yourselves in more detail. That is, to take the essence of this, point B, to have a stronger point A and a weaker point B, which before the vote was between a point B and point C. I was wondering if I could get from you a straw poll, not a motion, nothing binding, something in which you could express yourselves in regard to the acceptability of A, B, or C, so that we have some information we could give the rest of the world about what was said about this role. That is the plot. You may not want to proceed with it. You may want to change the wording of the alternatives to make them more compatible, and I see a hand raised back there. Basically, they are University-and college-wide and, if not that, then departmental or nothing at all. I was hoping to get some clarity about what the Senate thinks on this issue by giving three alternatives. If you agree to do this, you may even vote for more than one; they're not in opposition necessarily."

Professor Locksley Edmondson, Africana Studies and Research Center: "I just wondered if a D might be 'none of the above.' It would be a free range of choice for those who want nothing to be done from those who want to voice opinions."

Professor Fine: "Sure, D, 'none of the above.' Peter?"

Speaker Pro Tem Norton: "Peter?"

Professor Peter Stein, Physics: "I'm not very happy with this procedure. It's not very clear to me what the difference is between a straw vote and a Senate resolution, since the Senate resolution is only a straw poll. We recommend that people do things, whether we do it officially or if we do it by straw poll. I'm much happier with our usual procedures where we circulate it in advance, people get a chance to look at it and think about it. There's a perfectly normal way, according to Robert's Rules, of doing what

you're talking about. Namely, you have A as the main motion and you have someone propose B as a substitute motion, and you have someone propose C as a substitute motion for that. Then they're voted on sequentially and the body expresses its opinion formally. I don't have any objection to deciding on one of these three, but I think it should be done formally, using Robert's Rules, with a quorum and the group officially making a statement with proper notification."

Speaker Pro Tem Norton: "Well, nothing officially is being done so we don't need to have a quorum present. This is under the rubric of 'Good and Welfare' even though we're doing it at this point. Dean Cooke?"

J. Robert Cooke, Dean of the Faculty: "This was discussed by the University Faculty Committee and we decided that CAPP is not trying to persuade you to come to a different vote. If they wanted to do that, they would have another motion to reconsider and try to change peoples' minds. They're not trying to change peoples' minds; they just want to find out the message that was sent. So it's an entirely informal thing. It could be done by campus mail, e-mail, etc. Since the 'Good and Welfare' was a time to discuss things we thought we could bring it in this way. We can certainly be hard-nosed and do it the hard way, but it didn't seem necessary to the committee."

Speaker Pro Tem Norton: "Professor Cook?"

Associate Professor Kerry Cook, Soil, Crop, and Atmospheric Sciences: "I think that this would be an interesting and useful thing to do and information that the Computing and Information Task Force might like to have. I would like to see it done, like Professor Stein, with a little more time so that people can think about it or talk with their departments to get feedback via e-mail, in time to go into the final Task Force Report, which will come out around November 1."

Speaker Pro Tem Norton: "Professor Fine?"

Professor Fine: "Well, we did have a discussion. This was on the agenda last week, so I think that there was ample time for discussion. There was debate on this issue. This is not a new issue. This is just an attempt to clarify the meaning of the vote."

Speaker Pro Tem Norton: "Yes, sir?"

Seymour Smidt, Nicholas H. Noyes Professor of Economics and Finance: "Since it would take about three minutes to do, instead of talking about it for twenty minutes, why don't we just go ahead and do it? People who don't want to vote don't have to."

Professor Elizabeth Earle, Plant Breeding: "I'd like to ask Terry what use is going to be made of the outcome of the vote? Is it going to be presented somewhere as the opinion of the faculty or will it just be for the Task Force internally?"

Professor Fine: "I guess it will be in the Public domain. The Task Force will know the outcome too. We're not bringing any motion out again. This is just to get the Senate's current thinking on the issue."

Dean Cooke: "Are we still waiting for a quorum?"

Speaker Pro Tem Norton: "A quorum has arrived because the Chair has decided that the Provost counts as a part of the quorum."

Don Randel, Provost: "I'm really on this list." (Laughter.)

Speaker Pro Tem Norton: "His name is there."

Provost Randel: "I promise not to vote on anything." (Laughter.)

Speaker Pro Tem Norton: "The Chair confirms the quorum and that we will start as soon as we finish this. Yes?"

Associate Professor Stephen Vavasis, Computer Science: "I think that this is an interesting idea. If there weren't a Knight Writing program, probably we would have a higher percentage of faculty teaching in it so I think we might need some time to think about this amongst ourselves before taking the vote."

Speaker Pro Tem Norton: "Let's see how many people here who are Senators are willing to vote on this issue now? How many do not want to vote on this issue now but are willing to express their votes later? Okay, the nays have it, but the Chair will rule that because all CAPP wants to do is get a rough idea of what the faculty thinks about this, that Senators should consult with whomever they wish to consult with and send an e-mail to Professor Fine with the information."

Dean Cooke: "Soon, before the deadline."

Speaker Pro Tem Norton: "Yes, as soon as possible. One more comment?"

Associate Professor Brad Anton, Chemical Engineering: "Yes, Terry, if you e-mail that to me I will consult with my colleagues, collect an opinion and send it to you."

Speaker Pro Tem Norton: "Let's use the list serve. Thank you all. Now let's move on to the formal consideration of the one item that is on the agenda, which is the remaining motion from last week. This was the last of the motions that we considered last week. Normally Professor Fine would introduce the motion, but he just suggested to me that he would defer to the one offered amendment by Professor Michael Todd. Once that is disposed of he will speak to the main motion. So I call on Professor Todd to introduce his amendment."

### 3. AMENDMENT TO MOTION 6

Michael Todd, Leon C. Welsh Professor of Engineering: "I just thought that in view of the rationale given here and the names of the individuals being urged to rethink it that it would make sense to change the phrase, 'its role in the College of Engineering' to 'its roles in the Colleges of Engineering and Arts and Sciences.' It's a minor change, but if you look through the rationale, that's what is being asked."

Speaker Pro Tem Norton: "Is there a second? (Someone called out a second) Yes?"

Professor Anton: "Move to call the question." (Laughter.)

Speaker Pro Tem Norton: "The Chair will not take that question because there has been no debate. Let me make sure that there is no interest in debating this. Is there anyone who wishes to speak to this amendment? Seeing none, we will move to the vote. Yes?"

Charles Van Loan, J.C. Ford Professor of Engineering and Chair of Computer Science Department: "I didn't want to go first."

Speaker Pro Tem Norton: "This is on the amendment?"

Professor Van Loan: "I don't know any of the rules."

Speaker Pro Tem Norton: "This is strictly on the amendment to add the words 'College of Arts and Sciences' to the resolution."

Professor Van Loan: "No, I wanted to talk about the main motion."

Speaker Pro Tem Norton: "Okay. Is there anyone who wishes to speak on the amendment? Seeing none, we will move to a vote on the amendment. All in favor of the amendment, say 'Aye.' All opposed, say 'Nay.' (The amendment was unanimously passed.) Now we will move to the main motion and I recognize Professor Fine."

### **3. MOTION 6 CONCERNING COMPUTING AND INFORMATION SCIENCES**

Professor Fine: "I assumed the amendment would pass. (Laughter.) This motion really addresses an important issue namely what has happened to the management of Computer Science over the spring and summer, particularly over the summer, that was described in a memo from the Provost dated August 19. In many ways, the Computer Science Department was detached administratively from the College of Engineering, where it had been housed for many years. Whether that will also be an intellectual detachment is yet to be seen. We felt that this was far too important an issue for the process by which it was carried out. Many of us learned about this after the fact. There was not an open discussion of it and it impacted very many people. This motion itself is about as peaceful as one could bring on this issue. It asks to rethink carefully. The rationale has stronger opinion, but the motion just asks that this be reconsidered and reconsidered collaboratively—not that these four people go and think about it individually because that would not accomplish a lot, but that it be done collaboratively. If they all went into their individual closets, the one who makes the decision then makes the decision again. The point is that this thing be done in a cooperative way. This is the motion."

Speaker Pro Tem Norton: "Thank you very much. Let me just remind the body that no photos or tape-recordings of the meeting are allowed and that visitors are allowed to speak but only members of the Senate may vote on the resolution. This is the single item on the agenda today so the floor is open for debate and discussion."

Professor Jerry Stedinger, Civil and Environmental Engineering: "I'll go before Charlie. It seems to me that there are fundamentally two issues. One is the concern over how this particular concern was reached and this motion doesn't really address that. It's a shame that there wasn't more debate before that decision was reached, but hopefully that will change in the future on such decisions. This motion addresses the quality of that decision and whether the decision was appropriate, and as the language at the end points out, expresses a high level of discomfort with the decision that was made. That is why it is being asked to be rethought. The Provost came to this meeting and said to us and to CAPP in writing that there were problems with his transferring of resources to Computer Science because of the demands that they had and that is why he separated the department from the Engineering College's administration. This University has many colleges and dozens of departments and they have different resource needs. If when these sorts of problems come up, the solution is to remove departments from colleges and treat them in special ways, then the whole management of the University will become impossible. It seems to me that any problems he has in getting resources transferred need to be resolved without reorganizing the University. Thank you."

Speaker Pro Tem Norton: "Further comments?"

Professor Van Loan: "Forgive me for getting up too early. I want to argue that we should defeat this motion. It sounds great that everyone should rethink everything, and we should lead examined lives, and I hope that the President and Provost constantly rethink things, but the rethinking process has gone on too long, for several months now. In the last few months, I've heard the phrase *fait accompli* probably a hundred times. I don't think that the debate has been stifled. I think that there has been anger but also constructive criticism about the proposed structure. There's a line in the rationale that the debate was distorted, and I strongly disagree with that. To me, the Task Force Report is just a bunch of blueprints, a bunch of possible blueprints that were tossed on the table. We can quibble about who was on the committee and the timing of things but basically, these are blueprints. The devil is in the details and I think that the process has been satisfactory. We have clarified our thinking about the FCI and made some adjustments as to how we approach things. I think that this is exactly what campus-wide debate is all about. The idea, the feeling, and I don't want to speak for the Provost because he's here, but the feeling is that no matter how this pans out, a lot of new resources are going to be required and they are going to have to be administered from the Provost's Office directly.

"The second thing I want to talk about in the rationale is the fact that CS might be too dominating a partner in this. If you think of the FCI and our department a unit inside of it, I can certainly see that it looks like we're trying to control the whole show. The view I have of the FCI is where the Dean of CIS engenders new projects around campus, on one side and CS on the other side. Some of our faculty members may choose to participate in it just like some of your faculty members might choose to participate in it, and we do so coming to the table from different viewpoints. You do want the close proximity to CS research to these undergraduate developments and we bring that to the table; the people in other departments bring other things. You can say we're equal partners -- but different. I want to argue for that, for a single dean who speaks to all of this stuff. If you subtract us from that then you're looking at a center and I think we get hurt because of that. I like the idea, and I'm prejudiced, of having a dean

at the campus-wide level articulating campus-wide thought on CIS at the Dean's level. I like that idea and I think it's beneficial. You want to coordinate resources as a department, there's the FCI. If you're a cynic, you can think about competition or whatever. The other standpoint is coordination and through this single person perhaps we can get outside resources at a higher level. I'm giving my interpretation here.

"Another very important thing is the keeping the structure of the department's integrity. We have a mission like you do, basic research, innovative teaching, and so on. As you probably are aware, we have undergone some difficulty in retaining faculty and recruiting faculty simply because the industrial level out in the world is so plush. We can't compete with the same salary as them, just forget that, but we can compete in terms of having a great environment. It's not just the department, it's not just the collegiality among us thirty, it's the overall landscape. I would hope that the FCI can cover that landscape beautifully so that when faculty come, they not only see a strong department, but unprecedented opportunities for collaboration in digital arts, digital libraries, computational biology, graphics, etc. All of these many enterprises will help us to recruit and keep the department strong. I see the integrity of CS being preserved by the FCI, not threatened, by this new arrangement.

"Next, there's the issue of whether the Engineering College is hurt about this move. Let me just give you a historical perspective. Now, I'm not a historian, all I did was get a hold of Morris Bishop's, *A History of Cornell*, and look up in the index two departments — Electrical Engineering and Chemical Engineering. The fact is to me that fields grow up. Go back to the 1880s, electrical engineering was born of physics. They started with a course, then there was a proposal for a four-year program. The person who clinched all of this was Robert Henry Thurston, who was the director of the Sibley School of Mechanical Engineering in the College of Arts and Sciences. Incidentally, when the trustees balked at his idea of a four-year program in electrical engineering — the Provost might react to this differently -- A.D. White offered to pay out of his own pocket the additional funds needed. (Laughter.) I just looked this up in that really great book.

"In the early part of this century, within chemistry, we start to see technical courses and some professors got upset because they felt that chemistry was becoming too technical and not scientific enough. The president at the time, Jacob Gould Schurman, actually proposed a College of Chemistry as a way of reconciling this tension between the technical and scientific. Curiously enough that never got anywhere because there was no endowment. And this is what is really interesting to me, the College of Engineering, which was about 12 years old, formed a one-year Master's program for graduates of chemistry to get into engineering. Then in 1938, Chemical Engineering became a department. What is the point of all of this? Where would EE and ChemE be today if not for the adventurous spirits of a couple of bold administrators? Where would they be? EE could not grow up in Physics, it became too big. ChemE could not grow up in Chemistry, it was too different. So, the point I'm suggesting is that this change goes back a hundred years. Yes, it's novel but I bet that in fifty years from now it will just be a big change that comes along in the University's life. When the Engineering College was formed in 1921, who would have believed that there would be a Department of Operations Research? Who would have believed that there would be an AEP or a Materials Sciences or a Computer Science Department? The fact is that it was great for getting together and in the structure these fields could develop in a natural and

unfettered way. That is absolutely critical. Who would have believed that the Sibley School would drop the 'Mechanical Arts' from their name? Who would have believed that EE would add 'Computer Engineering' to theirs, which apparently is in the cards and is great? So, I guess my point that we don't know where things are going. That's the history of this place. The fact is, CS had a happy home in Engineering for twenty years, but we grew up too. We still have a lot of Engineering ties, but a lot of other things are happening like e-commerce, graphics, computation biology, and the libraries. We're not spoiled children who are ungrateful of our home. We like Engineering; it's just that we see a larger mission for us and the University and we want to play that and we want to do it unfettered without the constraints that Engineering has. It doesn't mean that we don't like Engineering or that we have any intention of dropping those research or teaching connections.

"Let me conclude that the ties that bind us are the research ties and the classroom ties, not the administrative or reporting lines. That's why the new structure in the 1880s worked for EE, why at the beginning of the century they worked for ChemE, and why I think they will work for us. Thank you." (Applause.)

Speaker Pro Tem Norton: "Other comments? Yes, sir."

Professor Louis Billera, Mathematics and Operations Research and Industrial Engineering: "I'm not in the Senate, but I've been a part of the faculty of Cornell for over thirty years. I spent most of that time in Engineering, but I've also spent the past 10 or 15 years in Arts and Sciences, so I've seen both sides of the story and in particular, I've been a neighbor of Computer Science from both sides. One thing that I find so surprising is how, given what Charlie said, he can't believe that Engineering could adapt to the realities of Computer Science. When I was an undergrad in an Engineering school forty years ago, I remember looking at yearbooks, the ones that were about thirty years old, and I was surprised to see what they were doing in the 1930s. They were doing railroading and nobody would believe an Engineering College wouldn't do railroading. The point is that the technology evolves and the idea of taking out of the Engineering College the core of modern technology seems really unreasonable. It leaves Engineering somewhere in the backwater. I am speaking in favor of this motion because this business needs to be rethought a bit. In recent years, we've seen several cross-cutting departments being formed. Statistics was the first which has the mission of giving degrees in lots of colleges, and then a few weeks ago in this room, the Arts College talked about a degree in Atmospheric Science, which would then be a three-college major, and now we have Computer Science. One of the difficulties with cross-cutting disciplines is that they tend to cut off at the knees people who are standing in the traditional way. There is a lot of business that goes on in a college that I don't see picked up by these ventures. In particular, Charlie talked about the research and teaching aspects of their mission. Another aspect of the mission that I realized when I first got here was that advising was a big part of what we do and I don't see any discussion in any of this as to who is going to advise the various majors in these cross-cutting departments when they are not in the various colleges. I know for a fact, after being in a neighboring department of Computer Science, that they don't, or at least at the various times that I asked, advise freshmen and sophomores, and I don't believe there has been a change as they move out of these colleges. I first learned this twenty years ago in Engineering when I found myself with a lot of CS wannabes. I asked most

recently this spring in Arts & Sciences when I had a similar situation. It seems to me a little unreasonable at Cornell to set up a department that has as its role only the last two years of undergraduate study. It seems completely against anything that I've been led to believe about what Cornell stands for. That's why I think that this needs to be rethought."

Speaker Pro Tem Norton: "Is there any further discussion? Professor Stein?"

Professor Stein: "Believe it or not, this is an issue on which I do not have an opinion. (Laughter.) It may be the only issue at Cornell on which I do not have an opinion. But, I am sort of unhappy about this resolution. I didn't like it last week; I don't like it this week and, in a certain sense, I'm unhappy with the whole debate. I was talking to my colleague Rich Galik this morning and trying to say what was making me so unhappy and one thing is that this whole debate is going on at two very different levels. One is a very high, intellectual level, like 'what is the future of knowledge? How should knowledge be organized?' We passed the first motion, so we all agree that we have the Information Revolution and the question now is 'who belongs in the Information Revolution college?' Computer Science? Physics has a department lunch every Monday and we had a discussion about whether there was any real difference or fundamental divide between the purest of theoretical physics and computation and the answer was no. I thought maybe we, the Physics Department, belong in this and maybe the Government Department or Art. We're talking about a massive reorganization whose dimensions we don't understand. It's not clear to me what those boundaries are and why some disciplines should be involved and others not or not as much.

"We never talked, in this room, about the other level until Jerry Stedinger brought it up. We talked about it with people outside, and the issue wasn't the high level; it was the kinds of things that go unsaid in polite company. It was about how various administrators and faculty members have reacted. Are they trustworthy? Are deans, provosts, and faculty members trustworthy? When people have talked to me in private they say that this is the real reason and this is what they are talking about. I don't know. I have no opinion whatsoever but it upsets me a bit to vote on a resolution that is about type 2 issues masked under type 1 issues, which is what I sense we are doing. In the end, we get the most toothless, meaningless resolution I ever saw in my life. Before Terry put in the word 'together,' it had zero meaning whatsoever and now maybe it has more.

"In fact, I don't think we have a very good history with resolutions that ask the central administration to do things. I read through our minutes of the Senate last year. We passed five resolutions that were very clear to the central administration, asking them to do things. I can tell you that on four of those resolutions we never heard what happened and the fifth one was to not dissolve the Division of Biological Sciences before a certain meeting was held and that happened, so that resolution affected matters. On the other four, we didn't hear anything. Those four were clear and here I don't know what we're asking the administration to do. Even if they wanted to cooperate with our request, what are they going to do? Are they going to have a meeting of these four people? Is that it? They'll have a meeting for an hour and they'll say, 'Well, I think we should do it' and someone else will say, 'Well I don't think we should do it' and they'll say, 'Well, that was a good meeting' and they will have

conformed with the Senate's request. I have no idea exactly what we're directing people to do and we're talking about a very important issue that has to do with the whole structure of the colleges and the University, but that's not why we're doing it. We're doing it because of personality conflicts, which aren't talked about openly, and we sum it up with a resolution that doesn't mean anything and that sort of makes me unhappy."

Speaker Pro Tem Norton: "The Chair would prefer to recognize, at this point, someone who wishes to speak in favor of the motion. Professor Fine, I'm not going to call on you until other people, who have not been recognized yet, get an opportunity to speak. Yes, sir."

Associate Professor David Grubb, Materials Science and Engineering: "I will speak in favor of the motion. I would like to reply to Charlie Van Loan's remarks, but they're really too extensive to reply to. Let me just say that a lot of them don't seem to be directed at the motion. A lot of that is about the FCI and whether it stood as a *fait accompli* or some magnificent new structure. That's not part of the motion. The motion is quite restricted, maybe even too restrictive, but it still has merit. The restriction is to the management of the Computer Science Department not whether they should be a large faculty of computer, computational, and information scientists. A lot of that stuff was good, but not relevant. Then we heard that Computer Science needs to burst its bounds, just like Chemical Engineering needed to burst its bounds. Computer Science has gone a good deal further, it's a department that is now too big to be in a college, whereas the others were subgroups too large to be in another department. That's a little different. I don't think that those analogies were useful although they were great fun."

Professor Van Loan: "Well, can I say one thing? I think . . ."

Speaker Pro Tem Norton: "The Chair did not recognize you. Professor Grubb, are you finished?"

Professor Grubb: "No, I was just interrupted. (Laughter.) That is not really valuable. I was actually in favor of a stronger motion and I represent the Engineering Policy Committee, which met and discussed this many times over the past couple of months, and they had a similar motion. They also had a solution. They said that perhaps after settling down all of the issues, perhaps Computer Science could go back to its original form to be part of Arts and Sciences and Engineering, that way it widens its reach and is not cut off from anyone. This has been done already with Geology and ABEN, they are bi-college departments. It's not a strange thing, unlike what has now been created."

Speaker Pro Tem Norton: "The Chair would recognize someone opposed to the motion. Yes, sir."

Dean Robert Constable, Computing and Information Sciences: "I was the chairman of Computer Science for the past six years and I would like to correct a point of fact about Lou Billera's remarks. It is the case that Computer Science advises freshmen and sophomores in both colleges. Right now, there is a formula that determines the number of freshman advisors you supply that depends on the number of majors you have. Since the CS Department has the largest number of majors in the College, that formula does

not require CS to provide freshman advisors because they have so many majors. They have provided them in the past in both colleges. Lou, that point is not to be taken for or against; it's incorrect."

Speaker Pro Tem Norton: "The Chair would recognize someone who has not spoken yet on either side. If not, the Chair will recognize people who have spoken. Yes, sir."

Professor Vavasis: "I'm speaking against the motion because I originally had thought about a possible amendment and talked to Terry about it last week because the Senate voted just last week that the Dean of CIS would be a position coordinating resources and it seemed strange that the Dean of CIS wasn't included in the resolution. Then I thought that the Dean of Agriculture and Life Sciences should be there too because Computer Science is trying to reach out to our colleagues in biology and we already have a program in place for that. That was my original plan but then I realized that if that group of people got together and met, they might meet for a while, but in the end they would decide on the status quo. Meanwhile things are happening in Computer Science. Microsoft is trying to steal our faculty, and I'm not kidding, and we're competing with MIT and Stanford for graduate students but we may not get them if there is uncertainty about the department. If this motion passed, it would delay decisions and in the end nothing would change. That's why I'm speaking against it instead of offering an amendment. Another reason to vote against it is if you look around you you'll see unfamiliar faces, most of them are my colleagues from Computer Science. At our meeting, we talked about this and were essentially unanimously against the motion. Since the motion is about our department, I would ask fellow Senators in other departments to take into account feelings of the faculty who are most affected by the motion, us."

Speaker Pro Tem Norton: "Yes, sir."

Associate Professor Tony Simons, Hotel Administration: "I'm not one of those people who is affected by the motion, but I am struck by a few things. One is that I noticed, as Peter Stein has mentioned, how many motions we have made that haven't been followed up by the central administration or, at least, not in a way that we heard. I'm also struck by the sense that I'm hearing from the College of Engineering that this move is going to hurt them as a college substantially. I'm not convinced that the central administration has sufficiently considered the views of the College of Engineering and I'm not sure where Arts and Sciences stands on this. The sense I'm getting is that this is a very important part of what makes the College of Engineering who they are and has helped them achieve the standing they have achieved in terms of international reputation. I think that those colleges that are affected should be at the table in discussion and I'm speaking in favor of the motion."

Speaker Pro Tem Norton: "Is there any further debate? Professor Ahl?"

Professor Frederick Ahl, Classics: "Just a very simple observation to make, it may be germane to the discussion but I'm not sure that I share Peter's fuzziness about what the precise effect of the motion would be. It seems worrying to me, however, that one would separate off, at this crucial juncture, Computer Science as a separate entity at a time when what is happening in computers affects every facet of the University. Even

in an area as obtuse and obsolete, and I'm sure the Provost is noting this, as Classics (Laughter) that there is computer use in ways that would surprise people who think we only work with rare books and manuscripts in the library. There is a desperate need in all areas for much greater computer literacy. In other words, this is fundamental to the entire educational process. Therefore, I find it strange to see Computer Science become a separate entity, admittedly with connections, of the University. I sense that it is completely distinct. Somehow, I suppose, even though I'm not sure I understand the motion, I would vote for it on those grounds."

Speaker Pro Tem Norton: "Is there any other debate? Professor Cook?"

Professor Cook: "I'm not a Senator, but I am a UFC member and a member of the CIS Task Force. I'd like to speak, however, also from my discipline. I'm in the Ag College and I am a computation fluid dynamicist and I wanted to remind you all that computing is used at all levels throughout this University and I would use the same arguments that Professor Ahl used to argue against the motion because I feel that bringing computing up to a University level will help facilitate teaching, interdisciplinary research, and outreach to all of the colleges. I see this reorganization facilitating that and I would like to speak against the motion."

Speaker Pro Tem Norton: "Would anyone else like to speak for the motion who has not yet spoken? Yes?"

Donald Greenberg, Jacob Gould Schurman Professor: "I am in computer graphics in the business school and Architecture, Art, and Planning, and I hope that this will be my new home. I want to speak with respect to the breadth and the need for computer education because I've gone through thirty years of advising students in various disciplines such as literature, psychology, architecture, art, theatre design, and so on, and none of these have much to do with the Engineering College. I'm not including the electrical engineers, the computer scientists, and the operational researchers. This is the first time that if this happens, there will be a dean speaking on behalf of what the entire University needs at the freshman and sophomore level. I can guarantee that if we opened up options to what would be minors in this field in every single department in this University so that students could set up a minor in whatever we call this entity, we will open up options for these graduates for the next two decades. I think that this is the best move that the University has made and I want to give the administration a lot of credit for making it." (Applause.)

Speaker Pro Tem Norton: "The Chair would remind the body not to have any indications of demonstrations. Is there anyone who wishes to speak further who has not spoken? Yes?"

Associate Professor Keshav Pingali, Computer Science: "I've heard a lot of comments from my Engineering colleagues about how this move is going to really hurt the Engineering College, but they have not specified how this move will hurt them. I've heard statements that we're not going to advise freshmen anymore, but we've been advising them all along and I don't see any reason why that should change. And just because we've been moved out of the Engineering College, it doesn't mean that our offices will not be on the Engineering Quad or that we will not be doing research in

Engineering. This is more of a question for my colleagues in that could they be more specific regarding how this move will affect them negatively? I realize that we're probably the highest rated department in the college, but we will still count for all the national rankings, so I'd like to know in what other ways Engineering will be hurt."

Speaker Pro Tem Norton: "Is there anyone who wishes recognition who has not yet spoken? Seeing none, the Chair would say that anyone who said something before may speak again. Does anyone wish to do so? Or could we move to a vote? Professor Fine."

Professor Fine: "In this matter, my cup is totally overflowing. Most of what was said was not to the point. The rationale raised a lot of issues, but the rationale is not what is up for vote. For that reason, the rationale is covered. The motion is up for vote. Professor Van Loan brought up in his discussion the FCI. The Senate expressed itself on the FCI in motion 4, where it did not indicate support for the FCI. That is not the issue before us, not the role of CS or the FCI. Insofar as addressing the FCI, we did that already. He raised historical issues but we're not talking about creating a new department. This isn't 1965; it's almost the year 2000. We created a Department of Computer Science many years ago. It's not an analogue to what happened to Electrical Engineering or Chemical Engineering. Not everything having to do with computing is the property of Computer Science, and that is why you find it throughout the University. People are doing it everywhere and they're doing it without a 'by your leave' from the Computer Science department. And, by the way, I was wrong when I said that the Web came out of physics. It did come out of CERN, but Tim Burnersley was a computer person in CERN. The point is what does the Computer Science Department do, what are its core competencies and how can they best be preserved and enriched?"

"That is not a trivial issue. The importance of intellectual reach is an important issue and one that I am doubtful was properly considered because the people who were involved in this construction beforehand did not involve any people from the Engineering College. It was done very much as an in-group thing, by the now Dean of Computing and Information Sciences and members of the Computer Science Department. They're quite happy with what happened. Well, why not? I'm afraid that my joke about this has been to cast Dean Constable as Moses, the Computer Science Department as the Chosen People, the Engineering College faculty are the Egyptians, Dean Hopcroft is the Pharaoh, slavery is teaching and advising, Manna from heaven is being dispensed by, well I won't anoint him anymore than he already is, but one would choose to remind the Chosen People what their eventual history was. (Laughter.) They've come here whether they are Senators or not, to speak on behalf of it. Of course they would, there is a great deal in it for them as it is currently constituted. They have a direct line to resources -- they are being showered with resources -- and perhaps appropriately; that is not to be resolved by this motion. That is not being addressed and it is not for us to argue here. That there is need to have this thing considered is very important."

"Now, this is not about the position of a Dean of CIS. In motions 2 and 3 we supported that. We did not support the FCI in motion 4. Those issues were already treated by the Senate and do not have to be revisited here. What seems to me to be beyond issue is

that a move of this magnitude, removing a department from a college in this fashion, does need to have a careful, thorough, and open examination.

"When we talk about current events, this is not particularly the trend of the present. We just had a visitor from Berkeley, a peer institution, who told us how there used to be separate EE and CS departments and how they were forcibly put together against their will and how, today, he feels that was an excellent move. What happened here is not the wave of the future, but in any event, that is not what you're being asked to consider. You're not being asked to consider if this was right; you're being asked to consider if it needs consideration."

Speaker Pro Tem Norton: "Further comments? Yes, sir."

Assistant Professor Gregory Morrisett, Computer Science: "We have a term called 'no-op,' which means instruction that does nothing and while I agree with the comments you just made, this resolution doesn't really say anything. It doesn't have any teeth one way or another. I think that's enough to perhaps consider a different resolution."

(Someone called out "Question.")

Speaker Pro Tem Norton: "The question has been called. Does anyone else wish to say anything further. Yes, sir."

Professor Billera: "Just something about my comments. The Dean of Freshman in Arts and Sciences told me last March that there were no freshman advisees from Arts and Sciences in Computer Science. Former chairs Hartmanis and Hopcroft also told me the first time I asked about whether there were freshman advisees that they don't do that because they were too busy and this was in the years when there were 27 majors. Currently, the number of majors that they handle, 180 a year, is per capita probably what the OR Department has always had. The issue of their extraordinary workload has to be thought about a little bit and that is why I support this motion."

Speaker Pro Tem Norton: "Yes sir?"

Professor Van Loan: "Terry, I think that if the rationale said that we've had productive discussions and progress has been made, if it was cast in a positive note, that it is not a *fait accompli* and it is an ongoing process and it's not as if we're going to turn everything over to the Provost and President and be done. This is going to take years to build and I would say that the last four months have been a wonderful experience for me and others. The rationale for this is very negative and tells the President and the Provost that they made a mistake for these reasons. It is on that basis that I think it should be defeated."

Speaker Pro Tem Norton: "The Chair sees no one else wishing to take the floor and will therefore assume that you are ready to come to a vote. The Chair would ask Professors Rasmussen and Obendorf to serve as tellers. Remember that only Senators can vote, I know that there are a lot of visitors here. All those in favor of this motion please raise your hands. All opposed please raise your hands. All abstentions. The motion carries by a vote of 30-10-3."

*The President, Provost, and Deans of Engineering and Arts and Sciences are urged to rethink carefully the management of the Computer Science Department, taking into account the intellectual reach of this department and its roles in the Colleges of Engineering and Arts and Sciences and assessing whether radical change is justified by the reasons offered thus far.*

“That being the only item of business on the agenda, the Chair declares this meeting adjourned.”

Respectfully Submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty



**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**November 10, 1999**

The Speaker, Professor Howard Howland, Neurobiology and Behavior, called the meeting to order: "I would remind those present that no tape recordings or photographs are allowed during the meeting. I'd like to call on Dean Cooke for his remarks."

**1. REMARKS FROM THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "I have two items that I would like to bring to you. One has a short time fuse and the other is something that we will revisit sometime in the future. The first one is the Corson Symposium on the Future of the Research University, which will take place on December 6 and 7, the Monday and Tuesday of study week. I have two transparencies (Appendix A, attached) that will give you some indication of the caliber of the speakers that we have and, hopefully by the end of the week, I will be able to send you the actual titles of the speeches. President Rawlings and John Brademas will give statements on the Humanities. I'll just let you read these instead of reading them to you, but I want you to see that we have an excellent set of speakers. On Monday morning and afternoon, most of the speakers are from off-campus, while on Tuesday morning, most of the speakers are from the Cornell campus with one exception, the former President of Princeton who is now the President of the Mellon Foundation. The most significant piece for you to note is that if you wish to attend the luncheons – they will be paid for so they're free to you – you must let us have your reservation by Monday because it is catered. There are two luncheons and you can attend either or both, if you wish, and three main sessions. I'll give this to you in more detail later; I don't want to take a lot of time now. Are there any questions about the Symposium?"

"Now I want to share some background information that will be useful to us when we talk of other issues. This is a graph of the number of faculty, both endowed and statutory (Appendix B, attached). The endowed had increased to a maximum and has been decreasing ever since, while the statutory was pretty much flat until it took a tumble in the mid-1990s when the State of New York gave us a mandate to strengthen the size of the faculty. The punchline for all of this is that adjusting the size of the faculty has repercussions for decades. I will show you a symptom of that. This (Appendix C, attached) is the percentage of the faculty at or above a given age, divided into two categories. The first is 60 or more and the second is 65 or more. In the case of endowed, you can see that there is an upward trend on the number of faculty 60 or over. In the statutory, there is a precipitous drop from a cutback, and for over 65 there was a growth in endowed and a blip in the statutory but it fell back. In terms of changing composition of the faculty, there is the inevitable possibility that endowed is changing. Here is statutory and endowed for three older categories and one younger (Appendix D, attached). This is statutory 60-64, and you can see that it has plummeted while 65-69 went through a blip and has been relatively constant since. The number of 70 and higher has grown slightly but it is still a small number. Therefore, the number of young faculty is of concern to the statutory colleges. It's been going down for a decade. I haven't looked at the numbers recently, but there have been new hires taking place, which has enormous repercussions for the renewal of the faculty. On the other hand, in the endowed, the numbers of 60-64 has risen from 60 to 100 and the number of 65-59

has started moving upward and the number of 70 and older is about 20 in 96-97. On the opposite side, the numbers of young faculty dropped and now has flattened out.

"This curve on the top is too busy (Laughter), but I'll leave it (Appendix E, attached) up because it's got a story. There was a hiring burst in the 1980s so for about three years, the rate was doubled. If you look at the graph, you see that the curves reach a maximum and then there is a baby-boom population shift. The hiring burst of the 1980s is moving through and the median age of the faculty is 50 but in ten years, given the people who have already been hired, it will be sixty. It's inevitable. Here is the corresponding data for endowed and then I will stop (Appendix F, attached). There was a much larger hiring spurt in endowed and it was over a longer period of time and so the same kind of wave is propagating through the endowed side. One last graph indicating lines of departure for both endowed and statutory (Appendix G, attached). The total curve and the number of departures in statutory relates to the program from the State and there is no comparable spurt in the total for endowed. The number of resignations is this other curve and the changes have not been remarkable; it has been oscillating up and down over the last number of years. I will stop here but at some other point we will revisit this so I thought it was information worth sharing with you."

Speaker Howland: "Thank you very much, Dean Cooke. I will now call on Provost Randel for questions and/or remarks."

## 2. QUESTIONS AND ANSWERS WITH THE PROVOST

Provost Don Randel: "We only get five minutes today?"

Speaker Howland: "Actually, you have ten."

Provost Randel: "These are, in fact, interesting figures and at the same period that we see the decline after the spurt, the 1990s, the number of undergraduates on campus grew by a thousand. No one planned it, but every college, being desperately afraid of being under-enrolled – because for at least four in the endowed, tuition means cash-money – there was this steady creep upward to remarkable numbers. I was just talking with the deans this morning about enrollment management and how we can ensure we hit the target number of freshmen that we need campus-wide and distribute them into the seven bunches in which we need them distributed, but that we have buffering mechanisms to take care of the ups and downs so that we can afford to be under once in a while to compensate for the overages that will occur from time to time.

"Another thing about the spike in hiring in the 1980s followed by the decline is that seeing the bulge of slightly older faculty, a number of prefilled appointments, especially in Arts and Sciences, were made so that the number of permanent lines didn't go up as much as the head count did. The following decline was anticipated as the number of prefilled appointments were captured as retirements and the number got back down to a steady state. These days, as we begin to be able to hire assistant professors at a somewhat greater rate than we did a few years ago, the need for the prefill technique is attenuated but it is one way to cope with the absence in retirements.

"Let me just say a couple of things about statutory affairs and then I'll take your questions. We had a couple of outings to Albany last week on Thursday and Friday. I

spent Friday talking to the Governor's staff and people in the Senate Finance Committee staff, and the Governor appeared here on Saturday. We shouldn't put on airs about that; he's a Yale football fan and that is probably what got him here. He was willing to have a nice tour of the campus – the President and I walked him around for about an hour and a half. We walked to Bailey Hall, pointed out Stocking, stood in the middle of the Ag Quad, and talked about the buildings, although we were strictly enjoined not to use this occasion for lobbying. It was a productive and pleasant discussion. Then there was a modest press occasion connected with his having provided us with a million dollars in the State budget for genomics. The signs are positive with the Governor and his staff, although the concrete benefits of this have yet to be realized in real terms. The State University of New York has not yet acted on this year's financial plan. We are now four months into this year and there is still no official budget from the State. The Finance Committee met this afternoon in New York and the word is that they would, at this meeting, distribute a financial plan with numbers for all of the campuses so we may get the notice later today. The full Board of the State University will meet later this month on the 16th and it is presumed that if the Finance Committee does what it says it will do, then the Board will adopt this financial plan and there will be official numbers. In the meantime, the signs are – though no one has shared these numbers publicly – that one of the real possibilities is that we could be asked to take in a reduction of 2.9 million dollars in our base. The worst case, as far as we know since this has been kept in the dark, is that there is an additional 1.7 million dollars of inflationary costs that were not provided for in the budget, such as utility costs, library acquisitions, rents on office space that the statutory colleges have around New York that is used to carry out programs like Extension and the like. In that case, we simply won't spend the money. We won't know about that for certain for about a week or so. In the meantime, this is quite intolerable and I think that there is some prospect that we may enter into negotiation that helps alleviate it a little bit, but realistically we must face up to the possibility. The deans are talking about this and the department chairs have already been told about the likelihood of having to do something about it this year. Naturally, we must first and foremost stick to our academic priorities and do everything possible to avoid this having an impact on staff positions and so forth, but it will take some serious effort in order to reduce the base if it comes to such an amount. We clearly won't be able to do it all in one year, so we will have to get through this year while we develop the methods that may be required in the longer term.

"The salary improvement program is not affected by this. That has been authorized and legislated, so there will be a salary program as we described with the State providing 4% and we expect to be able to generate funds locally for special cases where we have serious compression of the faculty or questions of equity that need to be addressed. This program is not affected if the base is affected except that the union that represents SUNY staff has not reached an agreement with the State and even though our employees are not a member of that union, we won't know what the State is likely to make available. One can guess that the CSEA will not settle for less than the faculty have settled for and one can hope that on the staff side there will be the 4% that is provided to the faculty. Again, we won't know that for a while, as there is talk that the CSEA may not settle until February, after the new president is elected. In any case, we should know more about this within the next week or so, at least about the base budget side. Your questions?"

Speaker Howland: "Professor Stein?"

Professor Peter Stein, Physics: "Your statement about the enrollment growing by a thousand over a period of time without being planned because people are reluctant to come out below the projection opt to come out above the projection makes sense. But it's not clear to me why it should grow because if I'm a dean and I'm shooting for a thousand students, it makes sense that I would admit 1,050 instead of 950 but what do I do the next year, shoot for 1,050 again that will bump us up to 1,100? Is it always that one is trying to reach last year's total or is there an agreed upon number that is really overdoing it?"

Provost Randel: "Well, I think the history of it is that if one comes in a little bit over one year, one becomes a bit habituated to that and comes a little higher the next year and becomes habituated to that number. In the statutory colleges, there are deep cuts being taken and every bit of extra revenue really helps. There were considerable holes to be filled, so there is an incentive to seeing that grow slightly."

Professor Stein: "So, in a sense, it is planned?"

Provost Randel: "It's planned in all myriad of places of which Cornell is made up. Certainly, no one said 'Look, the way out of our problems is to add another 1,000 students,' but colleges one by one fell into that. In the endowed side, it doesn't really benefit the colleges directly so it has been more helter-skelter. When I was in Arts and Sciences, I don't think that we came in every year with the number of freshmen on the nose. But there have been considerable ups and downs. I don't know where the growth has been taking place, but the aggregate has grown. Our student-faculty ratio is high by the standards of those with whom we compete and I can't see it growing by the number of faculty or shrinking by the number of students."

### **3. APPROVAL OF MINUTES OF OCTOBER 13 AND OCTOBER 20 MEETINGS**

Speaker Howland: "I think that we're just about at time, so I'll move onto the next item. I'd like to call for approval of the minutes of the October 13 and October 20 meetings. Do I hear a motion? (Someone made the motion) Second? (Someone seconded) All in favor of the approval, please say 'aye.' All opposed, please say 'nay.' The minutes are approved. Thank you very much. I'd now like to call on Kathy Rasmussen for a Report from the Nominations and Elections Committee."

### **4. REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences, Associate Dean and Secretary of the University Faculty: "I have two items that I would like to discuss with you today. The first is the usual report that you received with the call to the meeting on the actions of the Nominations and Elections Committee (Appendix H, attached). The Faculty Committee on Tenure Appointments has had two new members appointed and they are elected by their colleges. We have also replaced two members of the Nominations and Elections Committee. We have also filled two more of the Assemblies Committee positions.

"I am putting up the names of the members of the search committee for the Dean of the School of Hotel Administration (Appendix I, attached). I did not respond correctly to a

question from the floor the last time and I wanted to correct my statement. The Nominations and Elections Committee gave Vice Provost Garza four names, three from within the School of Hotel Administration and a pair of out-of-college names from which he could choose. He went with the three in-college names that we chose but, instead of choosing someone from outside the college, he chose David Sherwyn, who is an assistant professor in Hotel Administration. My mistake was to say that there was an outside-of-the-college person that I wasn't aware of. There is no out-of-college person. The fourth member of the committee is a member of the faculty. Are there any questions?"

Speaker Howland: "Hearing none, I will now call Professor Rasmussen back to bring forward the motion concerning the October 20th vote. We don't intend to open this for debate."

##### **5. MOTION FROM THE UNIVERSITY FACULTY COMMITTEE TO AFFIRM THE OCTOBER 20 VOTE ON MOTION 6**

Professor Rasmussen: "As most of you are aware, we had a meeting on October 20th as a continuation of our meeting of October 13th. In determining the quorum, we counted the ex officio members, which is often the case in such situations. The ex officio members have voting rights but, as it turns out, we aren't actually counted for the quorum (I say 'we' because I am one of those ex officio members). Thus, in actual fact we did not have a quorum for Motion 6. What this resolution does is ask you to affirm that the vote taken was representative of the sentiments and will of the Senate. We think this is reasonable, as there was a 3 to 1 ratio in favor of this motion. We are not asking you to rediscuss the motion; we are just asking you if the vote taken stands as the Senate's will. Are there questions?"

Speaker Howland: "Is there any discussion of this? Are you ready for the question? All of those in favor of the motion, say 'aye.' All opposed, say 'nay.' Thank you, the motion passes."

*WHEREAS, following the October 20th adjourned Faculty Senate meeting, it was discovered that the ex officio members were counted in determining a quorum, and*

*WHEREAS, the ex officio members have voting rights but are not counted in ascertaining a quorum, and*

*WHEREAS, the vote was sufficiently strong (i.e. 3-to-1 ratio) in favor of adopting Motion 6,*

*THEREFORE BE IT RESOLVED, that the Faculty Senate affirms the vote taken at the October 20th meeting as one being representative of the Senate's sentiments and consistent with the will of the Senate.*

"We now have a Resolution on Diversity and Inclusiveness and I am going to call on Professor Charles Walcott to introduce this resolution to the floor."

## 6. RESOLUTION ON DIVERSITY AND INCLUSIVENESS

Professor Charles Walcott, Neurobiology and Behavior: "I would like to place this resolution formally upon the floor (Appendix J, attached)."

Speaker Howland: "Thank you. (Laughter.) I'm going to call on Professor Walcott again at the end of the debate time for a motion that will allow for if the Senate will take the vote today or postpone it until the December 8 meeting. I'm now going to call on Robert Harris, one of the co-chairs of the Campus Climate Committee for a brief presentation on the resolution, 'Open Doors, Open Hearts, Open Minds: Cornell's Statement on Diversity and Inclusiveness'."

Associate Professor Robert Harris, Africana Studies and Research Center: "Thank you very much. I've asked the Dean of Students, John Ford, if he would like to join me by adding comments to this particular statement. As many of you know, after some ugly incidents on campus last fall, the Faculty Senate adopted a resolution during February of 1999 suggesting that the faculty should become more involved in creating a more open campus climate and the Dean of the Faculty, Bob Cooke, appointed a Campus Climate Committee as a result of that resolution. I co-chair the Campus Climate Committee along with Bob Johnson from CURW, and we have representatives from the Student Assembly, the University Assembly, and the Employee Assembly – about 27 members – and we've been looking at ways in which we can improve the campus climate and make Cornell University a more open, more welcoming campus for all of our students, our faculty, and our staff. One of the things that we noted as we talked about what we might be able to do is that Cornell University does not have a statement on diversity and inclusiveness. There are several other institutions that have such statements and they set a tone, a climate, for the campus. We looked specifically at diversity statements from MIT, Princeton, and Dartmouth, and we decided that many of these statements read very similar to each other. We felt that we have a tradition at Cornell University of which we can be proud, especially as an early co-educational institution, a non-sectarian institution, and an institution that welcomed students from diverse backgrounds very early in its history. With that in mind, we tried to craft a statement on diversity and inclusiveness that can be used as a principle, an ideal that we would like to see the campus strive for, that we would like to see exist on the campus. We don't have a statement now. There's nothing that exists that we can give to students as they enter the University that indicates what we expect of students, of staff, of faculty. This is a step toward improving the campus climate, something that can be used in orientation programs for new students, as well as orientation programs for faculty and staff, and in campus publications that will give a sense of what the standards are at Cornell University, what we aspire to as a campus. Thank you. Dean Ford was so directly involved in the crafting of the statement that he might want to say a word or answer questions."

Speaker Howland: "Are there any questions?"

Professor Locksley Edmondson, Africana Research and Studies Center: "May I ask a question? What is the status of this now? I was under the impression that your committee had requested some feedback by the 18th of November and that this will come to us in December, so in that sense are you here not to take a vote but to get a sense on the issue?"

John Ford, Robert W. & Elizabeth C. Staley Dean of Students: "I think that the goal was to allow the Assemblies a chance to review the statement and to suggest changes or revisions. The committee would like to reserve the right to review the feedback from the Assemblies, which comments to adopt and which not to adopt, in revising this. At the same time, we wanted the Faculty Senate to have the same opportunity, to be in step with the Assemblies in suggesting changes, which would be up to the committee to adopt or not adopt. This would return to this body at the next meeting in December for a final vote, but that motion has not been made today."

Dean Cooke: "The request to delay this came after the mailing had already been sent to the entire faculty, so 2,000 people had already been told that it was on the agenda. My response to the group was that it belongs to the body and that was why we arranged with Professor Walcott to move to postpone the vote until December. If you agree with that, then we'll postpone the vote; but if you do not agree, then we will take the vote. In other words, once it left in a mailing, the motion belongs to the body and not to the Dean or the University Faculty Committee once it left in the mailing."

Professor Edmondson: "So then what exactly is the nature of our discussion? Are you just getting individual feedback on the issue to pass on to the committee? Are you taking a straw vote? I'm not sure what is going on."

Speaker Howland: "Perhaps the chair can clarify. The motion is before the floor. If you're in favor of the motion as it stands, you should vote for it -- if you want to do it now without changes. If you want to see what the other Assemblies think of it, you should vote for Professor Walcott's motion to delay this vote when he makes it at the end of the debate. If you're happy and want to put this one through, then vote against Professor Walcott's motion to delay."

Professor Edmondson: "With all due respect sir, but if the committee is still considering this and is receiving input through the 18<sup>th</sup> of November, then that means that they have not yet completed the statement before us and it would be irresponsible for us to vote on this if the committee is still considering it."

Speaker Howland: "Professor Stein."

Professor Stein: "Just a parliamentary suggestion that addresses the issue of whether we should postpone this is that maybe we should move that now."

Speaker Howland: "Professor Walcott?"

Professor Walcott: "Mr. Speaker, I would like to make a motion to postpone the decision on this motion until next time."

Speaker Howland: "Do I hear a second? (Someone seconded the motion). Is there any discussion on the motion to postpone?"

Professor Stein: "Point of order. Could Professor Walcott speak to the rationale for the motion to postpone? Usually people speak to the motion when they make one."

Professor Walcott: "The rationale is very simple. As this motion is still being considered by the other Assemblies – the Student Assembly, the University Assembly, and the Employee Assembly – by the next meeting we should have a better understanding of what they're thinking about this and that would perhaps be a more suitable time to approve this."

Speaker Howland: "Yes?"

Professor Richard Galik, Physics: "Unfortunately, Professor Stein's parliamentary maneuver has cost us the ability, at this meeting, to get some feedback from this group. Now we will vote on Professor Walcott's motion and I'm sure it will pass and then it will leave the floor to be discussed at our next meeting. For the second resolution before the House we have also postponed the voting until December and now there may be very little time for discussion at the December meeting."

Speaker Howland: "Professor Harris?"

Professor Harris: "Yes, well, one of the things that we hoped to get today was some feedback or responses because this would be the first opportunity that the Senate would have to discuss this proposal. I didn't realize that if the motion is postponed that it eliminates discussion."

Professor Stein: "Yeah, I didn't mean to throw sand in the gears, it just seemed to me that people were reluctant to discuss this because the question was, 'Is it proper to discuss this?' if it is going to be postponed. Certainly, you can discuss the motion. If you like the motion, you can say it shouldn't be postponed; and if it's bad, you should say it should be postponed."

Professor Edmondson: "Is there any way that we can agree to have a discussion on this so that the committee can get feedback without committing ourselves?"

Speaker Howland: "I think Professor Stein was saying that. Is there any feedback?"

Professor Richard Baer, Natural Resources: "I'm also hesitant to move in any definitive way on this because I've put a lot of time in thinking about some aspects of this and I submitted a memo to the Faculty Forum early in October and it took close to a month to be posted – I think it was posted just last week. I would love to have more opportunities to engage each other on related issues of diversity and I think that it is important for that reason to not do anything definitive today."

Speaker Howland: "Further comments on Professor Walcott's motion? Professor Stein."

Professor Stein: "Well, it seems to me a reasonable motion, so I guess I'm against postponing it, but I haven't heard anyone criticize it. These broad sentiments that are stressed are certainly my sentiments as well as those of some people I know, so I'm willing to vote on it today or next December. If people have any objections I think it might be appropriate to bring them up at this point."

Speaker Howland: "Yes?"

Associate Professor David Stipanuk, Hotel Administration: "I'll start with a few comments. Going back to the third 'Whereas' where it says, 'and inclusive land grant university.' I would hope that more than the land grant university portion of the institution that is Cornell University would be considered there. Then, also, I doubt in reality that we resolve to attract individuals from 'all segments of the community.' I know that those are wonderful words to use in defining things under 'Open Hearts,' but I believe that there are, in fact, some segments of society that the campus does not welcome and would not like to have present and I think that we need to recognize in these discussions on diversity that there are standards and concerns that we have about what activities we welcome to our campus. Statements like this are broad and if we look at what we're saying, I don't think that we would welcome drug dealers to our campus, but they represent a segment of society. We are not going to throw our doors open and say, 'boy, we don't have enough drug dealers represented in the group that is here.' I think we need to be cautious when we say that it is all things that we want here. I would also like a clarification on the statement, 'Cornell's mission.' Is that a mission for Cornell University, or does it reflect another body's information, materials, or things like that? Are we developing one in this document that will then be used elsewhere?"

Speaker Howland: "Perhaps Professor Harris would like to address those."

Professor Harris: "Well, on welcoming individuals from every segment of society, I guess that it could be interpreted in the way that you suggested, but that's certainly not our intent in attracting students and employees. The other part on the mission, there is a statement on Cornell's website on the mission and values and this was basically taken from that."

Speaker Howland: "First Kay and then Professor Ahl."

Professor S. Kay Obendorf, Textiles and Apparel and Faculty Trustee: "On the comment about 'land grant,' it is my understanding that the entire University is the land grant University and the Provost is shaking his head 'yes.'"

Speaker Howland: "Thank you. Professor Ahl."

Professor Fred Ahl, Classics: "The statement of Ezra Cornell that 'any person can find instruction in any study' is no longer true. In fact, we've eliminated some areas of study and I'm a little anxious that our leadoff statement should be something that Ezra didn't quite have in mind. I understand that we've had to alter our programs in a certain way, but there are some people who find a certain irony in that statement and I just wondered if you want to talk about diversity if you would really want to lead-off with something that has not been fulfilled."

Speaker Howland: "Are there any more questions or comments?"

Professor Stephen Hamilton, Human Development: "My major point was already made by Professor Obendorf, but I also wanted to add my endorsement to this statement as one that captures the kind of message that I would like delivered as a member of the Cornell community."

Provost Randel: "First let me reinforce the notion that all of Cornell University is a land grant institution of the State of New York and that we operate under contract for statutory colleges. Let me say just a bit about our founders' statement as well. It says, 'any study' not 'every study' and I think it's important to bear in mind that Cornell was founded in the context of a time where universities were sectarian in one way or another, which limited what could be taught on the basis of that kind, limited who could attend on the basis of gender, and so forth. The notion of the founder was, I believe, that this would be an institution in which any study would be legitimate. That is, that the intellectual inquiry would not be bound by sectarian interests or interests of prior servitude but that this institution would be free to pursue whatever subject it found worthy to be pursued, including certain practical subjects that had been excluded from other universities of the time. It was not to say that all possible subjects would be studied at any given time. I think that's absurd."

Speaker Howland: "Yes?"

Professor Galik: "While I certainly agree with all of the sentiments expressed here, I'm a little concerned about the two 'Be it Resolves.' We agree that open hearts, minds, and doors are what we wish to include and have and post everywhere, but I hope that in the two 'Be it Resolves' that we could make it more strident, that everyone is urged to double their efforts to achieve the goal. I would hope that the wording would say that we need to make a better effort to reach our goal."

Speaker Howland: "Back there, yes."

Associate Professor Bruce Lewenstein, Communication: "I serve as the chair of the Committee on Academic Diversity for the Ag School and I want to second the point that Professor Galik made, which is that one of the important issues that we face is that given a statement like this, one that is symbolic, it is not likely that it will be resisted. The question is how to we put it in more active implementation. We should include in the motion a sense of action that would add to its symbolic use, in terms of being able to use it in practice."

Speaker Howland: "Professor Edmondson and then Professor Baer."

Professor Edmondson: "About Ezra Cornell, I wasn't around then, so I don't know what he would feel. It seems to be that this thing would give the impression that Cornell has taken on more power than it has. It's a feel good document. To be more precise, I think that in the first paragraph the statement proclaims an ideal of Cornell University's commitment, and it was an ideal, and I think it will be difficult to tell if it has been fulfilled in its entirety but I think it's something that we ought to think about. Another thing that I wanted to say is that it is a beautiful statement. It says nice things, but it does not mention any of the issues with which we continually cope on this campus. It doesn't talk about harassment, which is nowhere near the ideal, and I was wondering if it couldn't be strengthened in certain areas. I know that the Board of Trustees have a statement from May 1990 in which it comes out much clearer."

Speaker Howland: "Thank you. Professor Baer."

Professor Baer: "What I tried to address in my memo is that, in fact, Cornell is a highly sectarian institution. I think that we would be far better served if we admitted that. It's sectarian in that it continues to presuppose that secular reason is epistemologically privileged and normative religion is strictly excluded from the University. About 8 or 10 years ago, Charles Kern, an eminent Catholic theologian was here as a visiting professor, generously funded by CalCana, and a group of faculty in the Arts college tried to get him to not talk about theology while he was here, even though it was his field. This institution is highly discriminatory against certain types of ideas and people who hold those types of ideas are discriminated against as a result. They feel unwelcome in many ways. A Government Department that has 33 faculty members and one conservative, who just walked in the door – I swear this wasn't planned – is not a very attractive Government Department. It's far sooner indoctrinating students than educating them. Six years ago, a group of students came to me and told me that they thought they were being discriminated against in Human Development and Family Studies, and we tried to talk about it with the deans and the department chairs, but they would not even agree to meet with us to talk about those issues until eight months later when President Rhodes intervened on our behalf. We were not trying to censor anyone or challenge anyone's academic freedom. We simply were asking for more diversity of ideas. Universities are about ideas. I'm totally in favor of the sentiments of this proposal. We want a civil society to welcome people and to make them feel at home, but this University is a sectarian institution. It's one-sided and privileges certain ideas and discriminates against others, not because those who are discriminated against are unworthy but because they are unpopular in this institution. My college, CALS, is thinking about a normative ethics requirement of all students and it dawned on me the other day that even though I teach ethics, I probably will oppose that move unless ethics is opened up and becomes a real marketplace of ideas. To exclude normative ideas, Jewish, Muslim, Christian, and other ethics from the marketplace is to be a sectarian institution. What troubles me about this kind of resolution is that there is a kind of hypocrisy about it. In some ways, the curriculum is not broad; it is narrow. My observation over the years is that there are many faculty members who do not want an open marketplace of ideas. They do not want a broader curriculum. How else do you explain the extraordinary narrowness and high level of indoctrination that goes on in many of our departments. I would like to have time to open up the discussion to talk about ideas and what universities are about. I'm in favor of what we're doing here in its own limited way, but it gives the impression that we're solving the problem that at a fundamental level we're not. I urge you to read the memo at the front table; I turned it in close to a month ago and because there needed to be discussion on the time line for it, which I'm not opposed to since there needs to be some rules and regulations, it wasn't posted until late last week and most of you haven't seen it. I would urge us to use this as an opportunity to ask ourselves about the nature of the University and discuss the issue. I'd be willing to debate any of you, I think that this is a sectarian institution in many ways and it's time we admitted it or stopped talking about being a non-sectarian institution."

Speaker Howland: "I think we've reached the limit on the time. Professor Harris?"

Professor Harris: "I would just like to encourage any reactions or comments that you would like to make after thinking further about this. You can send them to me at rlh10 and I will send them to the committee. Thank you also for the suggestions you already made."

Professor Galik: "Is there still a vote open on the floor?"

Speaker Howland: "Yes, do you move the question?"

Professor Galik: "Yes."

Speaker Howland: "Okay, all in favor of hearing Professor Walcott's motion, say 'aye.' All opposed, say 'nay.' The motion before you is to postpone voting on this proposal until the December meeting. Are you ready to vote on this? All in favor, say 'aye.' All opposed, say 'nay.' Motion is approved. Thank you very much. I now call on Richard Galik, Chair of the Educational Policy Committee, for a resolution on inappropriate use of class notes. The motion here is for discussion only; the vote will take place at the December meeting."

## 7. RESOLUTION ON INAPPROPRIATE USE OF CLASS NOTES

Professor Galik: "For a number of years now, it has become apparent that there are certain corporations that benefit from asking students, either graduate students or undergraduate students, to take notes and then post those notes on some sort of electronic or printed media for distribution or sale. Some of these are very beneficial and are done with the permission of the course professor, but these have been local. Recently, about two years ago, there was a corporation called Gorilla Notes and this year there are several corporations, the most commonly known is called Versity.com, which virtually ignored the wishes of the faculty. They didn't even bother to ask the faculty if the notes could be published and oftentimes employ students who are taking the course for the first time to be note-takers. There are several faculty members in the University whose courses are in Versity.com, but those who communicated directly to me were Professors Stein, Lowi, and Albrecht. It was up to my committee, the Educational Policy Committee, to come up with some sort of policy which would preclude this kind of activity from the classroom. When Peter Stein was the Dean of the Faculty, he actually started down this road, but ran into many of the same problems as we did in that we had a lot of consultation with the University Counsel in terms of what we could and could not say in such a resolution, what would actually be considered legal and would stand up in court, what fell under intellectual property rights, and so on. I should note, as the UFC noted, that this is still in the preliminary stages. We are going to discuss this today and go over the rationale to let you know how we got to where we did. Since the resolution (Appendix K, attached) went through our committee two weeks ago, there actually has been some progress in terms of trying to find a home for this policy, which is perhaps the weakest point of the resolution.

"In the resolution, I have listed the three top objections that the faculty have to these services. I want to have you notice that we've been talking about this in terms of notes, but it's not just notes, it could be audio, video, and a host of things that go on in the classroom in which we expect a level of trust among the participants that is somehow being violated. Furthermore, I think that those of us in the physical sciences have been somewhat concerned about the accuracy of the information that gets transmitted. After all, many of the students taking these notes are taking the courses for the first time and we all know that there is likely to be some critical errors when a student takes notes of something that he or she is seeing for the first time. Third, is the issue involving

intellectual property. You will note that we use the words 'should be' as courts have not upheld that lectures that you give are your own intellectual property, but we thought that we should at least express that the Senate thinks that they should be even though they may not be.

"So that includes the resolution and here is the 'Be it Resolved': 'lectures and course materials presented, transmitted or distributed by Cornell faculty and/or class participants are intended exclusively for use by students enrolled in the subject class in furtherance of their academic pursuits.' Someone actually suggested that class participants was too broad and general. I tried thinking of all the possible list of things that could go in there, but for now I thought to leave it because I think that the faculty member should be the one to judge whether or not someone can participate in their class. I think that in this sense it will always have to be somewhat broad. I should note that while there is some impetus to get this put in place for next semester so that we have something to latch onto for the faculty who are bothered by such activities, we don't want to get in the situation where every semester some new activity occurs and we have to come up with a new resolution to handle that new activity. So, we'd like to try to make this as broad as we possibly can without watering it down to the point where it becomes totally ineffective. So, following that, 'students are not authorized to replicate, reproduce, copy or transmit such materials, or "derivative" materials [which was a suggestion of Counsel as a way to describe materials], including class notes' and the most important thing here was the written consent of the faculty member. Some people suggest that it is the money that is an issue, but many of us disagree with that, that the principle is beyond the money, maybe it's prestige – that a student feels it is a prestigious thing they've been asked to do. Other people have said that it's okay to do it within Cornell, just not on the Web. We disagreed with that policy as well and made it a more general problem.

"This is where we ran into problems with the UFC. We came up with a statement about violations, which was as general as we could be, and still have the approval of Counsel. The reason for this was that we wanted to put this either in the Code of Academic Integrity or in the Campus Code of Conduct but we have had problems with this as of two weeks ago. The Judicial Administrator handles things by assigning community service, not by actually forcing people from withdrawing from classes. So, it didn't seem that it would fit in the Campus Code of Conduct. In the Code of Academic Integrity, in which we would generally define this as misrepresenting your work, this is exactly not what these students are doing. These notes are worthless unless they have the professor's name proudly on them as being the professor's work. So it's not a direct Academic Integrity violation. This is the best that we could do for the moment.

"Then we asked the Dean of the Faculty to see about this policy, to find a place to place it in. Since then, we have had some discussion with Katherine Long, who chairs the Academic Integrity Hearing Board, and Lynne Abel, who is the Chair of the Educational Policies Committee for Arts & Sciences, and who is involved a lot in academic integrity issues. We thought that something we might do – now this hasn't gone through the committee yet: it's from this afternoon – is that we formally call this 'Academic Misconduct,' and there are places in the Code of Academic Integrity in which academic misconduct is referenced as being handled by the Academic Integrity Hearing Board. So that the faculty member could impose an academic penalty that could include forced withdrawal from the course. If the student were to go through an appeal, that process would be in place through the Code of Academic Integrity.

"The last part of the resolution would include the notion that the dean has to see to it that Code of Academic Integrity gets slightly modified in the appropriate ways such that this academic misconduct is listed specifically as an example."

Speaker Howland: "Good, the motion is now open for discussion and questions. Yes."

Associate Professor Stephen Vavasis, Computer Science: "Could you say a word about what other universities are doing about this problem?"

Professor Galik: "Well, actually, that is significant. Most universities have done nothing about this problem. In fact, we asked all of the committee members, of whom there are nine, to go and ask a colleague, and as far as we can tell, we are way ahead of most of our colleagues in terms of this. The State of California schools, like UCLA, actually have a statement that this is violation of California state law. No one has yet challenged that in court. Whereas in Florida, and one other state, such suppositions have been challenged in court and the universities have lost."

Speaker Howland: "Yes, Professor Stein."

Professor Stein: "Yes, I have a couple of questions. First, I thought that the wording was a bit overdoing it with what we are forbidding students to do because, read strictly, if one student misses a class and asks another student to see her notes, that would be forbidden without the exclusive permission of the professor and that seems to be harsh. The second question I had is did you ever ask Counsel that if we did this would we have legal leverage against the firm, where we could sue them because they were asking or enticing a student to do something illegal? Because if we could do that, then this would seem to be a great idea because I would rather proceed against the firm than against an individual student."

Professor Galik: "Yes, that issue did come up but I do not recall if we made a resolution of it. Is there anyone here from Counsel's Office, by the way? I do not think that the university feels that there is any legal recourse against Versity.com. However, I don't have anything definitive on that. I should also point out in response to your first statement that this says, 'for sale or general distribution.' I do not think that if I miss class and ask you to copy your notes would count as general distribution."

Speaker Howland: "Yes, one question over here."

Professor Andreas C. Albrecht, Chemistry and Chemical Biology: "At some point, I just wanted to tell you about my experiences with Versity.com that has filled me with rage. I got a letter from them on the 25th of August proudly saying that my course is on their list and that this will benefit the students and so on. In this letter is also their statement, 'Versity.com believes professors should play an active role in shaping and driving technologies applications in academia. That's why we want to work with you.' They decide what we should be doing, and I have immediately two responses. First of all, I have no say how my notes will be decorated with advertising. This is strictly an economic exploitation of campuses across the country. I have no input as to what is being advertised. Next, it takes away any opinion that I might have that it is good for students to take notes in this class, and hopefully rewrite them, as they learn and do a better job of organizing those notes as an educational pursuit. I have then no say about that either. So I decided I wanted to have Chem 287 removed from their list. I looked it

up and it said, 'Now Hiring' in a big banner. I e-mailed them to remove my course and get no answer. Finally I try phone-calling and, after a great effort a reach a person, I say that I would like to remove my course from your list, please. They say, 'I'm not authorized to do that.' I say, 'Well, I'm authorizing you right now.' (Laughter.) There proceeded the most incredible arrogance. I forced them to admit that their primary concern is their advertising. They need a list of courses to sell their advertisers and they agreed that this was true. They were also very adamant that they want to help the students. I asked 'What about the faculty?' They answered that they want to help the faculty too and that they want to work with faculty on and on until I had to slam the phone down. The arrogance was breathtaking and I just expressed this to you in the hopes that something will be done, and this resolution is something, about this problem. Thank you."

Professor Edmondson: "This is in regard to Peter Stein's query and your response to that query and it seems to me that in paragraph one, that the notes are designed exclusively for students enrolled in the subject. It follows, therefore, that students passing notes to other students in the class is accepted. I don't think we have to worry about students passing notes along to other students in the course. I think that's clear in language and law."

Speaker Howland: "Yes?"

Associate Professor J.S. Butler, Policy Analysis and Management: "The preamble refers to accuracy as one of the problems. My personal preference would be a statement to the following effect, that neither the faculty nor the university are responsible for errors generated by the notetaking. The purpose of such a statement would be to forestall at the very beginning of students claiming that they should be compensated for mistakes or bad grades that result from the use of these materials."

Professor Galik: "So noted." (Laughter.)

Speaker Howland: "Yes, in the back?"

Associate Dean Lynne Abel, Chair, Educational Policy Committee for the College of Arts and Sciences: "There are many professors who have complained to me about Versity.com and I just wanted to support Professor Albrecht's allegations about how difficult it is to remove a course from their list. One professor, who is not here today, tried repeatedly to have her course removed from Versity.com to no avail. In fact, I have a note here from Janet Cardenell, one of the high officials of Versity.com. When one of the note takers from Cornell, who was just a student trying to earn money and was not trying to dupe anyone, had been led to believe that the faculty member in this course approved of this whole thing, she found out quite to her distress that this wasn't the case. In response, Janet Cardenell said, 'Our standard policy is for us to keep note takers' names confidential. I did not inform the professor of your name or even of your gender. We do this to respect the individual circumstances of note takers.' Then Ms. Cardenell goes on to say, 'Versity did inform Cornell professors of our presence on campus. We invited their participation, expressed our desire to work with them, and offered several services to assist them. However, because we are a non-permission-based service, professor approval is not required.' That's their statement. I hope that you as a group will do something fairly strong to help faculty members who do not

want to participate as well as those who want to participate but want accuracy protected. I think it's very important for us to act."

Speaker Howland: "Yes."

Associate Professor William Carlsen, Education: "It sounds to me like we have a problem and the advertising and inaccuracies are things that we need to deal with. However, I would like to speak in opposition to this particular resolution because it seems to me that we're falling down a slippery slope, what in the book *University in Ruins* is called the 'commodification of knowledge.' I think that as a University we need to rethink what it is that we do, what it is we're providing to society. The tone of this resolution makes it sound like we're trying to protect these packets of information which we distribute to students in our classes. The particular action here is a punitive one to prevent students who are entering into a contact with us, in our classrooms, from expressing themselves, given that they might be expressing themselves in ways that cause problems. I think we need to think very carefully on how we will implement this particular action. If we want to have a discussion with the students in our class and say, 'By enrolling in my class and participating in this class, I'm asking you to agree to certain conditions,' that's one thing. But we never had an agreement here. We're proposing a policy that's legally questionable and we're imposing it on everyone. We're not giving professors the right to disregard the policy either. Yes, I don't think that inaccurate course notes should be placed on the Web and sold alongside porn advertisements, but this is a university and before we slam the door shut on criticism of what we're saying or how we can represent things in the classroom, I think we should think this through on a deeper level."

Professor Albrecht: "To respond to that, there is a supposed list of professor approved courses, so the professor can approve and it can go on like that."

Professor Galik: "I should also point out that Counsel has made it quite clear to us, and I agree with Counsel, that the wording was too draconian. Originally, we had that this would result in withdrawal and we have since changed it so that it could result in withdrawal. That withdrawal is a logical extension of what might happen if this persists. Of course, we give the faculty member the first try to ameliorate the situation by other means, we put that explicitly in the policy. The policy is in place to establish what the faculty member can or cannot expect the University to stand behind and I certainly agree with Lynne Abel and the Arts College EPC in that we need to foster an environment in which this activity would not naturally take place, where perhaps a student would suggest notes on the Web as a means of discussion and a flow of ideas for the course. Unfortunately, these companies have taken the first step and I think that it's important that we have this policy in place so that we learn as faculty members and students to foster this environment. I don't think we're free of fault here, either. We're somewhat culpable too because, as a group, we have not fostered an environment that would prevent this sort of thing."

Speaker Howland: "We're almost out of time here, yes?"

Professor David Rosen, Music: "Has the University Counsel stated whether the State of New York has taken a position on the intellectual property rights of professors?"

Professor Galik: "Do you remember anything about New York, specifically? I do not recall anything about New York State in the media or in the conversation with Counsel."

Speaker Howland: "Okay, one last question."

Professor Elizabeth Earle, Plant Breeding: "If the note takers can be anonymous, if they're not known to the faculty member, what kind of action could be taken?"

Professor Galik: "Well, obviously, enforcement is always an issue. One could imagine other students who are particularly pernicious would snitch on the note taker. Someone else suggested that a faculty member could say that one of the conditions for taking the course would be for all to agree not to do it, and of course the student could say he wasn't doing it and still do it, but I think that if you put together an environment in which there was a kind of sharing, then I would hope that we could get rid of a large fraction of the abuse. Whether or not we could enforce every action, you're right, we can't."

Speaker Howland: "I'm sorry that we have to cut off but I'm sure that Professor Galik would welcome e-mails if you have any questions or comments."

Professor Galik: "It's piled up already, but sure." (Laughter.)

Speaker Howland: "We'll move on now to Good and Welfare and I have three people registered to speak."

## 8. GOOD AND WELFARE

Associate Professor Michael Kazarinoff, Nutritional Sciences: "I'm an elected member of the Faculty Senate, but I speak to you now as a member of the Codes and Judiciary Committee. At our meeting earlier this afternoon, the University Counsel presented a recommendation that we adopt changes to the Campus Code of Conduct that would remove the faculty and staff as classes from jurisdiction under the Code. I invite response to that from the faculty. I don't know quite how to react to that but my sense is that it would alter the climate on the campus tremendously if we were to only subject students to the Campus Code of Conduct. My e-mail is mnk1 and I will send a message to the list asking for input and if you have ideas."

Professor Jeremy Rabkin, Government: "What is Counsel's rationale for this?"

Professor Kazarinoff: "The rationale given by Counsel rested mainly on a statement in the University Bylaws that said that various senior administrators and deans shall be the sole people who have authority over personnel and those sorts of issues. They provided us with Article 15, Section 2 which says, 'Deans, directors, and other heads of separate academic units shall have administrative responsibility for their respective units, including the personnel and all programs of instructions and research therein.' It was Counsel's position that this provides a legal distinction, that the courts would feel much more comfortable not having the faculty under the Codes."

Professor Emeritus Robert Miller, Soil, Crop, and Atmospheric Sciences: "I will tell you that I was around when the Code was originally adopted and it is my understanding that the Code was adopted by the Board of Trustees, not by the faculty."

Speaker Howland: "One more and then we have to move on."

Professor Rabkin: "We spend a whole year arguing about the sexual harassment procedure. How will that be affected?"

Professor Kazarinoff: "I don't know precisely. Sexual harassment in the conduct of your duties is covered under several separate regulations other than the Campus Code of Conduct and it is not dealt with through the Judicial Administrator."

Speaker Howland: "Okay, let's move on. Professor Rosen?"

Professor Rosen: "When I signed up at the beginning of the meeting I was going to tell you that I was appalled that the list of participants in the Corson Symposium included one social scientist and no humanists. Now that we have a humanist, I will de-escalate my rhetoric and say that I'm deeply concerned about the under-representation of the social sciences and humanities. I have spoken with the Vice Provost for Research about this and he told me the day before yesterday that three or four humanists were planned to be added. I don't know if the list you showed us was the definitive program, but I hope not. I think that if you feel as I do that humanists and social scientists do research and have a big impact on the research university, then I hope that you will express your concerns as I have. Furthermore, if and when additional humanists and social scientists are found, there should be a new list. Thank you.

Speaker Howland: "Thank you. Professor Albrecht?"

Professor Albrecht: "No, no."

Speaker Howland: "Good, do I hear a motion? All in favor. Meeting is adjourned."

Meeting adjourned: 5:55 p.m.

Respectfully submitted,

Kathleen Rasmussen, Associate Dean and Secretary of the University Faculty

**The Dale R. Corson Symposium  
on the Future of the Research University**

December 6-7, 1999  
(Monday and Tuesday of Independent Study)

TENTATIVE Schedule

**Monday, December 6, 1999**

8:30 - 8:55 AM Continental breakfast, Call Alumni Auditorium

**Symposium Session I, Call Alumni Auditorium 9:00-11:45 AM**

Hunter R. Rawlings III, President, Welcome and Presentation  
John Brademas, Chair of the President's Commission on Arts and  
Humanities

Vernon J. Ehlers, U.S. House of Representatives (Michigan) and Vice  
Chair of the Committee on Science

**Luncheon, Statler Ballroom 12:00 - 1:30 PM**

**Symposium Session II, Schwartz Auditorium 1:45-4:40 PM**

Charlotte Kuh, Executive Director, Scientific and Engineering Personnel,  
National Research Council

Joe B. Wyatt, Chancellor, Vanderbilt University

Fred Plum, Professor Emeritus of Neuroscience, Cornell's Weill Medical  
College

Frank Press, Discussant

**Reception, 7th Floor, Clark Hall** 4:45 - 6:15 PM  
Cornell Faculty and Invited Guests

**Chimes Concert** 6:15 - 6:45 PM  
(Guests are in transit.)

**Gala Banquet, Atrium, Sage Hall** 6:45 - 9:45 PM  
(*by formal invitation only*)

The Corson Video  
Frank Press, Tribute to Dale Corson  
Robert Sproull, Tribute to Dale R. Corson  
Jean Gortzig, Tribute to Nellie Corson  
J. Robert Cooke, Brief Presentation  
Dale Corson, Response

## **Tuesday, December 7, 1999**

8:30 - 8:55 AM Continental breakfast, Schwartz Auditorium

**Symposium Session III, Schwartz Auditorium**, 9:00 AM-Noon

Frank H.T. Rhodes, President Emeritus, Cornell University "Issues for the 21st Century"

Ronald G. Ehrenberg, Department of Labor Economics

Donald F. Holcomb, Physics, Cornell University

William G. Bowen, President, Mellon Foundation, Discussant

Donald P. Greenberg, Professor of Computer Graphics

Joseph M. Ballantyne, Department of Electrical Engineering

Steven D. Tanksley, Department of Plant Breeding

Frank Rhodes, Discussion Moderator

**Closing Luncheon** 12:15 - 2:00 PM

The Corson Video reprise

Remarks: Frank H.T. Rhodes, President Emeritus and Robert C.

Richardson, Vice Provost for Research

The three main sessions are open to the faculty; the luncheons are free for faculty, but luncheon reservations must be received by 11/15. If you have not replied to your invitation, please do so ASAP; send to [ew15@cornell.edu](mailto:ew15@cornell.edu)

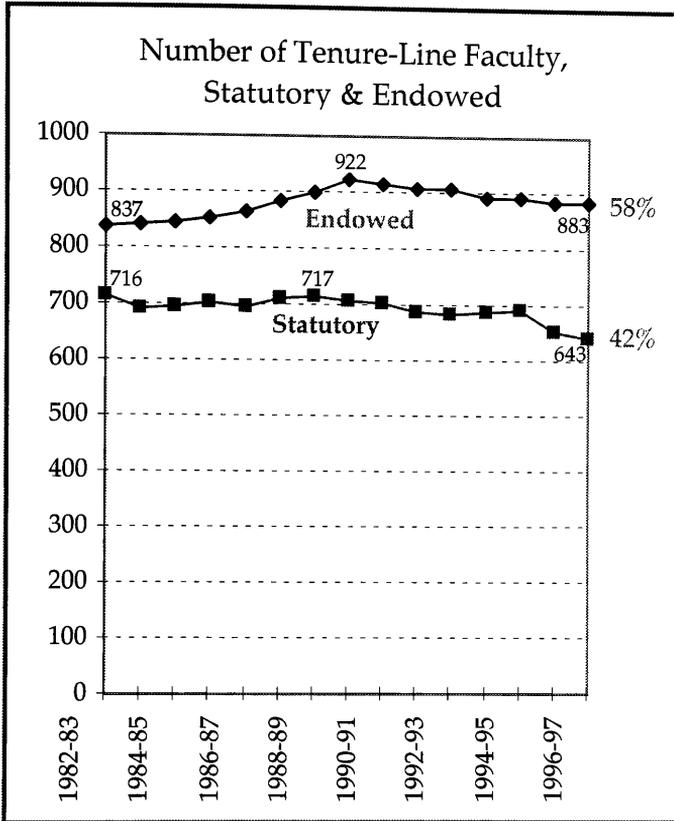


Figure 2 The Number of Cornell Faculty by Year and Sector

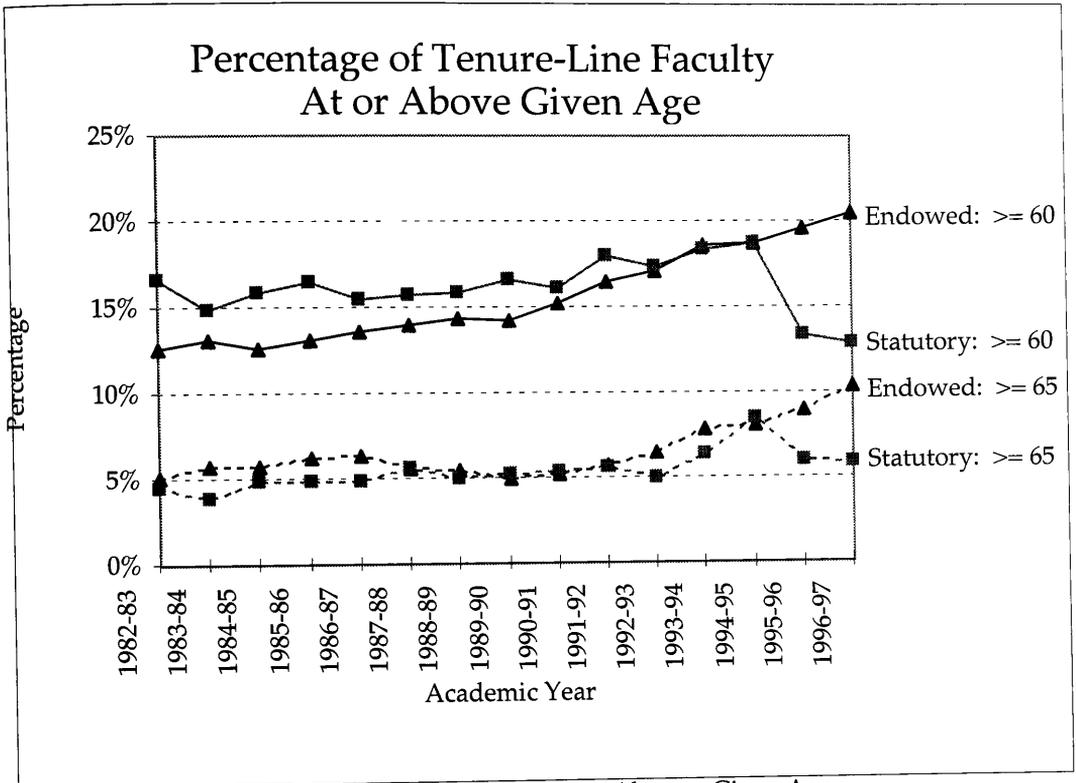


Figure 1 Percentage of Faculty at or Above a Given Age

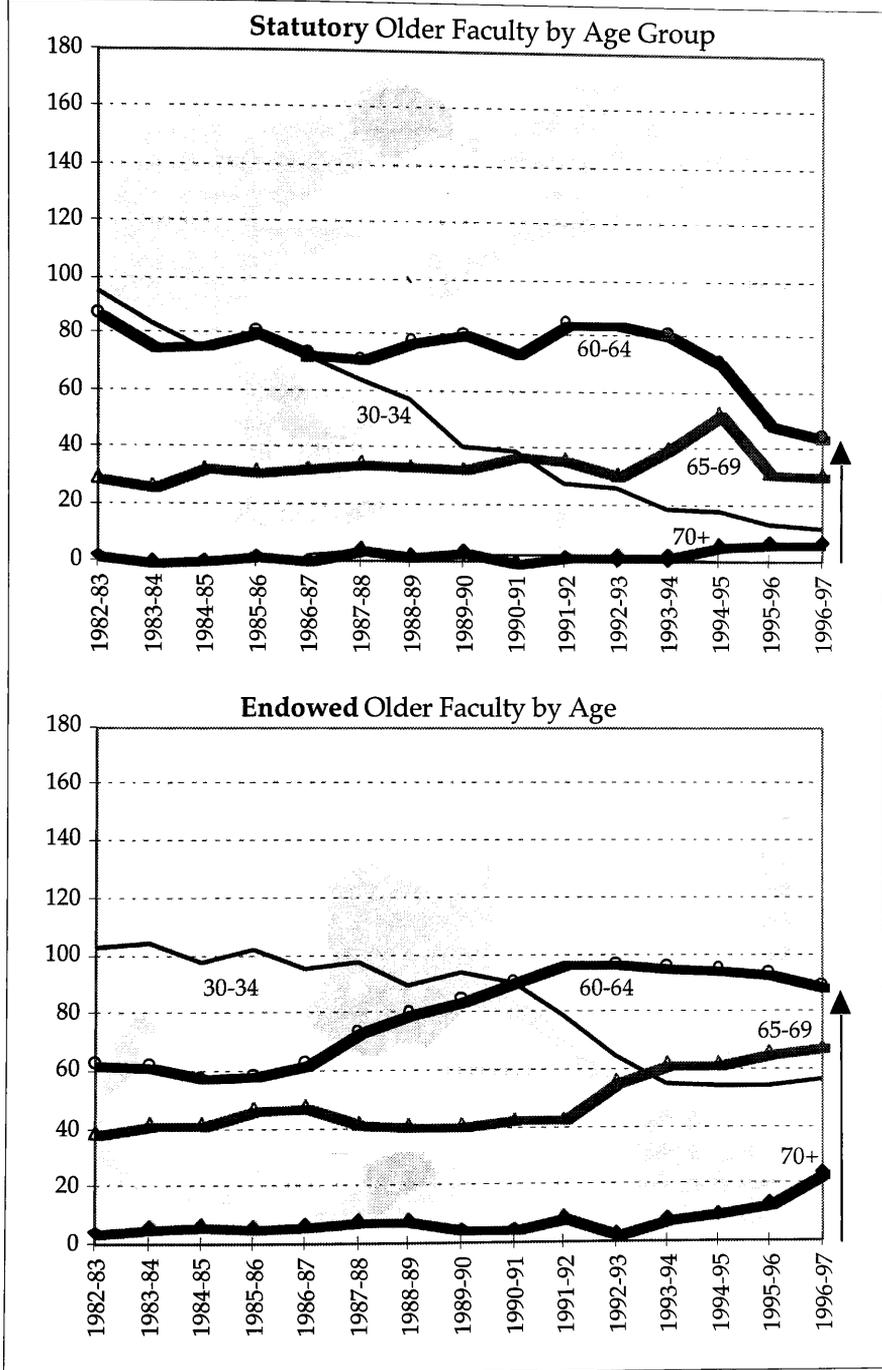


Figure 5 Age Profile

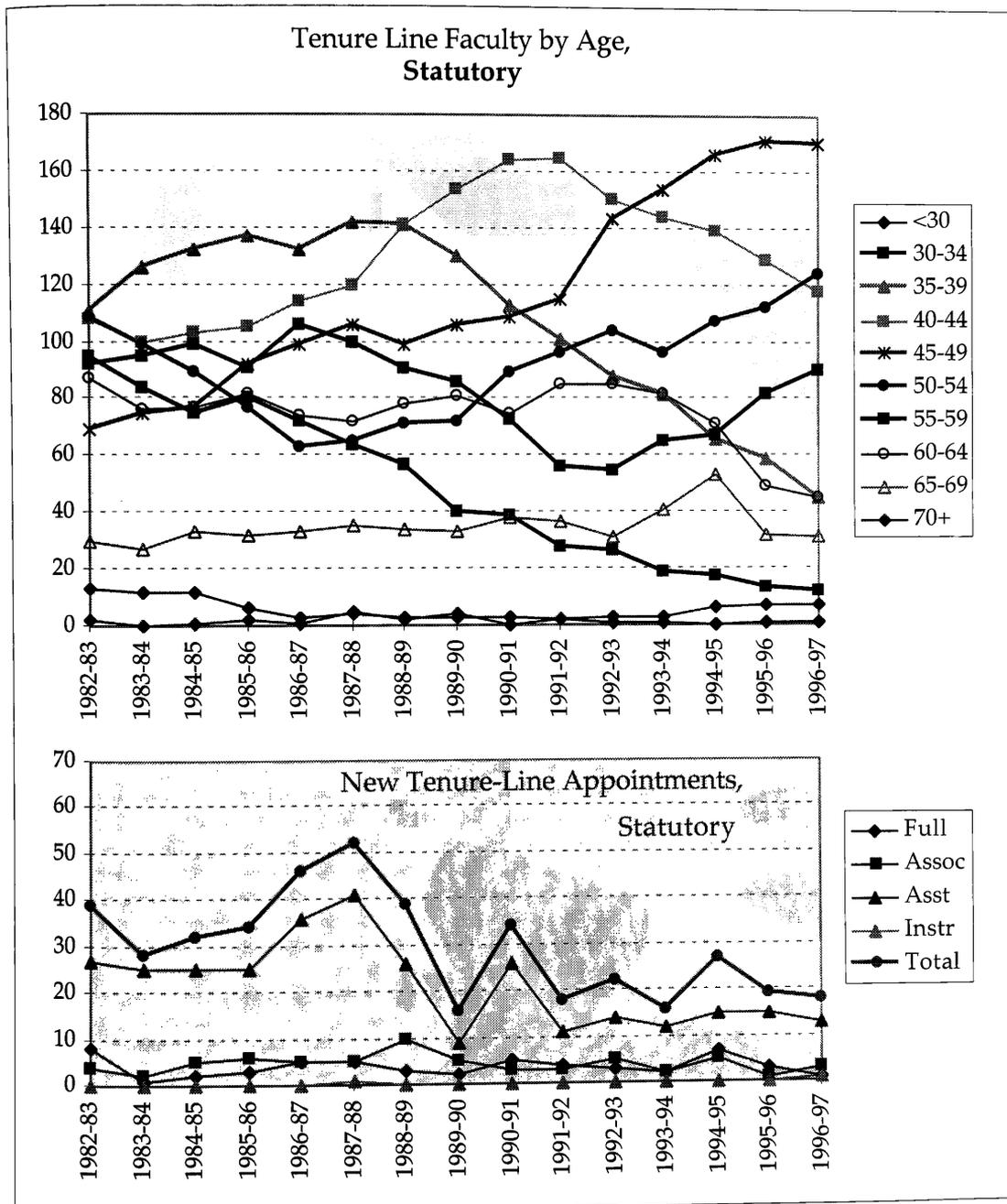


Figure 3a Faculty Age Profile and New Appointments: Statutory

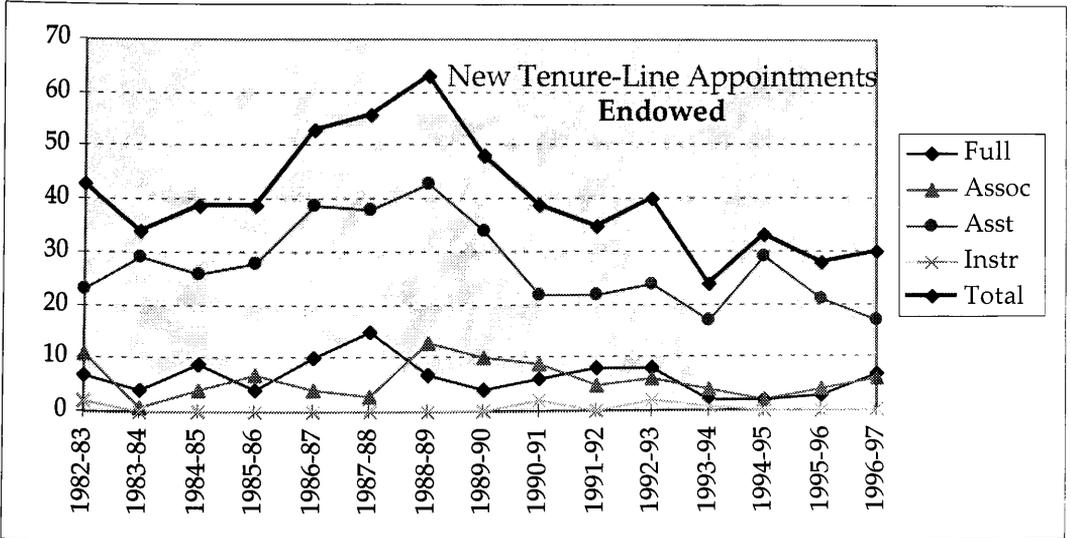
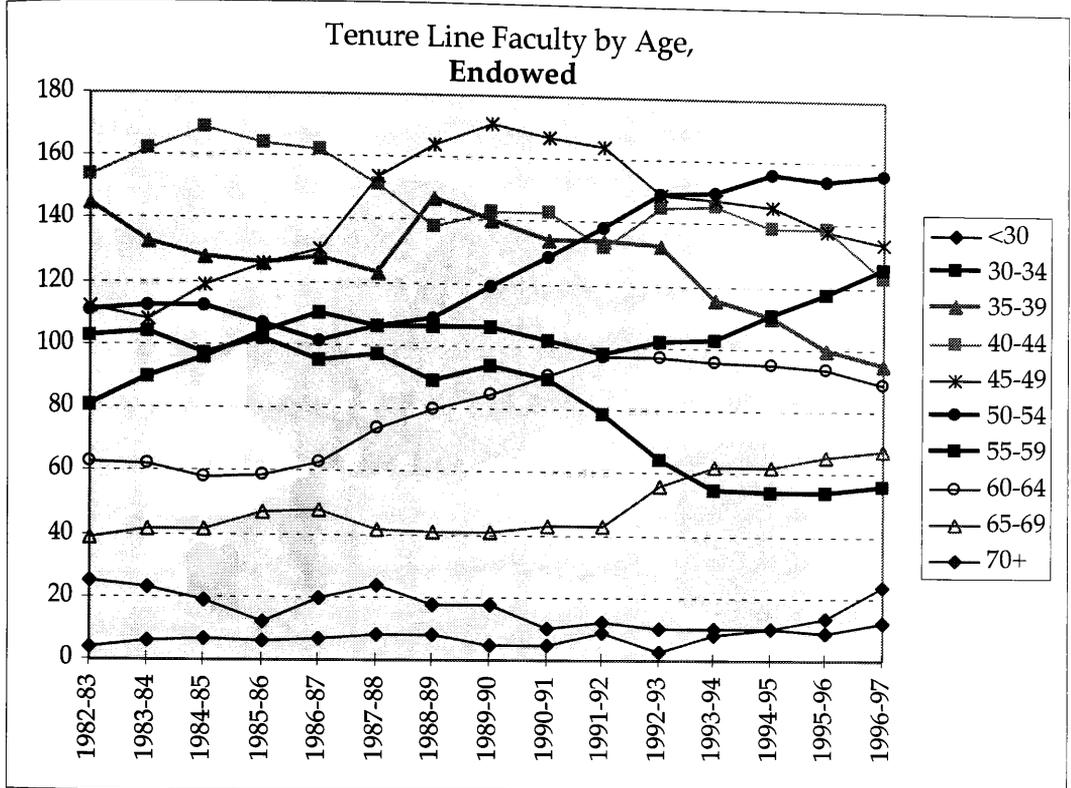


Figure 3b Faculty Age Profile and New Appointments: Endowed

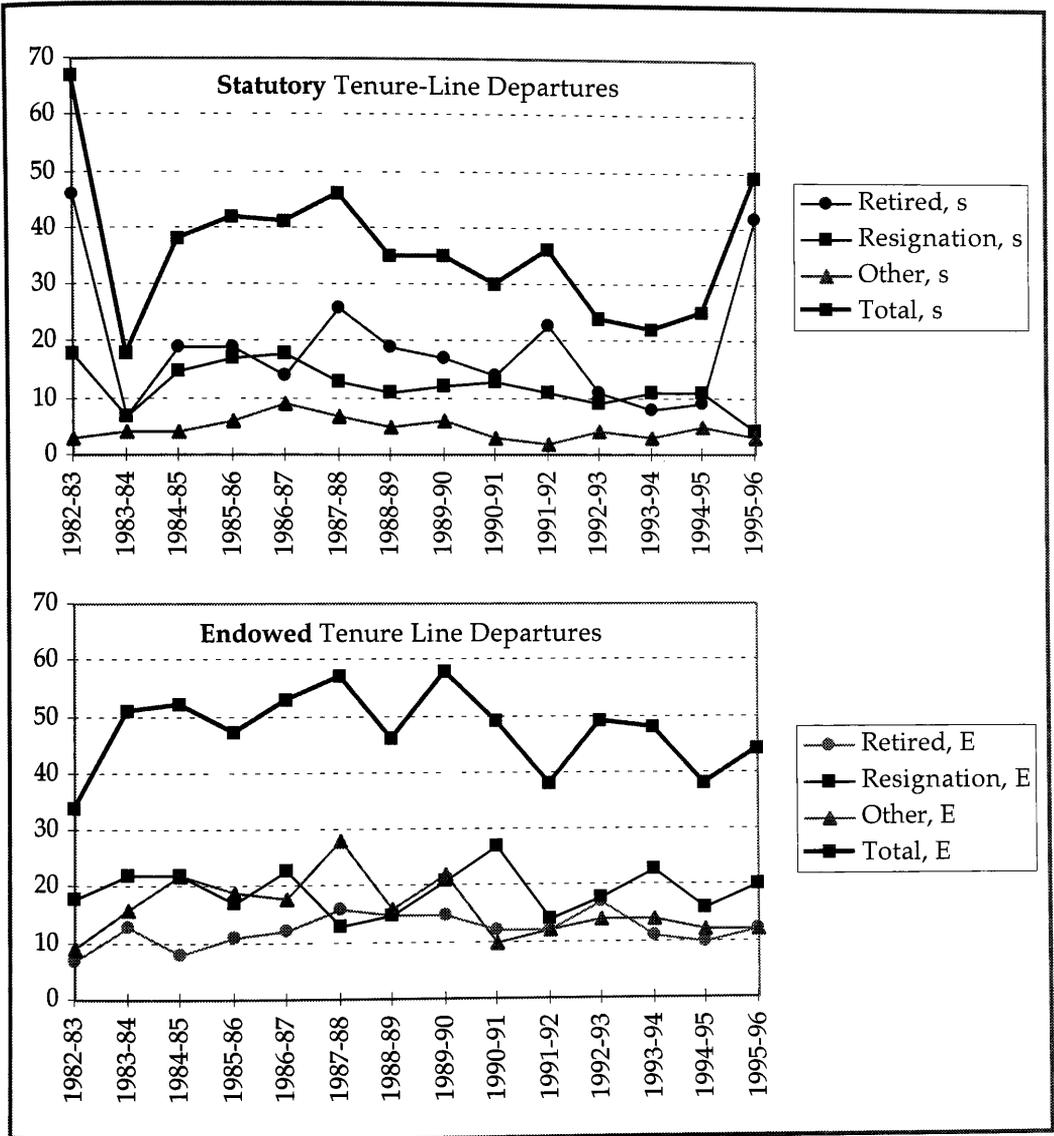


Figure 4 Tenure-Line Departures by Reason

# REPORT OF NOMINATIONS AND ELECTIONS COMMITTEE

November 1999

**FACTA** (Faculty Comm. to Advise the Provost on all Tenure Decisions)

\*Gordon Potter, Hotel

\*Bud Tennant, Vet.

\*elected by college

## **Nominations and Elections Committee**

Barry Adams, A&S

Thomas Hirschl, CALS

## **Assemblies**

### **University Assembly**

Vicki Meyers-Wallen, Vet.

### **Financial Aid Review Committee**

Ali Hadi, ILR

- **Search Committee, Dean of  
Hotel Administration**

\*Florence Berger

\*Richard Penner

David Sherwyn

\*Bruce Tracey

\*Appointed by Faculty Senate

## **RESOLUTION ON THE DIVERSITY AND INCLUSION STATEMENT FROM THE CAMPUS CLIMATE COMMITTEE**

WHEREAS, "It is the policy of Cornell University actively to support equality of educational and employment opportunity," and

WHEREAS, a commitment to diversity and inclusiveness is a commitment to all students and employees, and

WHEREAS, the Campus Climate Committee has prepared a statement to proudly highlight Cornell's identity as a richly diverse and inclusive land grant university, striving for excellence in a framework of academic freedom and respect,

THEREFORE, BE IT RESOLVED, that the Faculty Senate approves the Statement on Diversity and Inclusiveness and

BE IT FURTHER RESOLVED, that the adoption of the statement be widely publicized to all segments of the community including the Assemblies, the Board of Trustees, as well as included in University publications where appropriate.

## **Open Doors, Open Hearts, and Open Minds: Cornell's Statement on Diversity and Inclusiveness**

### **Open Doors**

"I would found an institution where any person can find instruction in any study." This statement, made by Ezra Cornell in 1865, proclaims Cornell University's enduring commitment to inclusion and opportunity which is rooted in the shared democratic values envisioned by its founders. We honor this legacy of diversity and inclusion and affirm our policy of non-discrimination and equal access to opportunity.

### **Open Hearts**

Cornell's mission is to foster personal discovery and growth, nurture scholarship and creativity across a broad range of common knowledge and affirm the value to individuals and society of the cultivation of the human mind and spirit. It defines our resolve to attract and welcome individuals from every segment of society. Our legacy is reflected in the diverse composition of our community, the breadth of our curriculum, the strength of our public service, and the depth of our commitment to freedom, equity, and reason.

### **Open Minds**

Free expression is essential to this mission, and provocative ideas lawfully presented are an expected result. However, an enlightened academic community connects freedom with responsibility. Cornell stands for civil discourse, reasoned thought, sustained discussion and constructive engagement without degrading, abusing or harassing others. Cornell is committed to maintaining a supportive environment that opens doors, opens hearts and opens minds.

### **RATIONALE**

In light of the racial harassment incidents which occurred last year on campus, the Campus Climate Committee adopted this statement after incorporating feedback from several individuals and groups on campus. Once approved the committee will encourage use of this statement in university publications, and other educational media to create and institutionalize a respectful, inclusive diverse campus community.

Resolution for November Faculty Senate Meeting  
Brought forward by the Educational Policies Committee

Whereas an effective educational environment requires an atmosphere of trust among the participating students and faculty, and  
whereas the faculty member in charge of a course is responsible for the accuracy of the material disseminated, and

whereas materials created by a member of the faculty in preparing courses should be considered the intellectual property of that faculty member,

therefore be it resolved that it be Cornell policy that

lectures and course materials presented, transmitted or distributed by Cornell faculty and/or class participants are intended exclusively for use by students enrolled in the subject class in furtherance of their academic pursuits;

... and that ...

students are not authorized to replicate, reproduce, copy or transmit such materials, or “derivative” materials, including class notes, for sale or general distribution to others without the written consent of the faculty member or class participant who is the original source of such materials;

... and that ...

violations of the above may result in withdrawal from the course in question and appropriate disciplinary action;

... and that ...

the Dean of the Faculty see that this policy is clearly brought to the attention of faculty and students through publication in the *Courses of Study*, in the *Policy Notebook for the Cornell Community*, in student and faculty handbooks, and in registration materials such as the Course/Room rosters.

## Rationale and Comments

The proposed resolution is in *italics*.

This resolution stems from the recent activities of web-based providers of class notes who have, in general, not obtained the approval of the faculty member in charge of the course to place the notes on the web. [See, e.g., <http://www.versity.com> ]. Hopefully we have made it a little broader than that, without watering it down. University Counsel **has** been involved in the process of drafting this resolution.

The three “whereas” clauses cover the three most commonly heard concerns about these Internet providers

*Whereas an effective educational environment requires an atmosphere of trust among the participating students and faculty, and*

Note that this does not limit our concern to just the faculty but to the overall environment of the classroom setting.

*whereas the faculty member in charge of a course is responsible for the accuracy of the material disseminated, and*

*whereas materials created by a member of the faculty in preparing courses should be considered the intellectual property of that faculty member,*

We have used the words “should be”, not “are”. Counsel has made it clear that attempts to bring legal action based on intellectual property rights have **not** been upheld in the courts; articles in the *Chronicle of Higher Education* also indicate that such legal claim are hard to defend in court.

*therefore be it resolved that it be Cornell policy that*

Exactly where this policy belongs has perhaps been the hardest aspect to finalize. While there is an issue of academic **trust**, violations of academic integrity typically involve misrepresenting someone else’s work as your own - clearly **not** the case here. This issue is described more below, after the last paragraph.

*lectures and course materials presented, transmitted or distributed by Cornell faculty and/or class participants are intended exclusively*

*for use by students enrolled in the subject class in furtherance of their academic pursuits;*

We specifically included other class participants to protect students from having their contributions to the discussion similarly abused. Cornell policy already allows the faculty to evict from the classroom **anyone** not registered in the course; even auditors need faculty permission to attend.

*... and that ...*

*students are not authorized to replicate, reproduce, copy or transmit such materials, or “derivative” materials, including class notes, for sale or general distribution to others without the written consent of the faculty member or class participant who is the original source of such materials;*

The word ‘original’ is somewhat important so that one does not take the narrow reading that the source of the written notes is the **student** who took them.

*... and that ...*

*violations of the above may result in withdrawal from the course in question and appropriate disciplinary action;*

Counsel and the committee spent a long time on this phrasing. To quote from Counsel: “Either the Code of Academic Integrity or Campus Code of Conduct may apply and a later judgement could be made as to which course to pursue”. Counsel also urged us to back away from **requiring** withdrawal as part of the resolution.

*... and that ...*

*the Dean of the Faculty see that this policy is clearly brought to the attention of faculty and students through publication in the Courses of Study, in the Policy Notebook for the Cornell Community, in student and faculty handbooks, and in registration materials such as the Course/Room rosters.*

Individual faculty members who are concerned about this activity in their classrooms should also include this policy as part of their course handouts and make appropriate announcements at the beginning of the semester.

Many Cornell policies are **not** part of either the Campus Code of Conduct or the Code of Academic Integrity. Many other policies involving the classroom **are** in the *Courses of Study* and/or *Policy Notebook* . If the Senate feels that this policy should eventually have a more specific “home”, a separate, later resolution could be made to address that concern.

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**Wednesday, December 8, 1999**

Speaker Howard Howland, Professor, Neurobiology and Behavior: "Okay, the meeting is called to order and I now call on Dean Cooke for his remarks."

**1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "We have a very full agenda so I'm going to keep my remarks brief. I can answer questions now or later. I'm also informed that the Provost sends his apologies, but he's in New York City for the Trustee meeting. I have two more things.

"We have a resolution before us concerning diversity. It has been approved by three other governing bodies on campus and my plea is that we adopt it and have a common statement from all four, otherwise it will require many months of negotiation.

"Here is some court action that has a bearing on the character of the University. This is the Maas case (Appendix A, attached).

This Court's case law reflects the policy that the administrative decisions of educational institutions involve the exercise of highly specialized professional judgment and these institutions are, for the most part, better suited to make relatively final decisions concerning wholly internal matters . . . This jurisprudential guidepost stems from the belief that these institutions are 'peculiarly capable of making the decisions which are appropriate and necessary to their continued existence' . . .

"So, they are conferring to the University a strong degree of discretion. There was a companion case that had to do with whether the University is subject to freedom of information and, in fact, to determine whether the statutory and endowed colleges are public institutions and subject to these conditions. Their answer is that:

Several aspects of the administration of the colleges have been committed by the Legislature to Cornell's private discretion. Cornell, for example, is specifically charged with creating the academic curriculum, hiring faculty, maintaining discipline and formulating educational policies for the statutory colleges . . . The SUNY Board of Trustees does not have direct operational authority over the statutory colleges, as it does of SUNY generally.

[T]he law is settled that, for a number of other purposes, the statutory colleges are not State agencies, including: tort law . . .

Cornell has implemented a single system for administering discipline in the statutory colleges and in its private colleges.

The Court's decision confirms that the private status of Cornell University is not compromised by its management of the contract colleges while recognizing their 'hybrid' public and private characteristics. The Court concludes that with respect

to actions or matters within the legislative grant of 'private discretion' to Cornell FOIL would not apply. (Examples cited by the Court are curriculum matters, hiring of faculty, maintenance of discipline, formulation of education policy and employee matters.) We believe this principle covers the vast majority of matters involving administration of the statutory colleges. Since the Court does, however, hold out the possibility, without deciding the matter, that other more public aspects of the statutory colleges may be subject to FOIL, we ask that you seek the advice of University Counsel should you receive a FOIL request.

"In the same connection, you may recall that we adopted a resolution on sexual harassment and I have not previously reported to you that there was a piece in that resolution that was adopted by this body that calls for the right of the accused to be able to face the accuser but the Provost has not chosen to implement that segment of the resolution. Thank you."

Speaker Howland: "Thank you very much. The Secretary informs me that we do not yet have a quorum so I will now call on her for a Nomination and Elections Committee Report."

## **2. REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences, Associate Dean and Secretary of the University Faculty: "We have made two appointments to the Financial Policies Committee, both to replace members who have resigned. This committee is comprised of both statutory and endowed members by legislation and these appointments maintain the balance. We finally have filled all of the remaining Assemblies committees, thank goodness. We appreciate those who have agreed to serve.

### **Financial Policies Committee**

William Schulze, CALS  
Deborah Streeter, CALS

### **Assemblies**

#### **University Assembly**

Andy Ruina, Engr

#### **Campus Store Admin. Board**

Robert Lucey, CALS

#### **Codes and Judicial Committee**

Martin Hatch, A&S

#### **Financial Aid Review Committee**

Robert Smith, ILR

Speaker Howland: "Thank you very much. We'll wait for the approval of the minutes until we have quorum. We'll pass now to the Statement on Diversity. I'm going to ask

for unanimous consent to have a revised Statement on diversity, which you have before you, as modified by the Campus Climate Committee since the November meeting. Hearing no objections, that is the motion on the floor and I'll call on Professor Harris to lead the discussion on that motion."

### 3. DIVERSITY AND INCLUSION STATEMENT

Associate Professor Robert Harris, Africana Studies and Research Center: "I'd just like to say, very briefly, that this statement has gone before the Student Assembly, the Employee Assembly, and the University Assembly. We listened to recommendations that came from this group at the last meeting. Some questions were raised by members of the Faculty Senate at the last meeting and we went back and looked anew at the statement and made modifications based on suggestions that were made. I think you can see those modifications reflected in the revised statement. We tried to keep the statement brief, but one thing that we added calls attention to University policy. So it's something that we do not have to repeat in the statement itself. I'd be happy to answer any questions."

Speaker Howland: "Yes?"

Professor Subrata Mukherjee, Theoretical and Applied Mechanics: "There is some doubt as to whether that part was actually a part of the document or not."

Professor Harris: "Well, it basically calls attention to the existing University policy. It's not the statement. Because there were questions about existing University policy raised at various meetings, we called attention to that, but we don't see it as part of the statement."

Speaker Howland: "Further questions or discussion? We have a quorum, so can we proceed to a vote? All right, we'll proceed. All of those in favor of the motion, raise your hands. All opposed? Seeing none opposed, it passes unanimously."

*WHEREAS, "It is the policy of Cornell University actively to support equality of educational and employment of opportunity," and*

*WHEREAS, a commitment to diversity and inclusiveness is a commitment to all students and employees, and*

*WHEREAS, the Campus Climate Committee has prepared a statement to proudly highlight Cornell's identity as a richly diverse and inclusive land grant university, striving for excellence in a framework of academic freedom and respect,*

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Cornell's Statement on Diversity and Inclusiveness***

***Open Doors***

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***Open Hearts***

*Cornell's mission is to foster personal discovery and growth, nurture scholarship and creativity across a broad range of common knowledge and affirm the value to individuals and society of the cultivation of the human mind and spirit. Our legacy is reflected to in the diverse composition of our community, the breadth of our curriculum, the strength of our public service, and the depth of our commitment to freedom, equality, and reason. Each member of the Cornell community has a responsibility to honor this legacy and to support a more diverse and inclusive campus in which to work, study, teach, research, and serve.*

***Open Minds***

*Free expression is essential to this mission, and provocative ideas lawfully presented are an expected result. An enlightened academic community, however, connects freedom with responsibility. Cornell stands for civil discourse, reasoned thought, sustained discussion and constructive engagement without degrading, abusing, harassing or silencing others. Cornell is committed to act responsibly and forthrightly to maintain an environment that opens doors, opens hearts, and opens minds.*

**4. APPROVAL OF MINUTES**

Speaker Howland: "Could I now ask for approval of the minutes of November 10? Are there any additions or suggestions? Hearing none, the minutes are approved by unanimous consent."

"I now call on Professor Terrence Fine, Chair of the Committee on Academic Programs and Policies, for a resolution on the final report of the Provost's Task Force on Computing and Information Sciences, and I'm going to recognize Professor Fine again at the end of debate."

**5. RESOLUTION ON THE FINAL REPORT OF THE PROVOST'S TASK FORCE ON COMPUTING AND INFORMATION SCIENCES**

Professor Terrence Fine, Electrical Engineering: "Well, you've all had the motion distributed to you. There are the 'Whereases' and there are the 'Be it Resolveds'. Then

there is the rationale, but the rationale is not up for a vote. Now, the Whereas states that the final Task Force Report was expected in November and it appeared on November 16. CAPP brought forth motions before that were passed by the Senate by a strong majority, so we responded to that. An important point that we felt should be addressed was that the FCI was assuming more of the characteristics of a college. It's not exactly a college, but had characteristics. Because of that report, we have five resolutions. We also felt that the final Task Force Report was similar to the initial one. You will hear an opinion later that holds that there are distinct differences between the two, but the CAPP Committee felt that they were essentially similar except for the appearance of the Advisory Committee, which did not exist in the initial report. It came to my attention, however, that the Advisory Committee was being formed somewhere before the September 15 Faculty Forum and that the Dean of CIS was on his own reconnaissance kind of mission, asking people to be on the Advisory Committee. To me, however, there is a written tradition and an oral tradition and it seems that this pattern carries over here as well. There is a quadrilateral of players here: the Task Force, the Computer Science Department, the Dean for CIS, the Provost and the President. There is interaction here every time we've spoken about the matter. The other issue has to do with the role of the FCI. When we debated this in October, we did not reject it. We were actually not proposing to reject, we were proposing an alternative. In motions 2 and 3 we supported the creation of a Dean for CIS, we indicated that there should also be an independent board that should advise and support the dean, and here is the key phrase, and 'they should provide policy for action.' There is some resistance to this, but acceptance of the rest. The important thing is that it did not appear in the report. The Executive Committee would have some strength. It would be able to define policy and we don't see that in the Final Task Force Report. That is what the first part of our motion says. It says that we are not committed to the FCI; it may be a good idea, but it was a provisional idea, made in haste in the dead of the summer. There is obviously support for it in the Task Force, the Computer Science Department and the Dean of CIS. That also comes up in motion 3.

"The CAPP Committee has a broad membership, there are members from all colleges, but we were always of one mind of what we were doing. We debated the specifics of what we were saying, but we were not at odds with each other over which motions to adopt. It was very important to us that the faculty have a say, not just an opinion that one can listen to and ignore without consequence, but a say in a matter like this, because the FCI was being given the responsibilities of a college. It would control a department, it would do hiring and promotions along faculty lines, it would offer courses, minors, and majors. Once it did all that, it would be a college. I know I've gone back and forth with the junior senator from Physics over this on whether it was a college or not. At this point, however, I think that we have to consider it a college. To do something like this by administrative action, in the dead of the night, is somewhat equivalent to an academic mugging. Just because things cannot be achieved persuasively, it seems improper to just decide them at the top. When I think about faculty salaries, and I don't think about them nearly as much as the junior senator from Physics, I'm puzzled because the Provost considers this to be just as complicated as Computer Science. He gave us matrices and formed committees that he sent in deep space to come back with long-range plans. When it came to Computer Science, to me it required judgement and thought and hard consideration, but to him it was simple arithmetic. He just dashed it off in the middle of the year without telling anybody

about it. There is no algorithm in our University guidelines for how to create a college, not in my reading of it. Nevertheless, the guidelines have very clearly assigned to the University Faculty, of whom we are representatives, power to consider programs that cut across colleges that affect general educational policy. If there's anything that cuts across colleges and will affect the general education policy, it is this issue. I don't question the role of the University Faculty here, it needs to be given the right thing to chew on. The plan given in the Task Force Report is not a sufficient description for the plan of the FCI. It needs more plan, then faculty scrutiny, and then Senate approval. I think that the disapproval of the Senate is something to be taken seriously. I think that the administration needs to wait to hear from us on this matter.

"The next part had to do with the requirement. I did a straw poll and will send the results out to you, but needless to say, there was little support for a strict requirement, university-wide. There's a question regarding the Knight Writing Program, but clearly it is not compulsory throughout the University. The Hotel School does not participate in the program. What was said here was not that the idea be dropped, but that it not be pursued on a significant scale. There was the feeling that it might be done at the departmental or college level, but not that massive amounts of resources be put into this. Finally, we would like to instruct the Dean of the Faculty to inform the Trustees about what transpires here, as well as the President and Provost. You can interpret that as you will. In my own view, they have acted with undue haste and undue regard for the views of the faculty. This occurred with the Division of Biological Sciences, the Department of Modern Languages, and other causes. They have acted with undue haste in this matter."

Speaker Howland: "Okay, the motion is before you and open for discussion."

WHEREAS, the Provost's Task Force produced a Final Report on Computing and Information Science that was made available on 16 November, and

WHEREAS, the Final Report contains positive elements but does not adequately reflect the motions of the Faculty Senate that expressed deep reservations about essential elements of the Initial Report and that were passed by strong majorities on 13 and 20 October, and

WHEREAS, the proposed FCI would have powers and resources characteristic of a college,

BE IT RESOLVED that,

1. The Faculty Senate reaffirms that its Motions 2 and 3 are a sound basis for initiating an adaptation to the needs for computing and information science and technology in instruction and research that arise out of the Information Age. The Provost is urged to adopt the suggestions made by the Faculty Senate, to consider other organizational alternatives such as the 'virtual college' suggested by Dean Cooke, and to report to the faculty as his deliberations progress.

2. The Faculty Senate reaffirms the importance of its recommendation to create an independently selected, broadly based Executive Board that will assist the Dean for CIS and will be empowered to set policy for that office.
3. The Faculty Senate's strong opposition to the creation of an FCI (Faculty of Computing and Information) expressed by the adoption of Motion 4 has not been allayed in the Final Report. It is imperative that an entity, such as the proposed FCI, not be created unless a much more detailed proposal is available and has been given deliberate faculty scrutiny and explicit approval by the Faculty Senate.
4. The Faculty Senate maintains that there is little faculty support for the proposed creation of a university-wide undergraduate computing instruction program modeled on the Knight Writing Program. Thus the Senate recommends that this proposal by the Task Force not be pursued on a significant scale.
5. The Faculty Senate instructs the Dean of the Faculty to advise the Board of Trustees, in addition to the President and Provost, of this resolution adopted by the Faculty Senate.

Associate Professor Stephen Vavasis, Computer Science: "I don't mind, but when will I be up?"

Speaker Howland: "Your turn will come right after Professor Bowers."

Professor John Bowers, Linguistics: "I've asked for two minutes to give a report to you on a resolution that was passed by the faculty of Arts & Sciences a week ago. I sense a certain danger here that the dialogue will be decreased to a minimum by introducing this new information, but nevertheless, I wanted to inform you about it. This was introduced by my colleague, Abby Cohn, who became concerned with all of this discussion of the FCI and its relationship to other departments and their faculty. Another essential part of the equation had been left out, mainly the administration of the Arts College and how the administration of all the other colleges would be expected to interact. So, she introduced the resolution at the last Arts & Sciences meeting and there was some discussion on the last part of the resolution and it was eventually added as an amendment during the course of discussion. It basically expresses the concern that resources will be transferred or taken away from the College of Arts and Sciences in order to fund the operations of the new FCI. Second, it reaffirmed what the Senate asked for, which was the creation of the advisory board with certain powers. Third, the amendment that was added asked explicitly that the Arts College budget not be cut for the new initiative of the FCI. We were not only concerned about the financial aspects of this, we were also concerned that the function of the Arts College administration to decide what programs should be supported not be usurped by the FCI, who might be in a position to deal independently. So, what this calls for is that the Dean of Arts and Sciences and other affected colleges be actively involved in the process. I'd be happy to answer any questions that I can, but otherwise this was just for your information."

Speaker Howland: "Thank you. I'll call now on Professor Vavasis for amendments. Now, although we're considering the motion as a whole, we're going to consider the amendments one at a time."

Professor Vavasis: "I have four amendments and a transparency on each one."

Speaker Howland: "I have transparencies of the amended text, if anyone wants to see it this way."

Professor Vavasis: "Oh, okay. So, the current text of clause 2 reads:

"2. The Faculty Senate reaffirms the importance of its recommendation to create an independently selected, broadly based Executive Board that will assist the Dean for CIS and will be empowered to set policy for that office.

"It essentially says that we reiterate our previous motion. My proposed substitute text takes into account that the final Task Force Report was different than the initial one regarding the Advisory Board. So the Task Force heard what people said at the Forum and here at the Senate meeting and added a new section about an advisory board. I'm not a member of CAPP, but I do know that they were not happy with the level of detail on the advisory board, and that's okay. But the point is that now there is a detailed proposal of the advisory board on the table, so the Task Force has taken this to another level. In my opinion, instead of reiterating our previous motion, we should say that the previous motion is a basis for CAPP to propose a counter-proposal or changes to the Task Force proposal so that we could move forward. My motion still affirms motions 2b and 2c, but puts them in a more positive light."

Speaker Howland: "Can everyone read the amendment? Is there a second? Maybe you could read it."

Professor Vavasis: "Okay, the proposed amendment reads:

"2. The Senate recognizes that the Task Force substantially altered its recommendations in response to campus discussions about the need for an Advisory or Executive Board. The Senate affirms that Motions 2(b)-2(c) of October 13 should be the basis for further discussions between CAPP, the Board itself and the Dean of CIS to clarify the duties and powers of Board members."

Speaker Howland: "Is there a second? Okay, discussion on the motion. Professor Stein?"

Professor Peter Stein, Physics: "The junior senator from Physics has a question. (Laughter.) Is it my understanding from the nature of the amendment that this amendment has the same affect as the amendment that was made in the beginning? As the original wording? I'm asking Professor Vavasis. I heard you say that the motion took note of some change but that the force of the complaint is still there in the amendment. Is that correct?"

Professor Vavasis: "Yes, CAPP is complaining that the Task Force did not take into account the Senate's motions 2b and 2c and this is saying, more or less, that same thing in a more polite and progressive kind of way."

Speaker Howland: "Are there any more questions?"

Professor Fine: "To be more precise about this, in 2c it says 'provide policy for actions taken,' so when you are incorporating 2c in there you are accepting that part of the motion that the committee would set policy not just be advisory. Is that your intent?"

Professor Vavasis: "My intent, as the senator from CS, is that 2b and 2c should be the basis of discussion between CAPP and the Task Force. If you're asking me should the advisory board set policy, the answer is yes and no. I mean, this is a complicated matter. Who sets policies? Even for the course I teach, is it me or not? Some policies I set and some I don't. I think that the advisory board should set some of the policies."

Speaker Howland: "Further discussion? Are we ready for a vote? Hearing no objections, we will vote on this amendment. All in favor, say 'aye.' All opposed, say 'nay.' I think we need to see a show of hands. All in favor, please raise your hands while Professor Rasmussen counts. All opposed, please raise your hands. It clearly fails."

Professor Vavasis: "The second amendment is essentially correcting something that I think is an error in the CAPP motion. The resolution says:

"3. The Faculty Senate's strong opposition to the creation of an FCI (Faculty of Computing and Information) expressed by the adoption of Motion 4 has not been allayed in the Final Report.

"In fact, if you read Motion 4 that we passed on October 13, it doesn't say that the Faculty Senate opposes the creation of the FCI. What it says is that the Senate opposes the creation of a large FCI because it could interfere with smaller, more coherent groups within the University. The amended language is:

"The Task Force report does not go far enough to allay the Faculty Senate's strong opposition to a large and uncohesive FCI (Faculty of Computing and Information)."

Speaker Howland: "Discussion? Is there any discussion?"

Professor Stein: "Can we hear a response from the committee if they oppose the resolution?"

Speaker Howland: "Professor Fine?"

Professor Fine: "There is some truth to what he's saying here. Actually, in my role as director of Applied Math, Stephen and I work together very closely, as he is one of the major members of the faculty of Applied Math, and here we are standing shoulder against shoulder, instead of shoulder to shoulder. CAPP did not reject the FCI, we were not committed to it. So, I think it is correct in stating that we were not opposed to the

FCI, just a large FCI. But, there was also no real support for the creation. I'm not going to argue this, though."

Professor Jerry Stedinger, Civil and Environmental Engineering: "I am a member of CAPP and the problem with the amendment is that we didn't criticize an uncohesive FCI. That is something that you added that is not in the original motion. We only referred to a large FC1 and talked about how smaller, more coherent groups would be affected. So this amendment implicitly adds something that we didn't say and therefore is in error."

Speaker Howland: "Yes?"

Professor Peter Bruns, Molecular Biology and Genetics: "I'm disturbed by this because I felt that the original motion was not so much aimed at the product, but at the process. The process must include faculty discussion, and understanding. This is aimed at the product and I don't think that we're aiming at it here."

Professor Vavasis: "Here's the motion that was passed on October 13, it reads: 'The Senate finds that the creation of a large Faculty of Computing and Information Sciences (FCI) is unlikely to accomplish the aims announced for it and may obstruct the evolution of more useful mechanisms for smaller, more coherent faculty groups to engage with the information age.'"

Speaker Howland: "Further discussion. Yes?"

Professor David Rosen, Music: "Would you consider changing 'uncohesive' to 'less coherent'?"

Professor Vavasis: "Sure, that was just my best attempt at summing up the motion. So, can we change 'uncohesive' to 'less coherent.'"

Professor Rosen: "I think that a main part of the opposition to a large FCI that we talked about was that it would be a large FCI."

Speaker Howland: "I'm going to have to rule these motions out of order because they are changing the substance of the motion and according to the rules of the Senate they have to be submitted ahead of time. So, this is going to go up or down unless you appeal the rule of the Speaker."

Professor Stein: "Point of order."

Speaker Howland: "Yes?"

Professor Stein: "One could always ask for unanimous consent."

Speaker Howland: "Yes he can."

Professor Vavasis: "Okay, so I ask for unanimous consent to change 'uncohesive' to 'less coherent.'"

Speaker Howland: "Are there any objections? None, so it's done. Are we ready for the question? Okay, all in favor of the amendment, say 'aye.' All opposed, say 'nay.' The 'ayes' have it."

Professor Vavasis: "The next amendment is for the other sentence of the same clause. The original sentence reads:

"It is imperative that an entity, such as the proposed FCI, not be created unless a much more detailed proposal is available and has been given deliberate scrutiny and explicit approval by the Faculty Senate.

"The proposed rewording is as follows:

"The Provost and CIS Dean should bring detailed plans for the proposed FCI before the Faculty Senate, and that the Faculty Senate should have the opportunity to review the plans and advise the Provost, CIS Dean, and CIS Advisory Board.

"I made three changes, essentially, to the original wording. The first change is that I struck the phrase 'it is imperative' because it wasn't clear to whom the motion was addressed. I tried to clarify this by addressing it to the Provost and the CIS Dean. The second clarification I made was that the original wording 'the proposed FCI not be created' is inaccurate because there is an FCI right now; it's rudimentary, essentially just the CS department's administration. So it does exist. I adjusted the wording to remove the indication that it doesn't exist at all. The third change, probably the most controversial of all, is that in the original wording, the phrase 'explicit approval' seems to say that the Faculty Senate has a final say on the charter of this organizational structure of the FCI and that seems to be not in keeping with the way things are here. For example, the Faculty Senate does not interfere in the administrative role of the Engineering College. The Faculty Senate in general does not get involved in setting detailed policies for individual colleges, so it's not clear to me why the Senate should assert its role as the authority over the proposed structure of the FCI rather than be one partner in the discussion."

Speaker Howland: "Is there a second to the motion? Okay, discussion."

Professor Stedinger: "This is a great amendment because it really asks you to address the question. I think we know who the imperative is addressed to. It talks about the proposed FCI that should not be created, the one that is discussed in the Task Force Report, not this arrangement that happened when CS was moved, so this is not the issue. So the real issue is whether or not we could create something that a lot of people view as soon becoming a complete college and at the moment is almost a college. Certainly, that affects University programs and the structure of the University. Do we want the faculty to look at that and be able to say 'yes' or 'no' before you do something as important as create a new college, or do we just want the chance to review it and advise the Provost with which he could do what you do with free advice? I think it is wonderful that you have the opportunity to say whether you want to be involved in something as important as starting down the road to create a new college."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "That last comment seems to suggest what was supposedly being removed from the current wording and that is that the Senate has the absolute power to require its explicit approval and it is also my understanding that we do not have that power and that by voting it to ourselves we do not achieve it. So that creates ambiguity. My perception is that we could allow the current language to stand if we could get unanimous consent to change the 'explicit approval' to 'explicit recommendation by the Faculty Senate.' That would put us in a position that we are representatives of the Faculty with the power to recommend but not the power to explicitly block as appears to be the case in amendment 3."

Speaker Howland: "Yes, Professor Fine."

Professor Fine: "If I could speak against this amendment, the other one I was inclined to move in favor of, but the Arts College shares this sentiment with us in a letter that was circulated yesterday. I brought only excerpts of it, but I found it particularly interesting that the word 'imperative' appears in the letter. This is convergent evolution because we didn't see this letter before we wrote the motion and they didn't see ours because they wrote this before we wrote ours. The important point here is that it is an imperative issue. We don't have absolute power. The only people who have absolute power are the Trustees, and they were given that by the State of New York. Our powers are of delegation and we certainly have the power to insist that we be given the explicit approval and consideration. That is why we say, 'Be it Resolved that you, President and Provost, don't do anything until you've heard from us.' We absolutely have the right to say that and we're saying it in forceful terms. If you don't like the wording, then you don't have to support it, but we think it is very important that we be given explicit consideration. This is not something that should be done with the back of the hand. There is a lot of self-interest and conflict of interest that arose out of discussions with the Provost. We need to have something that the faculty can trust and we don't specify what that is. Can the faculty insist on having a say on this issue? Yes, I think it's imperative and I think it should be explicit. What we then do with it is something we deal with later."

Speaker Howland: "Would anybody like to speak for the amendment?"

Professor William Arms, Computer Science: "In my one semester on the faculty, I've noticed that there is not always a good relationship between the Faculty Senate and the administration. Sometimes the administration deserves this, but sometimes we deserve it too. If we pass resolutions that make it difficult for the University to do sensible things, if we are deliberately divisive, then we don't deserve the administration to pay us any respect. I believe that the amended resolution is a strong resolution but also a strong resolution in helping us move ahead whereas the original unamended resolution is essentially saying that we are going to be obstructive and that we don't like the administration."

Professor Stein: "May we see it while we're debating it?"

Speaker Howland: "Yes. Professor McAdams?"

Professor McAdams: "Terry's comments do not meet my point. I wasn't saying remove the point 'imperative' and I was not saying to remove the word 'explicit.' I was saying to exchange the word 'approval,' which arrogates to us powers we do not have, with the word 'recommendation.' That, in my mind, is totally consistent with what Terry said. To get to that point would require two actions: (1) vote down the amendment and (2) have unanimous consent to exchange the word 'approval' for 'recommendation.' Now, I don't know which order is technically correct."

Speaker Howland: "Well, I technically have to rule these out of order, but you can appeal the ruling. If you wish to make the motion to substitute 'recommendation' for 'approval' I'll rule it out of order. Someone can then appeal the ruling of the chair and if it passes, that's the amendment."

Professor McAdams: "Well, you see, we have an amendment before us and my understanding of the rules is that we have to deal with the amendment and we can't get back the original wording to do that and only with unanimous approval will my idea work."

Speaker Howland: "I stand corrected. Any more discussion?"

Professor Rosen: "Your recommendation is ambiguous, isn't it? Do you want that ambiguity?"

Professor McAdams: "Yes, absolutely, because we don't have the power to approve or disapprove."

Professor Rosen: "Well, that could mean giving a positive recommendation or giving a recommendation of yes or no. I don't like that ambiguity."

Professor McAdams: "I don't understand the question. All I'm saying is to use the power we have."

Speaker Howland: "Are there any more comments on this amendment? Seeing none, let's move to a vote. We're voting on the amendment before us. All in favor, say 'aye.' All opposed, say 'nay.' The amendment fails."

Professor McAdams: "Now, it's my turn." (Laughter.)

Speaker Howland: "Let's finish the sequence of amendments and then come back to you."

Professor McAdams: "I don't understand. I thought that after it was voted down, I could make an amendment."

Speaker Howland: "The chair rules that after we have finished the sequence of these amendments, we will move on to your amendment."

Professor Vavasis: "Okay, so my last amendment is also correcting what I believe is a mistake in the original motion, which reads:

"The Faculty Senate maintains that there is little faculty support for the proposed creation of a university-wide undergraduate computing instruction program modeled on the Knight Writing Program. Thus the Senate recommends that this proposal by the Task Force not be pursued on a significant scale.

"And my revised wording is that:

"The Faculty Senate maintains that there is little faculty support for the creation of a university-wide undergraduate computing requirement. Thus the Senate recommends that no campus-wide computing requirement be instituted."

Speaker Howland: "Is there a second? Okay."

Professor Vavasis: "The rationale here is that the discussion that took place on October 13 on the motion that didn't pass was about the matter of setting computing requirements. The recommendation from the Task Force is that there should be a program set up that would not only help teach computing, but also help improve the quality of teaching computing, just as the Knight Writing Program not only teaches English, but also improves the teaching of English across campus. I think that it's a great idea and you may disagree, but the point is that we never discussed the program at the meeting; we discussed computing requirements, and I'm trying to address that to accurately reflect what we talked about on October 13."

Speaker Howland: "Thank you. Is there any discussion on this?"

Professor Fine: "The October 13 vote defeated the motion, but a number of us felt that people voted against it for opposite reasons. They would vote against each other if they had the opportunity to do so. I took a straw poll after discussing it at the October 20th meeting that I shared with you. The feeling that came back from the straw poll was that the feelings of the body were that they did not want to see a great deal of centralization of the process. They wanted to deal with this on their own as they saw fit. That was what came back from those responses. Notice, however, that this does not shut the door. It just says that it should not be pursued on a significant scale. It encourages a trial program, to get people's feet wet, but not a massive large-scale program like the Knight Writing Program, which has 60 courses going at the same time. This leaves the opportunity to start something and it reflects the views that came back from the faculty straw poll better than the substitute amendment. And it doesn't close any doors."

Speaker Howland: "Does someone wish to speak for the amendment? Yes."

Professor Michael Todd, Leon C. Welch Professor of Engineering: "I was confused by the discussion at that meeting and I was confused by the straw poll. I think a number of other people were as well. I think that the language may detract from the overall message that the motion is trying to send to the administration. Getting into this minutia seems to be a little premature. I think that if we set policy for the faculty, they will deal with the matter."

Speaker Howland: "Further discussion?"

Professor Stedinger: "The Task Force Report says that, 'The Faculty shall develop and oversee a new University-wide, University computing program modeled after the Knight Writing Program' and my understanding that the majority of the undergraduates at Cornell have to take at least one course in the program and all of the courses have to meet specific requirements. So I think that we know what the Knight Writing Program is about and this is what is in the Task Force Report. The motion that CAPP proposed addressed the Task Force Report, the proposed alternative does not address what is in the Task Force Report and has nothing to do with the issue before the Senate."

Speaker Howland: "Further discussion? Good, may we proceed to a vote? Evidently we can. All of those in favor of the amendment, say 'aye.' All of those opposed, say 'nay.' The motion fails. The chair is pleased to recognize Professor McAdams."

Professor McAdams: "I would like to propose an amendment to the matter dealt with in Amendment 3, specifically to exchange 'explicit approval' with 'explicit recommendation.'"

Speaker Howland: "Do I hear a second?"

Professor Rosen: "You need an 'an' before 'explicit.'"

Speaker Howland: "Yes, 'an explicit recommendation.' Do I hear a second?"

Dean Cooke: "Point of order. I thought you were going to rule this out of order." (Laughter.)

Professor McAdams: "I appeal."

Speaker Howland: "Well, you can't appeal until I rule this out of order. (Laughter.) I am compelled to rule this out of order."

Professor McAdams: "Okay, I appeal."

Speaker Howland: "Okay, ruling of the chair has been appealed. Will the ruling of the chair be sustained by the body?"

Professor Stein: "Surely this is a debatable item, appealing the ruling of the chair?"

Speaker Howland: "Would you like to debate?"

Professor Stein: "Yes. (Laughter.) The whole notion of distributing things in advance is to give people time to think about it. I think that this is a substantial recommendation that may or may not change the meaning. I don't know what it means. I'm not sure I understand this, and the procedures of this body were to avoid this situation. So, I believe that irrespective of if it's good or not, I think that it should not be considered at this meeting because it will cloud the issue."

Speaker Howland: "Professor McAdams?"

Professor McAdams: "If this change is not made, and we approve the whole thing, then the Senate will be, in effect, going forward and arrogating powers to ourselves which we do not have and that is not ambiguous. What it says is that the matter should be given deliberate faculty scrutiny and approval before anything can happen. The Senate does not have that power; at best we can recommend."

Dean Cooke: "I would join Professor Stein in saying that we put these procedures in place so that changes would be out for your consideration before they come out on the floor. It is a dangerous practice to modify a thing of consequence on the spot. So, I would vote with the chair."

Speaker Howland: "Okay, questions? Okay, should the ruling of the Chair be supported? All in favor, say 'aye.' All opposed, say 'nay.' I think the 'ayes' have it. Now we will proceed to a vote on the entire motion unless there is further discussion. Are you ready for the vote on the motion? We are approaching the end of the allotted time for this, so I would ask for unanimous consent to take the time allotted for 'Good and Welfare' and add it to this consideration. Is there any objection to that? Okay, Professor Stein."

Professor Stein: "I find myself feeling a bit like Alice in Wonderland. We sit here and make a lot of motions, and Professor McAdams was concerned that we arrogated powers to ourselves that we don't have, and I hope that everyone knows that everything we do pass is only recommendatory. My question is, how have the people who make decisions treated the recommendations we have made thus far? If I remember properly, two months ago we passed a motion asking for a discussion between the Dean of Engineering, the Dean of CIS, and some other bodies. Can someone inform me if those discussions ever took place? Dean Cooke or Professor Fine, do you know?"

Professor Fine: "I believe that the Provost was waiting for the Final Task Force Report."

Professor Stein: "But didn't we ask for a discussion between these people, and several Deans."

Professor Fine: "Yes, but I thought the Provost was awaiting the Final Task Force Report before doing that."

Dean Cooke: "That's my interpretation also. Dean Constable is present and he was one of the parties to that so he may know more."

Professor Robert Constable, Dean for Computing and Information Sciences: "No, I was not a party to that."

Dean Cooke: "Well, as far as I know, that discussion has not happened in the sense that we asked."

Professor Stein: I would just like to point out, as an old Day Hall ham, that it is usual that at the January meeting of the Board of Trustees, an important initiative is announced. There are a lot of people on the campus who believe that before the Senate meets again, this change will be made at the January meeting of the Board. I have no insider information, but I find myself a bit disturbed at the pace at which things are taking place and the amount of influence that the faculty actually has on the process that is going on. So, I would like to ask the Dean of the Faculty that if at the January meeting of the Board this proposal is put together to make it official that there is an FCI, that he publicly state that the Senate has made very strong and nearly unanimous recommendations against the proposal in its current form."

Dean Cooke: "I did have a very pointed conversation with the President and the Provost about this issue in which I stated that we were headed for a train wreck, and I urged them to be involved in the conversations before we reach a point where there are strongly held positions that are not reconcilable. His response was that the Dean's Council would discuss this in December, I think the 13th, and that after that input from a large number of parties would be taken into account. I do not know if that will be taken up at the January Trustee meeting, but the University Faculty Committee will act on behalf of the full Senate if there's a need for that or if there's a need to pull this body together. At the moment, there is nothing to justify our declaring that we will have a meeting."

Professor Arms: "I'd like to move that we vote on this resolution in separate parts since there are five separate quotes and maybe we should give these a second look."

Speaker Howland: "So, this is a motion to divide. Is this debatable? Okay it is. Is there a second to this motion? There is a second."

Professor Arms: "My reason is quite simple. I find myself in the position that there are some parts of this that I think will be agreed upon unanimously and I think that there are others that will be debatable. I want to look differently at different parts and I think others may want to as well. The Dean of the Faculty just talked about a danger of heading for a train wreck, and I think that if we affirm very vigorously where we stand we will not move towards a positive resolution."

Speaker Howland: "Debates?"

Professor Stedinger: "I think that the earlier amendments gave the opportunity to address each issue separately and having done that, and given the hour, it seems appropriate to go with the package."

Speaker Howland: "May I call the question now on the motion to divide? Okay, all in favor of the motion to divide the main motion please say 'aye.' All opposed please say 'nay.' The motion fails.

"May I now pass on to the vote on the main motion? I will put the transparency up of the motion with amendments. Can we vote on the motion? Hearing no objections, we will vote on the motion. All in favor of the motion, please raise your hand. All

opposed to the motion, please raise your hand. Abstentions? The motion carries with a vote of 49-3-4.

*WHEREAS, the Provost's Task Force produced a Final Report on Computing and Information Science that was made available on 16 November, and*

*WHEREAS, the Final Report contains positive elements but does not adequately reflect the motions of the Faculty Senate that expressed deep reservations about essential elements of the Initial Report and that were passed by strong majorities on 13 and 20 October, and*

*WHEREAS, the proposed FCI would have powers and resources characteristic of a college,*

*BE IT RESOLVED that,*

*1. The Faculty Senate reaffirms that its Motions 2 and 3 are a sound basis for initiating an adaptation to the needs for computing and information science and technology in instruction and research that arise out of the Information Age. The Provost is urged to adopt the suggestions made by the Faculty Senate, to consider other organizational alternatives such as the "virtual college" suggested by Dean Cooke, and to report to the faculty as his deliberations progress.*

*2. The Faculty Senate reaffirms the importance of its recommendation to create an independently selected, broadly based Executive Board that will assist the Dean for CIS and will be empowered to set policy for that office.*

*3. The Task Force report does not go far enough to allay the Faculty Senate's strong opposition to a large and less coherent FCI (Faculty of Computing and Information). It is imperative that an entity, such as the proposed FCI, not be created unless a much more detailed proposal is available and has been given deliberate faculty scrutiny and explicit approval by the Faculty Senate.*

*4. The Faculty Senate maintains that there is little faculty support for the proposed creation of a university-wide undergraduate computing instruction program modeled on the Knight Writing Program. Thus the Senate recommends that this proposal by the Task Force not be pursued on a significant scale.*

*5. The Faculty Senate instructs the Dean of the Faculty to advise the Board of Trustees, in addition to the President and Provost, of this resolution adopted by the Faculty Senate.*

Speaker Howland: "Okay, we'll pass now to Professor Robert Kay for a motion on note taking from the Educational Policy Committee."

## **6. RESOLUTION FROM THE EDUCATIONAL POLICY COMMITTEE ON NOTE TAKING**

Professor Robert Kay, Geological Sciences: "I'm standing in for the senior senator from my department and he's done a considerable amount of work on this. He's talked to a

number of different people and consulted with the Academic Integrity Hearing Board as well as responded to a number of inquiries by list serve. This is all since November. This resolution is the second version of another one, but it has some differences from the one you saw in November. Here is what we had formerly called the 'Note Taking for Profit' Resolution (Appendix B, attached.) The impetus for this comes from the activity of various note taking firms on the Web although this is a more general resolution than that. That's why it came about. The rationale and comments that accompanied the Call to the Meeting are fairly extensive – three pages long – and I'm not going to go over that, but you should be aware that there is considerable division of opinion about the activity of posting class notes on the Web without consultation of faculty members and about the resolution itself. I think these differences in opinion are reflected in the rationale and comments.

"On the one hand, you could say that the dissemination of knowledge is a goal of education and so, therefore, any notes that are put on the Web are disseminating knowledge and that's great. On the other hand, the unauthorized dissemination of course materials may not be commendable and all of the issues revolving around copyright, intellectual property, violation of the Academic Integrity Code, classroom trust, structure and accuracy, all come up in this. I've tried to cut through this to some extent, but just to let you know, this stuff was in the air in the last couple of months. The resolution itself addresses the most commonly held concerns in reference to some of the Internet providers."

Dean Cooke: "This is the one that came from the committee (Appendix B, attached), but it has an amendment that has yet to be proposed."

Speaker Howland: "Fine. The resolution is open for discussion and I'd like to call on Professor Jonathan Ochshorn."

Associate Professor Jonathan Ochshorn, Architecture: "I am offering an amendment. Should I ask that it be seconded before I go on?"

Speaker Howland: "Well, let's put it up so we can see it. The amendment is to strike some of the wording and replace it with 'academic staff.' I think that there are just a couple of additions on the second page and that the bulk of the changes are on the first page. Is there a second? Okay."

Professor Ochshorn: "The gist of the amendment (Appendix C, attached) is in the Whereases. The first Whereas deals with trust and is left intact. The second Whereas I think is just wrong. It says that 'the faculty member in charge of a course is responsible for the accuracy of the materials disseminated,' and I don't believe that's true. A faculty member is not responsible, especially for unauthorized dissemination of materials. So, my proposal is to change it to say, 'Whereas, control over the accuracy of available course material may be compromised by the dissemination of unauthorized material,' which I think is more to the point of the resolution.

"Next, I propose to delete the third Whereas, which deals with copyright law, intellectual property. I've had some conversations with the University Counsel on this, although he may not necessarily support what I'm saying, and it is my impression that

you cannot make the case on the basis of copyright law for this resolution. In fact, you have to make the case based on the educational environment and educational policy. I think that we could potentially get ourselves into trouble by putting in legal statements about intellectual property that have not been supported by the courts, as I understand it. It could give someone a way to challenge this resolution if it ever went to court. I would prefer to just eliminate that Whereas altogether.

"The final change is that the resolution generalizes faculty to academic staff, which is the more general term that includes instructors, lecturers and so forth, who are not faculty but deal with course material."

Speaker Howland: "Discussion is open on the amendment. (Someone asked if the amendments could be considered separately and the speaker asked for unanimous consent). Since we will consider these separately, the first amendment is to replace 'faculty' with 'academic staff.' Discussion?"

Professor Stephen Hamilton, Human Development: "I have a question of fact. In the University Appointments Manual, instructors and lecturers are listed as 'types of faculty.' That implies to me that they occupy faculty positions and that this is unnecessary."

Professor Graeme Bailey, Computer Science: "Would teaching assistants and graduate students who prepare materials be classed as faculty? I suspect not and, therefore, would they be included under academic staff?"

Dean Cooke: "The University Bylaws specify University Faculty, which is the tenure-track and some others. There are also College faculty members, which includes people who are not members of the University Faculty, and there are others who are not considered part of the College faculty."

Speaker Howland: "Further discussion on Academic Staff? Professor Stein?"

Professor Stein: "It seems like a good idea, maybe it's not necessary, but I can't see that it would hurt to get that in there."

Speaker Howland: "Can we move to the question?"

Professor Fine: "Was that really Professor Stein?" (Laughter.)

Speaker Howland: "Can we move to the question? All those in favor of inserting 'Academic Staff,' say 'aye.' All of those opposed, say 'nay.' The amendment passes. The next amendment strikes the part about a faculty member's responsibility over material. Is there any discussion on this?"

Professor Kay: "I would just say that Professor Galik and I discussed this in committee and both of us feel responsible for the accuracy of the material attributed to the course, attributed to Cornell, no matter where it appears. This certainly does change the nature of the statement considerably."

Professor Ochshorn: "To that I would say that we may feel responsible, but that's not what it says. It says, 'Is responsible,' which is quite different."

Speaker Howland: "Further discussion? May we vote on the substitution? All in favor, say 'aye.' All opposed, say 'nay.' It passes. The next is to move to strike the third 'Whereas' paragraph. Is there any discussion?"

Associate Professor Tony Simons, Hotel Administration: "As I understand it, the copyright position on these things is still up for debate, it's not a clear issue. I'd recommend that we should assert that it should be considered intellectual property."

Speaker Howland: "Professor Stein?"

Professor Stein: "I thought that Professor Ochshorn made an interesting point. I think Tony's wrong in saying that the amendment asserts that the material is intellectual property. It just says that it should be. The point that Jonathan made that caught my attention and to which I'd ask Mike Kimberly to comment on was that he felt that this 'Whereas' may weaken our stance and create a way to attack this in a court of law if we put this in. God forbid a 'Whereas' should weaken a resolution. Would Counsel comment on that?"

Speaker Howland: "Would the University Counsel like to comment on that?"

Michael Kimberly, University Counsel: "If you read this carefully, it does say 'should.' It doesn't mean that you're taking the authority. However, if I'm representing a student and I look at this and I see a reference to copyright I can try to make something of that and introduce copyright to muddy the waters. Whether that would survive or be a winning argument, I don't know. I don't think that's necessary for what we're doing."

Speaker Howland: "Further discussion? Seeing none can we move to the question? All of those in favor of striking this paragraph, say 'aye.' All of those opposed, say 'nay.' Striking carries. (Someone called for a show of hands). Okay, show of hands. All of those in favor of striking the paragraph, raise your hand. 35 for. All of those opposed, raise your hands. 14 opposed. Motion to strikes passes. I think that finishes it up. Oh, no, we need to vote on the whole motion. (Laughter.) Discussion on the motion? Yes?"

Professor Joseph Hotchkiss, Food Science: "I am a victim of this process, and my question is that in my experience the person taking the notes was not a student in the course and may not have been a student in the University. This amendment seems only to apply to students in the course. Is that true? As a follow-up comment to that, for individual faculty members there seems to be a very simple solution to this, which is to put your own notes on a website and password it for your students. So, does this resolution only apply to students in the course?"

Professor Kay: "Yes it does. But perhaps you should have kicked that other student out as he doesn't belong in your room."

Professor Hotchkiss: "Something similar to that has come up in department discussions on this issue, which is does the instructor of a course have the authority to exclude

people from classes? Can you selectively exclude those people while allowing others who are not enrolled in the course, such as visiting faculty, to attend?"

Professor Kay: "I think that the answer to that is yes and we proceeded under that assumption."

Speaker Howland: "We are approaching the hour, so we'll just have a few more comments. Yes?"

Associate Professor William Carlsen, Education: "We've now struck the explicit language about the intellectual property issue and I think that it is fundamentally the heart of this resolution. Although we've taken it out of the motion, I think that the interest in approving this as policy is fueled by intellectual property concerns. I think that the concern needs to be balanced against the concern to make sure that we promote truth in our classrooms and that we hold the faculty accountable for what happens in classrooms. I would urge my colleagues to vote this resolution down because I don't think that it adequately protects students' rights while it certainly does provide faculty rights."

Associate Professor Michael Shapiro, Communication: "My department was clearly divided on this and I'm a little divided myself, but the part that bothers me the most is the decision to make this academic misconduct. We already have enough difficulty in addressing more serious breaches of misconduct, like cheating, and to add something like this muddies the waters of student understanding of academic misconduct and academic integrity. My second point is that this is unenforceable and what will rapidly happen is the people who are running these websites will make students anonymous and we will be nowhere. I see this as unenforceable and I agree with Bill that the thrust here should be that this is our property and I don't see how punishing students will be productive."

Speaker Howland: "Speaker for the motion?"

Associate Professor David Stipanuk, Hotel Administration: "I'm also a member of the Educational Policy Committee, and I really don't understand the arguments that have been made against this motion. The committee, in looking at these issues and making up the motion, has been flexible. The statement does not require students to be prosecuted. What is set forth here is a circumstance of when a faculty member does not wish to have notes used on websites or in other ways, does not want to participate in a quality assurance process related to those services, as is done with Take Note. Some faculty find that a valuable service and they provide assistance to ensure that the notes are proper. What is set forth here is the ability for faculty to decide that they do not wish to participate in this form and in this mode. There's no requirement here that a student be charged under the Code of Academic Integrity if they participate in this. There is a statement that this is the purvey of the faculty member to work out this agreement and to state whether they wish or do not wish to have these things out there. I don't think it's coercive."

Speaker Howland: "In the hopes that we can finish this, I'm going to ask unanimous consent to continue this discussion."

Professor Nicholas Sturgeon, Philosophy: "I have some knowledge of this because one of my colleagues who was unable to be here has had her notes put on the Web and after she complained several times she was told that it wasn't a 'permission-based' operation. I have three things to say about this. The first is that this was certainly felt by her to be a serious breach of trust and referring to it as a minor problem seems to me to not take seriously what's happening when someone's notes are put on the Web. She also heard about it from colleagues at other universities who had seen her notes on the Web. The second thing is about this being unenforceable. The student doing it in her case was not enrolled, but it wasn't too hard to find out who it was. It could have been handled without this legislation, since the student wasn't enrolled, but it makes a statement to those who are enrolled that there is this policy. Third, in fact, the organization that was running this website is now running to change its policy. I just got some stuff in the mail that indicates that they are suddenly, in response I think to motions of this kind by university faculties, approaching faculty and offering copyrights if the faculty member agrees to have notes posted. They want to make all sorts of arrangements to be friendly to faculty. That's in response to motions like this one and it seems to be very important to let them know that we pass motions like this one."

Speaker Howland: "Can I have one more question or do I hear a call for the question? Okay, one more and then we must concede to the question."

Associate Professor Walter Mebane, Government: "I have just a couple of points. I'm happy to be a member of the Academic Integrity Board of the Arts College so I'm a little disturbed to hear a couple of these things. The first is that the plain language of the motion seems to apply to all students, not merely students who are in the course. In point, students are now authorized to replicate and to produce and it seems manifest that there are no overt limitations to those enrolled and it clearly would apply to anyone who was a student. The other comment that disturbs me is the one that it would not be necessary for someone to prosecute a student. That is, begin an academic integrity review process if they were to find a student in violation of this. It's somewhat like saying that it's not necessary to prosecute someone for plagiarism should one find that it has happened in one's course. There are, at least in the Arts College, explicit procedures including a primary hearing, and then the process starts. The provision that would put this in the Code of Academic Integrity would, I assume, be taken seriously and so one would, if one is compelled to follow procedures at all as a faculty member, be equally compelled to proceed according to one's judgement with respect to this action. I guess I have one question for the composer and that is that I'm really concerned about the words 'written consent' in the second point of this. The part that says that general distribution to others requires the written consent of the faculty member or class participant. This would imply that a student could not give their own notes to a friend of theirs without written consent (some murmuring in the room) – Okay, to a bunch of friends of theirs. So I would ask if the proposer would be willing to strike the word 'written' and just leave 'consent.'"

(Someone called the question.)

Speaker Howland: "The question has been called. All in favor of moving to the vote, say 'aye.' All opposed, say 'nay.' No oppositions. We'll move to the vote then on the main motion as offered."

Professor Mebane: "Wait, what just happened?"

Unidentified: "We moved the question and now we're going to vote on the motion."

Professor Mebane: "But I objected."

Unidentified: "That's not enough."

Professor Mebane: "Orders of the Day."

Speaker Howland: "Orders of the day are to move to the question."

Professor Mebane: "No, Order of the Day means that we adjourn at six."

Unidentified: "But it isn't six."

Professor Mebane: "Yes it is."

Speaker Howland: "All in favor of the main motion, as amended, say 'aye.' All opposed? The motion passes."

*WHEREAS, an effective educational environment requires an atmosphere of trust among the participating students, faculty, and academic staff, and*

*WHEREAS, control over the accuracy of available course material may be compromised by the dissemination of unauthorized material,*

*THEREFORE, BE IT RESOLVED that it be Cornell policy that*

*lectures and course materials presented, transmitted, or distributed by Cornell faculty and academic staff and/or class participants are intended exclusively for use by students enrolled in the subject class in furtherance of their academic pursuits; and that*

*students are not authorized to replicate, reproduce, copy or transmit such materials, or "derivative" materials, including class notes, for sale or general distribution to others without the written consent of the faculty or academic staff member of class participant who is the original source of such materials; and that*

*violations of the above constitute academic misconduct as described in the Code of Academic Integrity and may result in withdrawal from the course in question and appropriate disciplinary action, as prescribed in that Code; and that*

*the Dean of the Faculty see that this policy is clearly brought to the attention of faculty, academic staff and students through publication in the Courses of Study, in the Policy Notebook for the Cornell Community, in student, faculty and staff handbooks, and in*

*registration materials such as the Course/Room rosters and further that the see that the Code of Academic Integrity be modified to specifically include these actions as an example of academic misconduct.*

Dean Cooke: "Can I just have ten seconds for announcements? Here are some programs from the Corson Symposium and I urge you to get one of them if this sounds of interest to you."

Meeting was adjourned at 6:00 p.m.

Respectfully Submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

## KEY EXCERPTS FROM COURT OPINIONS IN MAAS

### MAAS

"In assessing this employment relationship between the academic institution and its faculty members, we are satisfied that the University's adherence to its own internal procedures does not qualify for judicial cognizance."

"This Court's case law reflects the policy that the administrative decisions of educational institutions involve the exercise of highly specialized professional judgment and these institutions are, for the most part, better suited to make relatively final decisions concerning wholly internal matters . . . This jurisprudential guidepost stems from the belief that these institutions are 'peculiarly capable of making the decisions which are appropriate and necessary to their continued existence' . . ."

"Maas has failed to plead a cognizable breach of contract action. The University nowhere reflected an intent that the provisions of its [Campus] Code [of Conduct] would become terms of a discrete, implied-in-fact agreement, for purposes such as are alleged in this lawsuit. The Code itself is heavily informational in nature and does not express or support the implication of any promise on the part of the University."

"Cornell's handbook clearly states that it can be altered at any time (impliedly unilaterally), and cautions readers and affected persons to seek out the most updated edition. That feature is hardly the harbinger of a legally binding set of arrangements."

## KEY EXCERPTS FROM COURT OF APPEALS DECISION IN STOLL

### STOLL

"The [statutory] college are unique, sui generis institutions created by statute -- public in some respects, private in others."

"Several aspects of the administration of the colleges have been committed by the Legislature to Cornell's private discretion. Cornell, for example, is specifically charged with creating the academic curriculum, hiring faculty, maintaining discipline and formulating educational policies for the statutory colleges . . . The SUNY Board of Trustees does not have direct operational authority over the statutory colleges, as it does of SUNY generally."

"[T]he law is settled that, for a number of other purposes, the statutory colleges are not State agencies, including: tort law . . ."

"Given the hybrid statutory character of the colleges, we cannot agree with the dissent that they should be categorically deemed agencies of the State for the purposes at issue because of a compilation of factors on the State side of the column [e.g. state funding, annual financial reports, SUNY approval of deans' appointments, state title to property]. Of equal significance is the list of statutory indicia that denote a private entity and function, not subject to any State direction or oversight."

"Cornell has implemented a single system for administering discipline in the statutory colleges and in its private colleges."

"[T]he activity in issue becomes significant in defining whether the entity itself is, or is not, a State agency."

The Court's decision confirms that the private status of Cornell University is not compromised by its management of the contract colleges while recognizing their "hybrid" public and private characteristics. The Court concludes that with respect to actions or matters within the legislative grant of "private discretion" to Cornell FOIL would not apply. (Examples cited by the Court are curriculum matters, hiring of faculty, maintenance of discipline, formulation of education policy and employee matters.) We believe this principle covers the vast majority of matters involving administration of the statutory colleges. Since the Court does, however, hold out the possibility, without deciding the matter, that other more public aspects of the statutory colleges may be subject to FOIL we ask that you seek the advice of University Counsel should you receive a FOIL request.

Resolution for December FS Meeting  
From the Educational Policies Committee

Whereas an effective educational environment requires an atmosphere of trust among the participating students and faculty, and

whereas the faculty member in charge of a course is responsible for the accuracy of the material disseminated, and

whereas materials created by a member of the faculty in preparing courses should be considered the intellectual property of that faculty member,

therefore be it resolved that it be Cornell policy that

lectures and course materials presented, transmitted or distributed by Cornell faculty and/or class participants are intended exclusively for use by students enrolled in the subject class in furtherance of their academic pursuits;

... and that ...

students are not authorized to replicate, reproduce, copy or transmit such materials, or "derivative" materials, including class notes, for sale or general distribution to others without the written consent of the faculty member or class participant who is the original source of such materials;

... and that ...

violations of the above constitute academic misconduct as described in the Code of Academic Integrity and may result in withdrawal from the course in question and appropriate disciplinary action, as prescribed in that Code;

... and that ...

the Dean of the Faculty see that this policy is clearly brought to the attention of faculty and students through publication in the Courses of Study, in the Policy Notebook for the Cornell Community, in student and faculty handbooks, and in registration materials such as the Course/Room rosters and further that he see that the Code of Academic Integrity be modified to specifically include these actions as an example of academic misconduct.

Rationale and Comments  
December 1999

At Dean Cooke's suggestion, this background note has been updated and expanded.

The proposed resolution is in *italics*.

This resolution stems from the recent activities of web-based providers of class notes who have, in general, not obtained the approval of the faculty member in charge of the course to place the notes on the web. [See, e.g., <http://www.versity.com> ]. Hopefully we have made it a little broader than that, without watering it down. University Counsel **has** been involved throughout the process of drafting this resolution.

We do not see this resolution as being the "last word" on the subject: (i) technology will advance and the faculty will be faced with new challenges of this type in upcoming years; (ii) we hope to generate a statement of student rights and responsibilities to help foster the proper classroom environment. However we feel it will serve as an effective deterrent, minimize the problem, and give the faculty a basis for action in these matters.

The three "whereas" clauses cover the three most commonly heard concerns about these Internet providers

*Whereas an effective educational environment requires an atmosphere of trust among the participating students and faculty, and*

Note that this does not limit our concern to just the faculty but to the overall environment of the classroom setting. We all need to work on improving this environment and not simply come up with a list of do's and don't's and punishments.

*whereas the faculty member in charge of a course is responsible for the accuracy of the material disseminated, and*

At the November Senate meeting it was suggested that we include in the resolution a disclaimer to avoid possible litigation stemming from harm cause by inaccuracies in copied notes and such. Counsel has assured us that faculty members are already protected and that adding such a disclaimer would give the false impression that they were not already covered.

*whereas materials created by a member of the faculty in preparing courses should be considered the intellectual property of that faculty member,*

We have used the words “should be”, not “are”. Counsel has made it clear that attempts to bring legal action based on intellectual property rights have **not** been upheld in the courts; articles in the *Chronicle of Higher Education* also indicate that such legal claims are hard to defend in court. Further questions of a legal nature should *please* be directed to Counsel directly.

To our understanding, any “durable” form of lectures (prepared notes, audio tape, etc.) are automatically copyrighted. How to effectively use this fact is less clear to us. Interested faculty should pursue this avenue with Counsel directly.

*therefore be it resolved that it be Cornell policy that*

While there is an issue of academic **trust**, violations of academic integrity typically involve misrepresenting someone else’s work as your own - clearly **not** the case here. Conversations with the Chair of the Academic Integrity Hearing Board (Prof. Long) and others have led us to properly classify violations as being “academic misconduct” which is described in the Code of Academic Integrity, paragraph I.C.3.b.

*lectures and course materials presented, transmitted or distributed by Cornell faculty and/or class participants are intended exclusively for use by students enrolled in the subject class in furtherance of their academic pursuits;*

We specifically included other class participants to protect students from having their contributions to the discussion similarly abused. Cornell policy already allows the faculty to evict from the classroom **anyone** not registered in the course; even auditors need faculty permission to attend. As pointed out in the November Senate meeting, we specifically include all students enrolled in the class as being the intended users of such materials.

*... and that ...*

*students are not authorized to replicate, reproduce, copy or transmit such materials, or “derivative” materials, including class notes, for sale or general distribution to others without the written*

*consent of the faculty member or class participant who is the original source of such materials;*

The word 'original' is somewhat important so that one does not take the narrow reading that the source of the written notes is the **student** who took them. The word "general" should assure students that they can give a friend *in that class* a copy of their notes without consulting the faculty member in charge. We have rejected specific language that would make it 'OK' to sell notes within your class.

One common complaint heard is that this resolution attacks the student and not the companies involved. But we do *not* have an educational compact with the companies, only with the students. The intention of the legislation and its thorough dissemination is to dry up the supply of notes to such companies, not to go on witch-hunts for students.

*... and that ...*

*violations of the above constitute academic misconduct as described in the Code of Academic Integrity and may result in withdrawal from the course in question and appropriate disciplinary action, as prescribed in that Code;*

Counsel and the committee have spent a long time on this phrasing. Note that we are not **requiring** withdrawal as part of the resolution. Given that the role of the AIHB is defined in the Code, Counsel urged against including that role specifically again. Note that the Code (paragraph I.C.3) allows for "grade penalties" and it is not clear (to Counsel or to us) that "withdrawal" *is* a grade penalty; that is why the phrase indicating possible withdrawal was left *in* the paragraph ... presumably students would prefer a "W" to an "F". Also note that paragraph I.C.3.b spells out the appeals process for the student

Individual faculty members who are concerned about this activity in their classrooms should also include this policy as part of their course handouts and make appropriate announcements at the beginning of the semester.

*... and that ...*

*the Dean of the Faculty see that this policy is clearly brought to the attention of faculty and students through publication in the Courses*

*of Study, in the Policy Notebook for the Cornell Community, in student and faculty handbooks, and in registration materials such as the Course/Room rosters and further that he see that the Code of Academic Integrity be modified to specifically include these actions as an example of academic misconduct.*

An example of the modifications might be a specific example as paragraph I.C.3.c. Included in this modification could be, as suggested by Prof. Long, that records of such misconduct be kept in a similar “locked file” as records from convictions of violations of academic integrity.

# PROPOSED AMENDMENT TO THE RESOLUTION FOR DECEMBER FS MEETING FROM THE EDUCATIONAL POLICIES COMMITTEE

Submitted by Jonathan Ochshorn, Architecture

(A) Second whereas: change from:

"whereas the faculty member in charge of a course is responsible for the accuracy of the material disseminated, and"

to:

"whereas control over the accuracy of available course material may be compromised by the dissemination of unauthorized material,"

(B) Delete third whereas:

"whereas materials created by a member of the faculty in preparing courses should be considered the intellectual property of that faculty member,"

(C) Change: "faculty" to "academic staff" where the word occurs in the motion.

## **Rationale:**

(A) The "faculty member" is precisely NOT responsible for the accuracy of the material disseminated, especially when it is disseminated by unauthorized persons; the proposed amendment is more explicit about the University's interest in exercising more control over the accuracy of disseminated materials.

(B) Michael G. Kimberly, Deputy University Counsel, Office of University Counsel makes a distinction between copyright (intellectual property) interests and rules of student conduct. If intellectual property is not the (legal) issue, perhaps we should not raise it as a basis for our policy. Michael G. Kimberly wrote:

"Professor Ochshorn, in response to your question the distinction here is the premise or basis upon which you take action. If the violation is premised upon a violation of copyright interest then serious questions arise as to whether a copyright interest is violated in the case of classroom notes. In fact in at least one case of which I am aware a federal court in Florida denied a copyright claim on facts similar to these. On the other hand the University does have the right to adopt reasonable rules of student conduct, both within and without the classroom. A violation of rules does not have to also constitute a violation of law, in fact many if not most do not. Policy/rules violations may be the subject of disciplinary action under university procedures, provided of course that the action constitutes a violation of the particular enforcement code or rule. As currently proposed, violations would be treated exclusively under the Code of Academic Integrity as an 'academic misconduct' violation. The Code provides that these violations are subject to imposition of a grade penalty. There is admittedly not a lot of legal precedent around these issues, however I believe that the current direction (policy violation as opposed to copyright

violation) provides the best legal footing should you determine to proceed. I hope this is helpful."

(C) "faculty" refers only to tenured and tenure-track academic staff (assistant professors, associate professors, and professors) and excludes lecturers, instructors, visiting professors, and so on. "Academic staff" is the more general term for people who may be "in charge of courses."

12/7/99

**MINUTES OF A FACULTY SENATE MEETING**  
**February 9, 2000**

Speaker Howard Howland: "I'd like to remind you that no photos or tape recordings are allowed during the meeting. I'd like to call now on Dean Cooke for remarks."

**1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "Once again we have a full schedule so I will go through my comments rather quickly. Regarding the Trustee Scholarship Campaign, the University Faculty Committee, on your behalf, after the December meeting produced a resolution of commendation for the Trustees who chaired the scholarship campaign. I don't know what counts as real money; a million here and a million there eventually counts as real money, but \$220 million is big in my opinion. We sent the letter and I will send you a copy of their responses.

"The Trustees endorsed the Statement on Diversity that you approved in December and that was approved by four other campus-wide governance groups. The Trustees, of their own initiative, chose to endorse it also.

"We have an online forum. We have a history of producing additional resource materials and faculty commentaries on the issues of faculty forums. We have decided to expand that effort and to allow that conversation to occur on other topics even though we may not hold a university-wide meeting to discuss them. Once we started down that path, we realized that there were some issues of operation that we needed some advice on, so I called for a committee chaired by Don Schwartz, Professor Emeritus of Communications. You have a copy of their report (Appendix A, attached) and in the interest of saving time, I will allow you to ask questions of Don if there is anything you want to ask in front of the group. If not, I would ask that you save the questions until after the meeting. Don is here, in the back, for that.

"We have a faculty forum in mid-March, I think it's the third Wednesday, that will deal with teaching and learning. It has one historic dimension, the Dean of the Faculty and the Dean of the Students decided to do something together. (Laughter). We'll give you the details in writing.

"The video, *Dale Corson: Cornell's Good Fortune*, was shown a few minutes ago. If you wish to have a copy of it to show to college or departmental faculty, send a note to the Dean of Faculty's Office and we can loan you a copy. It's 18 minutes in duration.

"Finally, it's conflict of interest time again. The University Conflicts Committee has now met and approved the statement. It will be the same as the one used last year, the same questions and wording. The only changes we're proposing is to collect the first part of the form by way of the network and it will be optional, so if you wish to do it with paper, you're free to do so also. However, we have over 4,000 highly confidential forms that need to be guarded and shredded and it seems more natural to do Part 1 electronically. Part 2, for the 10% or roughly 400 people who have to complete a more detailed statement, will be done on paper. The deadline, so that you can plan ahead

and check your records, was intentionally made to coincide with the dreaded April 15 date. That's the extent of my comments, thank you."

Speaker Howland: "Thank you very much Dean Cooke. I'd like now to call on Provost Randel for a brief question and answer period. Before I call him up, however, I'm sure I echo the sentiments of the House in congratulating him on the Presidency of the University of Chicago." (Applause).

## 2. QUESTION AND ANSWER SESSION WITH THE PROVOST

Don Randel, Provost: "Since relatively little time has been allocated for this, you may proceed to take off the gloves. I should say that the Corson video was inspiring. Combined with the obituary of Bob Wilson, it makes one think there was a time when giants walked upon the earth and we should sit up straighter in our chairs and try to live up to that. I see there is a question in the back."

Professor William Lesser, Agriculture, Resource, and Managerial Economics: "First let me add my personal congratulations to you. My question goes back to November 12, 1997 when I asked you some questions about the cost and funding of the North Campus Housing Initiative. As part of your response to that question, you said the following, 'It has to be said that alumni have expressed considerable interest in this [referring, of course, to the North Campus Housing Initiative] and we may see some gifts as a result. But there will be no fundraising efforts to support this.' That's an issue now because quite a bit more recently, there was a generous gift of 100 thousand. . ."

Provost Randel: "100 million." (Laughter).

Professor Lesser: "I'm sorry, I'm an economist, we don't worry too much about the decimal. This gift was to support substantial costs in that area. In the newspaper, the donor was identified as an anonymous donor but the word around the campus is that the donor is *the* anonymous donor, the most generous of Cornell's alums and supporters. I just wanted to ask if you could assure us if those funds from the anonymous donor were not sought specifically for this purpose and that if, to the best of your knowledge, this was a spontaneous donation on the part of the anonymous donor? Thank you."

Provost Randel: "First of all, we have to distinguish between the North Campus and the West Campus because the gift to which you refer is what may be used for what will be undertaken on the West Campus. What I said to you was about the North Campus, and it remains to be the case that it will be financed within the envelop of Campus Life. We will, very shortly, float the bond issue that makes possible that construction above Lake Source Cooling. So, to my knowledge, there has not been a single gift in support of the North Campus Initiative. West Campus is still being talked about and the plans of what might be done there are far from clear. The objective there will be to create something that will be attractive to upperclassmen. If all freshmen will be living on North Campus, West Campus will need some attention in order to make it attractive to sophomores and above and to make it an intellectually stimulating environment. The goal there will be to try to cause the life of students outside of the curriculum to have more to do with life inside the curriculum. The detailed plans for that have not been

drawn up. What will have inspired the named anonymous donor to make this gift? I do not know, and cannot say."

### **3. APPROVAL OF THE MINUTES**

Speaker Howland: "Thank you. If there are no additional questions, we'll move on. I'd like to call now for the approval of the minutes of December 8. I ask for unanimous consent. Good, thank you. I'd now like to call on Associate Dean of the Faculty Kathleen Rasmussen, for a Nominations and Elections Committee Report."

### **4. NOMINATIONS AND ELECTIONS COMMITTEE REPORT**

Professor Kathleen Rasmussen, Nutritional Sciences, and Associate Dean and Secretary of the University Faculty: "The names that you see here (Appendix B, attached) are those actions of the Nominations and Elections Committee since I last reported to you. All of these individuals are replacements for folks who have resigned their appointments or are on leave.

"I call to your attention a letter I sent to you and your colleagues asking for nominations for Faculty Trustee and our two elected committees: the Nominations and Elections Committee, and the University Faculty Committee, the executive committee of this body. You have until the 15<sup>th</sup> of February to send me or Judy Bower your ideas. We would love to hear them. You also will be receiving a canvass asking for your ideas for people who can serve for all of our appointed committees. It is a very long list but we desperately need your help. If you have ideas for people who could serve, please tell us. If you'd like to volunteer yourself, we'd like that too. Thank you very much."

Speaker Howland: "Thank you. I'd like to call on Vice Provost Garza and Provost Randel for a Report on Computing and Information Sciences. Professor Garza?"

Dean Cooke: "You skipped something."

Speaker Howland: "I beg your pardon? I missed something?"

Professor Rasmussen: "I'm also presenting a resolution."

Speaker Howland: "That's why we're ahead of schedule. Professor Garza, accept my apologies. Professor Rasmussen?"

### **5. RESOLUTION TO CHANGE THE COMPOSITION OF THE PROFESSORS-AT-LARGE SELECTION COMMITTEE**

Professor Rasmussen: "What I present to you today is an item from the agenda of the last meeting that we were not able to handle. This is in the category of a housekeeping item, but it's important for the Senate to act on this. We have a committee that selects the Andrew D. White Professors-At-Large and this committee at present does not include the Dean of Students or an explicit representation for the undergraduates. The selection committee asked us to add the Dean of Students, ex officio. The Nominations

and Elections Committee is happy to endorse this idea, but it requires approval by this body to do so. So, I'm proposing this resolution to make it happen."

*WHEREAS, the presence of the Andrew D. White Professors-at-Large should be of interest to faculty, graduate students, and undergraduates, and*

*WHEREAS, the Dean of Students is a member of the University Faculty and is not currently an ex officio member of the Selection Committee,*

*THEREFORE BE IT RESOLVED that the Dean of Students be added to the Selection Committee for Andrew D. White Professors-at-Large as an ex officio member.*

Speaker Howland: "Is there a second? Discussion?"

(An unidentified Senator called the question)

Speaker Howland: "The question has been called. All in favor of the motion, say aye. All those opposed, say nay. It passes unanimously. Thank you. Now, Professor Garza."

## **6. REPORT ON COMPUTING AND INFORMATION SCIENCES**

### **A. Report**

Vice Provost Cutberto Garza: "I wanted to give a thank you to Bob for giving me the opportunity to address you today. I mean that sincerely, proof that just because you move to Day Hall, it doesn't mean you lose your sense of humor. I also want to publicly congratulate Don on his move to Chicago. It goes to prove that he's already learned one important lesson that as President he will continue to do the difficult and continue to contract out the impossible. (Laughter).

"The objective for today is to provide an update of discussions that Mary Sansalone and I have been having with committees, college deans, the Dean of the Faculty, and the Dean of the Students related to the Task Force Report and Recommendations regarding this important area. I will be discussing the report in light of there being a draft, as opposed to a definitive document, and would very much like to hear discussion from you and your points of view as we have up to this point. We've attempted not to try to provide something that everyone will agree to because that would require sinking to the lowest common denominator, but rather something that at this point is the best, most timely idea. I thought we would start by reviewing the assumptions that you walked in with in terms of trying to formulate the recommendation to the Provost and the President.

"The first assumption is that we do have a dean of Computing and Information Sciences and that this position is transitional. What I mean by transitional is that we expect this office to be one that we would want to maintain for 30 or perhaps 50 years but we don't see it as being as permanent as those along the lines of the Dean of Arts and Sciences, which we tend to think of in terms of centuries rather than decades.

"The second assumption is that the creation of this position supports the idea that Computing and Information Sciences will enable teaching, research, and outreach efforts throughout the University. This idea is not new, in fact it has gone through informal and formal examination and began with a task force chaired by Norm Scott and John Hopcroft that identified three enabling areas in Genomics, Material Sciences, and Computing and Information Sciences.

"The third assumption was that resource constraints heightened competition and accelerating change in this and other fields requires structural adjustments that allows greater nimbleness in responding to change and more intense collaboration across the University. These outcomes, however, are not usually complimentary; the greater your collaborative network, the more discussion that you have to hold, therefore the less nimble you are. Given the fact that they're not complimentary, means often that these solutions are not straightforward.

"The goal then, with those assumptions in mind, was how to build stronger departments and colleges or rather to build stronger departments and colleges with the principle strategies. The first was to develop and implement a vision through institutionally supported University-wide collaboration and to vent this collaborative effort with the necessary resources, responsibilities, and authority to ensure a meaningful measure of accountability. So, we looked at the two Task Force Reports, looked carefully and intently at the discussion that occurred in this body, and are thinking with this draft document of the creation of three additional positions or units.

"We have a Dean of Computing and Information Sciences -- the position was created to move the University's efforts in this area forward in a timely and organized way. The document (Appendix C, attached) that you were sent over the Internet proposes the creation of a faculty of computing and information sciences. This body is used to designate a defined University Faculty body that is responsible for advising the University regarding the enhancement of teaching, research, and outreach related to this important area, and ensure a cohesive development of this area across the University. Thus, this proposed body is expected to take a key role in enhancing the quality and breadth of the faculty and assisting in avoiding the inappropriate duplication of faculty positions. Now that doesn't mean that we should avoid all duplication. Obviously at times that's a very necessary need.

"We also propose the creation of an Executive Board. Among the Executive Board's principle roles will be to advise the Dean of CIS on policies that will govern the operations of the Office of Computing and Information Sciences and assist this dean in meeting the goals that are set forth in the document that you were sent and that may be recommended by the Faculty Senate. We also have suggested the creation of the Office of Computing and Information Sciences. This is intended to serve as the administrative unit for the FCIS and the Dean of CIS. This office would report directly to the dean and through the dean to the Office of the Provost.

"I'd like to go through each of these and describe briefly their responsibilities. The responsibilities of the dean of CIS have been summarized into six. (1) Lead the campus discussion in development of the area of computing and information science. (2) Administer and manage the Office of Computing and Information Science. (3) Develop

this area of scholarship within relevant University units. These responsibilities will include the development of CIS faculty by providing bridging or longer term funds that would enable hiring throughout the University and support the current faculty for development and enrichment of CIS in departments throughout the University's colleges. (4) Direct this office and the FCIS subject to the policy guidance of the Executive Board. (5) Carry out the goal activities, to be able to increase resources as they become available to his office. (6) Expand external relations with industry in partnership with the University colleges, programs, and centers.

"The responsibilities of the proposed FCIS are: (1) Identify key areas for faculty recruitment in a timely fashion. (2) Advise the colleges and central administration on issues that relate to faculty promotion and retention. (3) Anticipate facilities and other resources as are needed to maintain the University in the forefront of this important field. (4) Promote collaboration and attain objectives that are related to the University's teaching, research, and outreach missions.

"Degree-granting privileges and the ability to make primary appointments, that is tenure, tenure-track, or professorial appointments, are reserved for the University colleges. Nonetheless, the FCIS would be expected to have University-wide membership of the type of adjunct appointments. Their initial charge would be the development of a five-year academic plan for the University-wide enhancement of our three principle missions of teaching, research, and outreach as they relate to this important area. Also, they are to help assure that the quality and breadth of faculty appointments in support of these recommendations are carried out. A very important piece of the Senate's discussion has been the location of the Department of Computer Science. Its location in existing colleges has not been determined and we don't make a recommendation as to where it should be placed because we feel strongly that it will follow strongly from the five-year academic plan, once it's put together by the FCIS.

"The Executive Board would be appointed by the Provost with the advice of all of the Ithaca-based college deans and the Faculty Senate in a manner that is similar to that which is followed by the university-wide committees. Among this board's role would be to advise the dean on policies that would govern the operations of his office and assist him or her in meeting the goals related to CIS and that may be recommended by the Faculty Senate in the future. The Board's membership would be representative of all of the University's Ithaca-based colleges and it would be chaired by the Dean of CIS. The roles and responsibilities of this board would be reviewed after three years of its initial appointment.

"There are other working assumptions and terms of the proposals that I'd like to review very briefly. The first, as we may expect, is sharing responsibility for all CIS-related proposals that are forwarded to the Office of Sponsored Programs by members of the FCIS. The reason for this is that this office is going to have resources and we would expect them to participate in matches or other types of resource requirements as we go forward with sponsored programs. Academic appointments of the faculty, FCIS appointments, are anticipated to involve the endowed as well as the statutory units however, the authority to make primary professorial appointments will be reserved to the dean of the University's colleges. The Dean of CIS would participate in the appointment, search, promotion, and tenure committees jointly with the Dean of the

candidate's own college for all proposed or current members of the FCIS. Appointment, tenure, and promotion recommendations would be made according to the University's policies that apply to the candidate's home department and college. We would hope that the FCIS would also play a role in undergraduate curriculum and affairs. The existing CS major -- that is the undergraduate Computer Science major -- would be maintained in the Colleges of Arts and Sciences and Engineering. However, we hope that new undergraduate majors and concentrations would be explored and their creation explored by this body. The dean would be expected to consult widely with the computational and information scientists science community at the University to determine the goals and aspirations of proposed concentrations and majors and will develop plans for their implementation through mechanisms to be determined by the FCIS and, importantly, the sponsoring colleges and departments. Lastly, regarding the relationship with the Graduate School, we don't see any changes proposed there. The relationship between members of the FCIS and the Graduate School would be similar to that which now exists. Thus, Ph.D. and M.S. programs would operate entirely as they do now by the structure that we would put in place. I will now take questions or suggestions."

Speaker Howland: "Peter?"

Professor Peter Bruns, Molecular Biology and Genetics: "I have a question, and I noticed that there's a difference in what you showed there and what we got. One important sentence that I think is critical to understand -- and I can't tell if you are drafting an idea or was it just left out for brevity -- 'Thus professorial appointments to the FCIS will be secondary or adjunct to primary appointments in departments within any of the University's colleges.' That is, there will be no faculty appointment primarily within this unit and that they will always be in some other unit first?"

Vice Provost Garza: "That's what I meant here by saying that primary appointments would be restricted to the University colleges. All appointments to the FCIS would be secondary or adjunct."

Professor Bruns: "So, you're not adding new faculty, you're going to be using existing faculty in a position for something different. For instance, if you create a new major outside of the existing departments, you will anticipate that the departments will use one of their positions to help staff that?"

Vice Provost Garza: "Yes. Now, those positions can be funded through the FCIS and there may be bridging money that may be available to those departments or, in fact, faculty time could be 'purchased' or 'facilitated' by resources that OCIS might have. For a major that would cross multiple departments, the example we use in the text is Information Management, it would still have to reside or be sponsored by at least one department in an existing college."

Professor Bruns: "But you see this as a permanent budget for CIS rather than a temporary bridge?"

Vice Provost Garza: "With the transient definition we have. So it's permanent but not in the sense of centuries." (Laughter).

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I don't want to jump the gun, but I see an awful lot of overlap and potential conflict between what you've just described and e-Cornell, except that this organization operates on a not-for-profit basis and the other operates on a for-profit basis, I just wondered how this is all going to mesh."

Vice Provost Garza: "When you hear Mary's presentation, you will see that they are totally disparate organizations with very little overlap other than programs that FCIS would be interested in that might benefit from e-Cornell. If that doesn't prove to be the case after Mary's presentation, I will come back and address your question, but I think you'll see they're quite separate."

Speaker Howland: "Professor Stein?"

Professor Peter Stein, Physics: "At various times in the same way that the 20th century was the century of physics and chemistry, one hears every week in the Sunday 'Week in Review' section of the New York Times that the 21st century is the century of Information Science and Biology. I'm sitting here missing something because it seems to me that the structure that's being proposed bears a remarkable similarity to the Division of Biological Sciences, (Laughter) in that you will have to coordinate the different sciences all over the University and it's very important that there be close interaction between them and one will gain from the other, and if you take out 'Biological' and put in 'Computing' you can make a good argument that they're the same. As you know, we went one way in one of the 21st century's seminal issues and we're going the other way in this one – is that sort of hedging our bets in case one of them fails? (Laughter). Why did you decide to go this way with Computing Sciences and go with a more traditional structure in Biological Sciences?"

Vice Provost Garza: "Well, Peter, remember that there were some of us that, in fact, are being consistent in making decisions. I'm afraid that I can't speak for the President. We will be forwarding this recommendation to him but he could very easily take the more traditional approach. This is what we will be recommending to him and the Provost."

Provost Randel: "Let me add to that. Clearly, the analogy goes a certain distance, but no analogy is perfect. I would say for a start, one would have to add a chronological dimension to the comparison and to say that the situation with computing and information Sciences is at a very different stage in its development from the stage that the biological sciences are on this campus. So one could perfectly well imagine and might agree that the division was the right thing to have done thirty years ago, but that it had outlived its usefulness by now, but that computer science, being what it is, calls for precisely that structure and that thirty years from now we might make better of it as well."

Speaker Howland: "Sorry I have to interrupt the discussion, but we have a motion that's going to be presented by Professor Fine."

## B. Resolution

Professor Terence Fine, Electrical Engineering: "I'd like to withdraw the motion on behalf of CAPP. It's a little difficult, procedurally, because we just got this written version of the motion midday yesterday. The motion basically reiterated something that we already supported by a vote of 49 to 3 much earlier. At this point, I think it's redundant. I've surveyed the CAPP Committee and we'd like to withdraw the motion and give a little more time to discussion."

Speaker Howland: "So, you're asking for unanimous consent to withdraw the motion?"

Professor Fine: "Yes."

Speaker Howland: "Are there any objections? Hearing none we have more time for discussion. Yes?"

Professor Philip Nicholson, Astronomy: "I just wondered if you could clarify the role that this new faculty would play in tenure reviews and appointments of existing faculty. It sounds like an extreme case of what you were saying is that an existing assistant professor in the Astronomy Department who had an interest in computation would, whether he liked it or not, be part of this FCIS and then therefore the FCIS would be involved in a tenure decision of the Astronomy Department."

Vice Provost Garza: "No, what we were saying is that if they were members of the FCIS, they would want to join that faculty, and that for it's membership, it would be a voice along with his or her home department or college in helping make that decision. We hope to bring a measure of cohesive development that in fact this body would be involved in that decision process along with home departments and colleges."

Professor Nicholson: "This would be a voluntary matter of associating for existing faculty members?"

Vice Provost Garza: "Exactly."

Dean Cooke: "And it would be advisory to the home department?"

Vice Provost Garza: "Yes, it would be advisory to the home department. Now, it's secondary role would be that the dean or those members of the FCIS would be in charge of appointing committees in terms of being advisory or through some other mechanism of that whole process to be agreed upon by the FCIS."

Speaker Howland: "Professor Fine?"

Professor Fine: "First, I'd like to thank Vice Provost Garza for his patience and sustained efforts in resolving this. I'm aware that he worked on many versions of this and that he's trying to reconcile strong positions that are in conflict with each other. As he said at the outset, no one will be completely happy with what he has to say. I think that part of the key to the reconciliation has been kind of latitude to the development of the plan. It depends on who's going to be helped here and how this is going to turn out. The

plan defines its own outcomes at this point, and maybe that's acceptable. If we trust the people in charge, the Dean of CIS and the Provost, then we can hope for a good outcome. So that's one issue. For example, I think it's perfectly reasonable that the FCIS examines where it will locate the CS department, in which college, as part of the five-year plan. I certainly hope that it doesn't take five years to do so. (Laughter). It's not clear to me, however, that it couldn't take five years to come up with that resolution. I like the part that emphasizes that it must go back into a college. I take it that is correct, however, it doesn't say when that will happen. And although Vice Provost Garza believes that the thirty to fifty years is a transitory period, I know I won't be here in fifty years. (Laughter).

"The other issue is very critical and we have soldiered on about this, but the Senate must be consulted on this issue. This is part of the response to that. I'm concerned that we won't have a chance to be heard beyond the few seconds remaining today. I think we should think about how our opinion will be communicated in the remaining few minutes. One possibility is to e-mail the Vice Provost directly with comments on the document. Another possibility is to e-mail the CAPP Committee and they will attempt to meet within the next week or so and make its own recommendation, not from the Senate, but from the CAPP Committee. I think that we need some sort of mechanism for responding beyond the remaining seconds."

Vice Provost Garza: "Two mechanisms you might want to think about are: to use the time that the Provost will be here at every meeting and to hold him or her accountable for how this develops over time; and the second would be that there will be an Executive Board and nominations to that board will be coming from the Senate and that provides yet another mechanism to ensure that the Senate's voice is heard as we begin to implement this or some other plan."

Speaker Howland: "Thank you very much. I'm afraid our time on this is done. I'd like to call on the Dean of the Graduate School, Walter Cohen, for a brief summary of the Social Science Forum. Walter?"

## 7. SUMMARY OF THE SOCIAL SCIENCES FORUM

Walter Cohen, Dean of the Graduate School: "About 45 faculty met on Monday to discuss the report of the Social Sciences Task Force. A number of those attending either had served on the task force or had helped develop one of the interdisciplinary proposals recommended in the report, but the majority had not. The co-chairs of the task force, Phyllis Moen and David Easley, briefly discussed the report and findings of the task force. I then summarized the preliminary, favorable administrative response: an upgraded commitment to CISER (already a reality); a small grants program through the Research Office to encourage pursuit of external funding (which we will also go forward on); a social sciences coordinating committee; and support for the three interdisciplinary areas presented in the report -- social adaptation and decision research; wealth, poverty, and international development; and life course transitions and social policy. We took no position as administrators on promoting collaboration across units, though this is surely something we will support. For purely financial reasons, we gave a more reserved, though not blankly hostile, response to proposals for

funding a considerable number of research scientists, postdocs, internal fellowships, endowed chairs, and research centers. All of them desirable, I might add.

"Discussion focused on the three targeted interdisciplinary areas. Though some faculty argued that these areas adequately captured the range of the social sciences, a number of speakers, without denying the interest or value of these proposals, argued that each would benefit from intellectual broadening; that it was important to find a way to encourage work in other, equally important areas that remained unrepresented; and that a focus on a limited number of topics might lead to underfunding of many other critical sectors of the social sciences. Collaborative work is especially difficult in some of these areas, which may partly explain the absence of submissions to the task force. An intellectually appealing, if pragmatically daunting proposal, was for each interdisciplinary area to have built into it fundamental challenges to its assumptions and methods, without, however, allowing those challenges to prevent work in the area from going forward.

"There was interested, if somewhat skeptical discussion, of a social sciences coordinating committee. The idea of a regular link to the Provost's office was attractive, but there were various concerns about criteria for membership, about the selection process, perhaps about the role of the committee in identifying promising research areas, and certainly about the ability of the committee to improve faculty quality through involvement in hiring and promotion.

"There was considerable interest in a society for the social sciences, on the model for the Society for the Humanities. In response to this suggestion as well as other potentially expensive proposals, I replied that we were not yet prepared to come down one way or the other.

"Overall though, it would be hard to describe a consensus viewpoint, the suggestion that we go forward but slowly enough to address the concerns that were raised probably comes as close as any to grasping the general tenor of the meeting.

"My intent now is to discuss these responses (including the big-ticket funding proposals) with the Provost's staff, to urge the authors of the three interdisciplinary proposals to broaden their disciplinary and methodological range, and to solicit more general suggestions on how we might create a social sciences coordinating committee that would promote the visibility and stature of the social sciences, and that would accordingly be welcomed by most social scientists at Cornell. I strongly encourage any suggestions you may have. My hope is that we will have some firm decisions by the end of the semester.

"Do I have one minute left or is that it? Are there any questions? Okay."

Speaker Howland: "Thank you Walter. I'd like now to call on Vice Provost Mary Sansalone for a presentation on distance learning."

## **8. PRESENTATION ON DISTANCE LEARNING BY VICE PROVOST MARY SANSALONE**

Vice Provost Mary Sansalone: "Okay, what I'd like to talk about is the organization of Cornell's distance learning activities and a proposal for the formation of a for-profit entity called e-Cornell (Appendices D and E, attached). Polley McClure, Vice President of Information Technologies, is here with me and I've been working with her on these ideas. She's here to help answer any questions.

"Let me briefly start with a little bit of background leading into where we think this is going in terms of formulating our plans. I'll talk about the motivation for our plan, the approach we're using, some strategy and content for for-profit entity, and some of the key policy issues we're facing as we move forward. Several University reports addressed distance learning activities and promoted a number of very good ideas. From 1998 we looked at the David Lipsky university-wide committee on distance learning and from just this past year, we looked at Bob Cooke's on strategy for thinking about conceptual issues and the opportunities in distance learning. So, we picked up on a lot of good ideas in these reports as we started thinking about our plans. We also faced a current situation where faculty in colleges were beginning to contract with third parties forming distance learning plans. A lot of contracts were being considered and some signed away a lot of rights that we don't particularly want to sign away as Cornell University. Also, we aren't particularly good at negotiating with corporate partners, and the corporate partners were getting the lion's share of the revenue of a lot of the contracts that were being considered. So we wanted to address that issue. Also, we were getting a lot of pressure from our Board of Trustees to create an organized plan and an approach to business learning. Last year, FABIT recommended to the Provost that we deal with the issue that was developing on campus between two competing organizations -- the Office of Distance Learning and CIT's Academic Technology Support Group -- that were getting into overlapping areas with regard to instructional support. So that was the situation we faced when we started working on this. So the goals we had in creating our plans was to create a mechanism to realize all of the good ideas that had been put forward in the Cooke and Lipsky reports and other proposals, address the recommendations that FABIT had made to the Provost, protect the Cornell name, and make sure that Cornell's faculty and colleges were getting the greatest return on their distance learning programs.

"So as background, let me just mention the three key motivating factors for the plans we are proposing. The first is to create new educational programs. I like this quote from John Chambers that says, 'The next big killer application for the Internet is going to be education . . . what will drive it will be the demands on companies in an intensely global economy to keep increasing production.' Second are the economic challenges created by technology. We know this from our own experience on campus that the cost of producing, maintaining, and delivering the high-quality coursework that we'd like to have is essentially greater than face-to-face instruction and, it's not only a one-time cost, but a recurring cost. I think that it's nice to think about it as Mike Goldstein says in his quote, 'like a West End play' in that it requires a lot of capital to actually create the kind of courseware we would like to produce. Finally, the last one is to generate revenue to help support our on-campus activities, improve faculty compensation, create new academic programs, and do all sorts of other things we'd like to do on campus.

"So, let me now talk about the approach. We're proposing to create a Cornell University-controlled, for-profit corporation called e-Cornell that is focused on the

development, marketing, distribution, and maintenance of distance learning programs. We've also proposed to privatize the Office of Distance Learning and put those production skills into this new company to address the conflict between the Office of Distance Learning and CIT. We're also proposing to negotiate all third-party, for-profit partnerships through this company, and this is where the Cornell name is used, in forming these partnerships. I mention CIT's role on campus because CIT is located on campus and this for-profit entity will be located off campus, and CIT's role will be responsible for the technology-based instructional support. There is a very nice opportunity to create a nice synergy between the company and CIT and on-campus instructional support in that CIT could benefit from a lot of the advances made by the company, which will have a lot more capital to produce the innovative approaches to developing courseware. So templates for web-based instruction can be brought back to campus to be used for courses on campus. Also, CIT could play a role of incubator for interesting ideas for e-Cornell. CIT will be responsible for classroom design, operation and maintenance; there is a growing need for distance learning-type classrooms and campus infrastructure.

"So, I made a little chart and I'll follow it with a slide that Polly McClure made to illustrate where e-Cornell is framed. If you think about the whole spectrum of courses from instructional support types of activities that cost us money to produce to what people are calling 'million-dollar courses,' e-Cornell is playing closer to the million-dollar courses. Here's the slide that Polly developed that shows the spectrum of learning, where the profit potential is and the role of on-campus residential instruction. E-Cornell is playing in the end of remote learning with high profit potential. This is only one small part of the Cornell world that is technology-mediated.

"One other aspect of the approach is to have off-setting services between Cornell and this for-profit entity. For example, Cornell will provide e-Cornell with access to distance-learning classrooms, help when they need it for developing their programs, and possibly other services such as Human Resources activities. E-Cornell will provide Cornell with special activities and services such as production. There will be a nice off-setting of services in taking advantages of the strengths of both groups. Here's the schematic that represents the approach we're talking about: Cornell colleges and other various entities such as the libraries, the Plantations, etc., could propose ideas to e-Cornell, which would then be produced and sold commercially. Partnerships will be negotiated through e-Cornell with the approval of University Counsel. The interaction between e-Cornell and the programs on campus will be facilitated by the Vice Provost working with Academic Programs. Also, no degree programs are proposed but, thinking about the future, we want to develop a process for heightened scrutiny of approval of on-line degree because we don't want to undermine the value of our on-campus experience or the value of our degrees. That's something that will be developed.

"With that in mind as an approach, let me talk about the initial strategy for e-Cornell and you'll see a number of academic programs that have been proposed. I want to emphasize that this is an initial list and ideas are being added daily as we talk to different groups on campus. The initial strategy is to lead with Continuing Education programs from Cornell's top professional schools. We have a variety of top-ranked professional schools that can offer many different programs and you'll see a number of

these listed as I go through these slides. We'd also like to couple the library and museum digitization effort with our on line programs. Capitalizing on Cornell's strengths in birds, gardens, and oceans, the Lab of Ornithology, Shoals Marine Lab, and the Plantations offer a full range of kinds of programs that are perhaps more popular in their nature, but still educational in K-12 up to the university level. Then we'd like to seek partnerships for name recognition in the marketplace and venture capital needed to launch these programs.

"Let me give some examples of these approaches. Some proposed professional school projects include: a Certificate in Hospitality Management from the Hotel School aimed at middle-level managers in large hotel chains; a Certificate in International Human Resource Management and one in Alternative Dispute Resolution Training from ILR. The Vet School has proposed a number of programs in continuing education such as Advanced Practice Management and programs for improving and maintaining veterinary skills in surgical rounds. Engineering is considering a Certificate in Systems Engineering, which is a new program in the college. CALS has proposed Education for Entrepreneurs, a program being developed by Deborah Streeter in ARME The Medical School also wants to be a big player in e-Cornell and although they already have a program running through the Office of Distance Learning with regard to continuing education they are proposing a host of international programs. Pending market analysis and more discussion with faculty, the Law School is thinking of a niche market in Legal Ethics, an area where they already have a well-known name and, potentially down the road, they are thinking of an L.L.M in International Comparative Law, which is in very high demand by students from around the world. The library offers an interesting aspect to this, not only developing programs in areas of expertise that they have in archiving and information retrieval, but in electronic image and document support for e-Cornell types of programs. For example, the Hotel Management Program might digitize part of the Hospitality collection that might support that program. The Veterinary School Programs might like to digitize the collection of slides that they have. So, there are all kinds of interesting aspects for imaging unique collections to support on-line programs. Then the big dream is the digital library for distance learners. If we really moved ahead quickly with the digitization efforts in the library and had a substantial collection of digitized texts and images it could be a great asset for e-Cornell and would allow us to partner with other universities in providing that kind of resources. The Johnson Art Museum is also going through a digitization process for all of its collections and would like to partner with courses and provide programs as part of this as well. The Lab of Ornithology has been thinking about this for a while and had developed an extensive list of ideas from a website on birds coupled with the National Audubon Society, combining the two biggest names in Ornithology by providing databases for science and conservation, and a whole range of educational and 'Citizen Science' programs. The Plantations has a similar set of projects and, in addition, they'd like to offer a Certificate Program in Public Horticulture, which is in big demand. The Shoals Marine Lab has just started thinking about this and is proposing a variety of educational programs in partnership with other marine laboratories that would allow linkages with marine laboratories in different kinds of climates.

"One of the off-setting service projects that is being proposed is being developed by the Department of Continuing Education and Summer Session, and that's the Cornell Cyber Tower. The goal here is to highlight what's unique about living and learning at Cornell.

We don't anticipate this to generate a lot of revenue but it's a big public relations project. We'd like to use it in recruiting of prospective undergraduates, as a resource tool for high school teachers, which will help link the Cornell name to high schools, and also a program for our alumni. The project is already under production and you can see some of the programs that are underway. The Office of Distance Learning is working with Glenn Altschuler in terms of this program.

"So some examples of potential partnerships are: corporate partners for the Johnson School, as there is a lot of interest in providing business programs tailored to corporate partners such as certificate programs, perhaps an MBA in Business Skills, and an Executive Training Module tailored for corporate partners. Another partnership that is being discussed is a consortium of top universities and colleges including the Ivy League and schools like MIT and others. The idea has been to get together to provide undergraduate courses. There is a big potential there and it's under discussion now.

"So if you look at the array of activities proposed, you can see e-Cornell at the center providing the production services, the marketing, and the development, and partnerships with corporations, programs that can be developed directly for them, and then other kinds of activities that they could link up with the Lab of Ornithology. It's an interesting variety of programs and every time that Polley and I talk with groups on campus new projects are being added. People get interested and see the potential in what we are doing.

"Let me just talk briefly about the key policy issues and documents that the faculty are concerned with. The idea of prescribing the relationship between the University and e-Cornell will be well thought-out and spelled-out, and we're working to clarify the existing conflicts policy that govern Internet teaching. Our existing policy does not need to be changed, it just needs to be clarified with more examples to show what is acceptable, what needs disclosure to a dean, and what is prohibited. There is a faculty group with Bob Cooke working with Jim Mingle to develop scenarios and once they have a proposal, it will be discussed with the Conflicts Committee. Then we'll also be working on a distribution of revenues for revenues that come into the University from e-Cornell for its various projects including how much goes to the University, how much goes to the College or unit, and how much goes to the faculty member because one of the key motivating factors is improving faculty compensation and opportunities.

"There will be an overarching agreement between Cornell University and e-Cornell with very clear guidelines about the use of the University's names and project identification, selection, and management, clearly spelling out the University oversight and approval for all of the academic programs that are produced. Things that we all worry about like the academic integrity of programs, admissions standards, and all of those things will be in the hands of the faculty for the production of various programs. We will clearly lay out the exchange of services between Cornell and e-Cornell, this is the off-setting service idea. Also, a very attractive idea is the concept that the University will retain the rights to use all of the content of programs produced by e-Cornell for on campus instruction, which gains a big plus in terms of developing courseware and interactive simulations and all those kinds of things that would be nice in on campus instruction.

"So I conclude by telling you that I found out, with some help from the librarian, that Ezra Cornell used to sign all of his letters to family and friends, 'Yours Affectionately, E. Cornell' and all of his professional letters, 'Yours Respectfully, E. Cornell.' So, e-Cornell has really been in existence for a long time. We see this as educational programs in an Age of Information. It's a bold experiment, but you'll see it has great potential. So with that I'd like to conclude and Polley and I would be glad to answer your questions."

Speaker Howland: "Thank you very much. So this report is open for discussion."

Professor McAdams: "I would like to know the status of this proposal in relation to the Trustees. My understanding is that there was a vote of the Trustees at the last Trustee meeting. What was the import of that vote? I also have two other questions."

Vice Provost Sansalone: "They voted to allow us to continue to develop the plans. They didn't authorize spending any money on the plans. We're supposed to report back in March."

Professor McAdams: "But it did approve the plan. Is that right, Don?"

Provost Randel: "It approved the development of the plan and the drawing up of the requisite documents to create a corporation, but they did not approve the creation of the corporation, and they certainly did not approve putting any money into it."

Professor McAdams: "I happened to run into a Trustee just by accident today. I've read what was in the report and it said that they approved the plan and authorized the creation of documents to implement the plan. Now that's different from what you said. Is this something that has been approved in principle by the Trustees?"

Provost Randel: "It has been approved in principle. But the thing has not been created."

Professor McAdams: "Were these diagrams presented to the Trustees?"

Provost Randel: "The one you're holding up certainly was."

Professor McAdams: "How about the second one?"

Vice Provost Sansalone: "The talk that I just gave was very similar to the one I gave to the Trustees."

Professor McAdams: "And both of these were shown?"

Speaker Howland: "I'm sorry, but the audience can't see what you're holding up."

Vice Provost Sansalone: "Those were the two schematics that I used today, and they were both shown to the Trustees."

Professor S. Kay Obendorf, Textiles and Apparel, and Faculty Trustee: "As one of the Faculty Trustees, I would say that the presentation is very similar with the same content."

Professor William Fry, Plant Pathology, and Faculty Trustee: "As the other Faculty Trustee, I would have to agree."

Professor McAdams: "I have also had the opportunity to speak with my dean and I wanted to know if I would be contradicting anything that he has said, and he said that he hasn't said anything and that I'm on my own, which is the place I want to be. When I look at the second diagram of e-Cornell, it seems to me an administrative nightmare."

Vice Provost Sansalone: "This is a schematic that I'm using to illustrate the kinds of activities. It has absolutely nothing to do with an organizational structure. It just says that we're going to have partnerships. I don't know where the Lab of Ornithology will play into that or the relationships that different colleges will have with e-Cornell. It has nothing to do with an organizational structure."

Professor McAdams: "Except that you say in your presentation that developments on campus would go through e-Cornell and e-Cornell would negotiate agreements with partners and, if we put this together with your prior diagram, that also says that Cornell University Counsel or designee would have to approve things in between e-Cornell and the partner."

Vice Provost Sansalone: "Well, actually, partnerships like this are already approved by Cornell Counsel, this isn't really any different. It's to protect the Cornell name and to make sure that rights that we don't want signed away are not. It's a way for the University to have oversight of this partnership."

Professor McAdams: "It's also a veto point. And what I see is that there are multiple veto points and that suggests significant difficulty."

Provost Randel: "It's understood that the partners here refer to external partners, people like the Financial Times. What this means to say is that no individual at the University is at liberty to sign an agreement with an external partner that makes use of the Cornell name without the approval of University Counsel and the central administration."

Professor McAdams: "But I thought that e-Cornell was to be responsible for those negotiations and therefore they would be subject to veto. If you go back to the next diagram I see the Business School working with partners and having to go up through . . ."

Vice Provost Sansalone: "Again, this is just a schematic and the Business School is likely to play all over. You keep changing around where you want to be. This is literally a schematic to show the idea. I'm not showing an organizational chart; it's a concept."

Professor McAdams: "My basic language is English and I listened to your presentation and I'm trying to respond to your presentation that says that e-Cornell will negotiate on behalf of the Johnson School with the partners, and that negotiation will be subject to review and veto by the Cornell Counsel's Office. Then there is the question of revenues. Will they go to e-Cornell and then be split?"

Vice Provost Sansalone: "We don't know how this is all going to work out. Your dean has actually asked Jim Mingle for help with negotiating his partnership contracts. I don't know quite where the problem is coming in. As for revenue distribution and partnership arrangements, all of those have to be negotiated and they're all individual. But Bob Swieringa is working very closely with Jim on this exact issue."

Professor McAdams: "He did say that he thought this was a value-added that might come from this. My original point when I arose last time was to say that I see significant conflict with the FCIS and I do."

Vice Provost Sansalone: "How so?"

Professor McAdams: "The FCIS is charged with improving teaching, research, and outreach. E-Cornell is now picking up probably the most significant form of outreach with the emerging e-community with a lot of programs that look like outreach programs."

Speaker Howland: "Why don't you respond to that and then we'll go on."

Vice Provost Garza: "I don't see those responsibilities any different from any other department. Every other department at Cornell is charged with research, teaching, and outreach. So, in that sense, if there is a conflict, it is a conflict that runs throughout the University not just in the FCIS."

Vice Provost Sansalone: "I was talking to the Theory Center the other day and they plan to offer programs, so it's a mechanism for offering programs, and I don't see the faculty of Computer Science in the business of distance learning for the rest of the University."

Speaker Howland: "I'd like to recognize Professor Walcott."

Professor Charles Walcott, Neurobiology and Behavior: "Mary, I've had a certain amount of experience over the years in dealing with public broadcast and so on, and it leads me to ask the following kind of question: How is the academic side of the University going to control and be responsible for the substance of what is presented by e-Cornell? One of the great difficulties that I have experienced is when one is driven by an organization that has a substantial amount of money and professional producers but there tends to be a certain influence of the tail wagging the dog. I think it is critical for Cornell to put in place a substantial way to ensure the academic integrity of the programs. That suggests that there ought to be a board or syndicates or some such thing, as there is with the Cornell Press, that examines the academic integrity of all of the various programs."

Vice Provost Sansalone: "The way that we envision this is that a lot of the things will be taken care of under the over-arching agreement between Cornell and e-Cornell. The expert counsel that we're working with has told us that the ideal distance learning company is transparent to the University. So, certificate programs are approved, degree programs are approved, the academic content is created by the faculty. All of the faculty oversight in terms of admission standards and the integrity of the programs is absolutely no different than you have for on-campus programs. You're right that

there's a tension between a for-profit entity and a desire to generate profit and the general on-campus approach to things, but there will be a Board of Directors for e-Cornell. It will be Cornell controlled. The majority of the Board will be Cornell members, but all of this is set up in the overarching agreement that has yet to be framed. We are working on it very carefully, thinking through these issues. You can think of this as e-Cornell is the technology mechanism for realizing the kinds of things that programs and colleges come to propose to do anyway. The company will not have control over the academic content or the admissions standards of various programs. Each college or entity will set those as they normally do on campus."

Speaker Howland: "Professor Stein?"

Professor Stein: "There's something I'm missing. (Laughter). No, I'm serious. (Laughter). Why is a for-profit corporation instead of a not-for-profit corporation? Let me expand on that. I whispered to my neighbor, 'Why is it a for-profit corporation?' and he said, 'Well, because it's supposed to make money.' (Laughter). But I can think of examples in the not-for-profit sector of this country where there is a lot of profit making. For instance, the YMCA today offers fitness clubs that are much like for-profit fitness clubs but they're within the framework of the YMCA because the basic purpose of the YMCA is to provide physical fitness for the people in the community -- not to make money. So, those fitness clubs are within the not-for-profit sector. I don't understand why one couldn't do the same thing here. For instance, I imagine that the Campus Store makes money but from some fancy accountant's pens, it doesn't show as a profit; it shows someplace else in some fund. It's a little scary to have a for-profit organization. Are there going to be venture capitalists? Are there going to be IPO's? Can I get in on it?" (Laughter).

Vice Provost Sansalone: "No." (Laughter).

Professor Stein: "The companies that I know of that are famous, like e-Bay and Amazon, don't make any money at all. (Laughter). Their goals are very different, such as to expand market share and so on. The analogy of the old widows having AT&T stock, which gave them a steady stream of earnings, is not 21<sup>st</sup> century business. I really don't get the point of why it has to be for-profit."

Vice Provost Sansalone: "The kind of capital that we're talking about to generate and create the programs that were shown on that list, excluding the library, are in the range of 25 million dollars. If you add the library we're talking about 50 million dollars. The numbers keep going up. By creating a for-profit entity, we can attract private capital, and that's one of the key motivators. We expect to have something like 80% equity interest in the company like this and that capital investment is going to increase over time. The agility to deal in a complex and dynamic marketplace is changing very quickly. We can't go into this thinking that we're going to operate in typical University fashion. We've got to be able to move quickly and adjust to a very rapidly changing world. There's absolutely no way to get the kinds of talent and people we need to do this unless there's equity interest in a for-profit company. So, those are the reasons. I also brought an article by the expert counsel that we're using, who is also the expert counsel for NYU's for-profit entity, that talks about how the lines between non-profit

Universities and for-profit businesses are blurring because of the economic challenges created by technology. It's a very interesting article that gets to your question."

Professor Stein: "But how will the overarching public interest motivation that governs everything we do at Cornell be guaranteed under a situation where people are investing money and expecting to be paid money on it?"

Vice Provost Sansalone: "We hope to gather capital from firms where we have Cornell partners in the firm. We want Cornell-friendly money where we will have control over the Board of Directors. You should see the kind of detail we have worked through in terms of laying all of this out."

Speaker Howland: "Thank you. In the back, in the red?"

Associate Professor Risa Lieberwitz, ILR: "I'm really happy to follow the last couple of speakers because I had some of the same concerns, and I wanted to emphasize some things that might be useful for discussion. One thing that was raised earlier that I think is really disconcerting is that this is basically a done deal. Through the Trustees, this is now being presented to us as an agreed-upon plan that is approved by the Trustees with the details to be created. I think that's an issue that we should discuss as a faculty, that this is being identified as a for-profit venture as to distinguish it from an educational matter, which is really within the purview of the faculty. It seems to me that this is an educational venture that is being dubbed 'for-profit,' which in fact if we're going to do it, it should be our decision to do it as a faculty and we should be initially consulted not as was done here.

"I think that that's a very serious issue and it relates to the question that was raised earlier about both the mission of the University and the issues of academic freedom and faculty control. The mission of the University is one that, as Peter said, is for the public interest. The AAUP, in talking about this decades ago in 1940, said in the Statement of Principles on Academic Freedom, that 'institutions of higher education are conducted for the common good and to further the interests of either the teacher or the institution as whole.' So, if that's our mission, and if combined with that mission is the notion of academic freedom and faculty autonomy over educational matters, then I think that we have to ask whether this current for-profit corporation, as a proposal, raises serious problems. Obviously, I think it does raise those problems and that as constructed, it's really inimical to the notion of an institution in the public interest for the common good, with faculty control over academic matters.

"I think that this goes deeper and I just wanted to say a couple of comments on that to flesh out why. I think that there is a bias to what is actually going to be improved through this for-profit corporation. There's been discussion about faculty autonomy and faculty control over the integrity and quality of the material, but there's been no discussion of who's going to approve certain projects for this e-Cornell profit-making venture. My understanding of it is that the approval of what will be marketed through this for-profit corporation is that it will be approved by non-academics and that the motivator for what is approved will be whether it will make money. What will make money? Well, what will make money is where there is an audience. Who is that audience? It's corporations. This is a bias away from the notion of education for the

public interest where we offer education without the notion of revenue driving what we do. I think that's a huge problem. It's a bias in favor of corporate interest in the educational structural pool. Then we get a bias on campus because explicitly stated in this is the idea that e-Cornell will feed back into the University. Clearly, there is a bias built in. One might say that even in ILR there is an Extension Program where we do Executive Education, and you're right, we do and it's a problem. In keeping that balance in extension programs, one must be concerned that the revenue generating program does not overwhelm and dominate programs in the public interest. We have that problem and the solution seems not to be to create less balance through a corporate entity but to keep it within the not-for-profit division of the University, as Peter was saying, and to ask whether we want to go through these processes as a faculty, not as corporate CEOs deciding what's going to be marketed."

Vice Provost Sansalone: "That's a long statement and I'd like to remind you of the situation that we have now. We can decide to do nothing, but that doesn't mean that nothing is going to happen because our faculty in our colleges are already going out to contract with third parties, and so one of our motivating goals in terms of thinking about this and doing this is to make sure that Cornell's colleges get the greatest returns from their programs. We can decide to do nothing but that doesn't mean that nothing is going to happen and the Cornell name will be used in different ways and lots of rights will be signed away. This is all going to happen anyway. If you think about the ILR situation, all of the programs that are being proposed are transferring Executive Education programs to the Internet. The Hotel School is doing exactly that, putting established executive education programs onto the Internet. So we're already doing all of this, this is just a different mechanism for delivering the problems. I don't see a lot of change in what we're doing because all of these programs are proposed by faculty. You're right that e-Cornell will decide which programs it's going to produce, but CIT is developing the capability to produce other kinds of programs. Remember that it's not e-Cornell or nothing. E-Cornell only has one small piece of a much bigger set of activity that will be available."

Speaker Howland: "We have about seven minutes left and we must reserve three minutes for Good and Welfare."

Professor Danuta Shanzer, Classics: "This may be a really ignorant question from a sort of bottom-of-the-ladder faculty member, but I'm curious about who owns me and who owns my teaching. For example, you're on a nine-month salary and you'd like to offer a course, and suppose that some other university is offering some astronomical sum to teach Latin on the Internet. (Laughter). Do I have the possibility of offering such a course without my title? I understand that my title has the word 'Cornell' in it but suppose I say I'm doing this from home, perhaps Harvard will provide me with a computer to do this from home. I have my own telephone line. Do I have that option or is my title inextricably linked to me in some way that my teaching such a course for another institution that might offer me a more profitable deal is then not possible? Could you clarify that issue?"

Vice Provost Sansalone: "It's a very good question. I don't know how many of you saw the articles on Arthur Miller at Harvard Law School and his foray into the Internet to teach for a different entity. It's exactly why we're starting to clarify the conflicts policy

with examples of exactly that sort of thing. What is permissible? What do you need your Dean's approval to do? What is absolutely not permissible? What can you do under the Cornell name? All of those questions need to be answered because we're moving into a new era. You could be here in residence and teaching courses at a number of other universities and being compensated for those using technology. It's a very good question and we don't have answers for them yet; we're just entering the phase of clarifying what's permissible."

Professor Shanzer: "I just wanted to say that I think it really should be an issue that is presented to the faculty ahead of time in writing so that we know what kind of deal is going to be negotiated before we suddenly find ourselves cattle that can be sold or not sold."

Vice Provost Sansalone: "No, no. The Conflicts Policy has a faculty advisory group, Bob Cooke is on it, and they're working with Jim Mingle to create the kinds of scenarios that you're talking about and to put them in categories. All of this has to be discussed and worked through, but it won't be sprung on you."

Dean Cooke: "Well, I think that the question is will this body have a chance to discuss it before it's over."

Professor Shanzer: "Yes, and will we have a chance to negotiate? The other question is will there be individual negotiations about profit and revenue? Your proposal seems to lay open the possibility of that too."

Vice Provost Sansalone: "You mean the faculty within Cornell? No, it's going to go through your dean. (Laughter). It's going to be a revenue distribution scheme that's not going to be analogous to the CRS policy, but a distribution policy will be set."

Speaker Howland: "I'm sorry we have to conclude this discussion. I'm sure we'll have additional opportunities to discuss this. I now turn to Good and Welfare and recognize Professor Joseph Ballantyne."

## 9. GOOD AND WELFARE

Professor Joseph Ballantyne, Electrical Engineering: "I speak to place on record concerns expressed by colleagues and shared by me, related to the procedure used in selecting the new Provost. While it is evident that the President has the right to use whatever process he wishes in selecting senior members of his administration, in previous administrations the process of selecting those for high-level appointments involved the appointment of an advisory committee representative of the diversity of constituencies affected by the appointment to give advice to the President on potential candidates for the office. This practice was an assurance to the various constituencies that their input was received and considered in the final decision.

"The apparent lack of such an advisory committee in the recent selection of a new Provost leaves some members of the faculty feeling that their inputs may not have been received or considered. Furthermore, the press releases on the subject imply that the nominee is known to, and enjoys broad based and widespread support across the

University Faculty. This has resulted in making substantial groups of faculty, who are unacquainted with or casually acquainted with the nominee, uneasy because of the implication that the nominee has their knowledgeable support. It has left them without the possibility of allaying any concerns they might have by discussing them with a colleague on the advisory committee. I recommend to the President that in future high level appointments, such representative advisory committees be selected to assist in the process.

"I believe it may be timely for this faculty to consider implementing procedures for providing faculty input on future appointments and reappointments of senior academic administrators, such as Deans, the Provost, and the President. Thank you." (Applause).

Speaker Howland: "Do I hear a motion to adjourn? Meeting adjourned."

The meeting was adjourned at 6:00 P.M.

Respectfully Submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

# **Faculty On-Line Forum Advisory Board: An Initial Statement**

For information only. It is anticipated that the Faculty Senate will be formalizing this into legislation later this semester.

## **I. Faculty On-Line Forum Objective**

The objective of the Faculty On-Line Forum is to be a vehicle for the identification, exploration and considered analysis of university-wide issues by the faculty, with appropriate input from other members of the Cornell community. Desired outcomes include:

\*Broadening the range of information and ideas brought to bear on faculty and administrative decisions of university-wide impact;

\*Facilitating the linkage between Faculty Senators and their department constituents; and

\*Strengthening the sense of community among Cornell faculty.

## **II. Functions of the Faculty On-Line Forum Advisory Board**

The Faculty On-Line Forum Advisory Board shall recommend and monitor procedures for operation of the On-Line Forum which:

\*Stimulate faculty debate on issues before Faculty Senate or University administration and on issues which may or, in the opinion of one or more faculty members, should come before the Senate, the administration or the faculty at large; and

\*Assure open expression of ideas and opinions while encouraging a commitment to fact, good taste and collegiality.

## **III. Faculty On-Line Forum Policy and Procedures**

### **A. Access**

1. The content of the Faculty On-line Forum will be available to all Cornell faculty, staff and current students.

2. Postings to the Faculty On-Line Forum will be accepted from all voting, nonvoting and ex officio members of the University faculty as well as members of the instructional and research staff identified in Article XVI of the University Bylaws.

Other members of the Cornell community (staff and students) may propose a posting to the Faculty On-Line Forum if they are sponsored by a Faculty Senator,

the Dean of the Faculty or the On-Line Forum Advisory Board. The sponsor will be identified in the posting.

## **B. Content**

1. Faculty On-Line Forum postings will be grouped under topical headings. The Dean of the Faculty or the On-Line Forum Advisory Board will determine topics to be initiated on the On-Line Forum and will determine when a topic and postings within it are moved to archive status.
2. Postings which address new topics will be placed under an "Other Issues" heading and will be moved to an appropriate new heading when at least three different individuals post related items.
3. The Dean of the Faculty or the On-Line Forum Advisory Board may invite postings either to initiate a new discussion topic or to provide balance to a proposed or on-going discussion.
4. The Dean of the Faculty or the On-Line Forum Advisory Board may post speeches of the President and other university officers, reports of Trustee, administration, Senate, or college committees, and other reports appropriate to the objective of the On-Line Forum.
5. The Faculty On-Line Forum will include a Resource Page containing links to additional relevant information.
6. Personal grievances for which there are existing University resolution procedures will not be posted (e.g., tenure decisions, academic misconduct, sexual harassment). Personal criticisms of individuals are discouraged and will be posted only if reasonably necessary to the development of an issue; civility and collegiality are expected in all postings

## **C. Posting Procedure**

1. Proposed postings will be transmitted to the Dean of the Faculty by email.
2. The Dean of the Faculty and his/her staff will determine whether or not a proposed posting is appropriate to the guidelines established by the On-Line Forum Advisory Board and may deny or edit proposals, or make posting contingent on recommended changes. The Dean may request advice or an interpretation of guidelines from the On-Line Forum Advisory Board regarding any proposed posting.
3. Individuals or groups denied access to Faculty On-Line Forum or who disagree with edits or recommended changes to a proposed posting may appeal the Dean's decision to the On-Line Forum Advisory Board. The chairperson of the Board will select two members on a rotating basis to function as a review subcommittee or may request that the entire Board review an appeal.

4. On receipt of a proposed posting, the Dean of the Faculty will verify the source of the posting via return email. Any editing suggestions or revision recommendations should be included in this message along with the following statement:

"You will be identified as the author of your posting to the Faculty On-Line Forum. Authors are legally responsible for the content of their posting. Copyright materials may not be used without permission.

"On-Line Forum is available via the Internet to Cornell faculty, staff and current students; because readers can easily copy or redirect online materials, wider distribution of your comments is possible. You may wish to review your posting with this in mind.

"Personal criticisms of individuals are discouraged and will be posted only if reasonably necessary to the development of an issue; we expect civility and collegiality in all postings. Personal grievances for which there are existing University resolution procedures will not be posted (e.g., tenure decisions, academic misconduct, sexual harassment)."

#### Faculty On-Line Forum Advisory Board

Melissa A. Hines, Assistant Professor, Chemistry and Chemical Biology

Donald F. Schwartz, Professor Emeritus, Communication - CHAIR

Peter Schwartz, Professor, Textiles and Apparel

Steven H. Shiffrin, Professor, Law

Paul F. Velleman, Associate Professor, Industrial and Labor Relations

J. Paul Yarbrough, Professor Emeritus, Communication

**REPORT OF N&E COMMITTEE**  
**February 9, 2000**

Academic Freedom & Professional Status of the Faculty

Thomas Lyson, CALS

Financial Policies Committee

David Caughey, Engr

Local Advisory Council

Robert Buhrman, Engr.

University Faculty Committee

Vicki Meyers-Wallen, Vet.

University-ROTC Relationships

D. Peter Loucks, Engr.

**DRAFT (February 7, 2000)**

**Faculty and Office for Computing and Information Science: Administrative and Management Structure**

**BACKGROUND**

*The Information Revolution is transforming society – creating new careers, new industries, new academic disciplines, and the need for new programs of education and research. Being an informed citizen of the Information Age requires knowledge of computing systems, global communications networks, and interactive information resources. The requisite level of knowledge goes beyond being comfortable with computing tools..... In the Information Age, our ideas are no longer constrained solely by what is physically possible, but by what is computationally realizable. (Cornell in the Information Age, Final Report of the Task Force on Computing and Information Science, Cornell University, November 1999.)*

The Faculty of Computing and Information Science (FCIS) is used to designate a defined university-wide faculty body responsible for advising the university regarding the enhancement of teaching, research, and outreach related to the computing and information sciences and assuring the cohesive development of this area across the university. The FCIS is expected to take a key role in enhancing the quality and breadth of the faculty and assisting in avoiding inappropriate duplication of faculty positions.

The position of Dean of Computing and Information Science (CIS) was created to move the University's Computing and Information Science initiative forward in a timely and organized way. The University's goal is to maintain its leadership position in this area of scholarship and it recognizes that time is critical to achieving this goal. The Dean of CIS is expected to lead this effort in close collaboration with the deans of all the undergraduate colleges.

**RESPONSIBILITIES OF THE DEAN OF CIS**

The Dean is charged with the following tasks:

- 1) Lead campus discussions to identify important and promising direction in the computing and information sciences, and participate in the enhancement of information technology across a broad spectrum of academic and research activities, and encourage movement by faculty units in these directions.

- 2) Administer and manage the Office of Computing and Information Science (OCIS)
- 3) Develop the areas of computing and information science with the relevant university units (to include responsibilities that relate to budget assigned to the OCIS for fostering undergraduate teaching, research, and outreach programs, other assets such as space, and faculty recruitment, retention and promotion). These responsibilities will include the development of CIS faculty by providing bridging or longer term funds to enable hiring throughout the University and support to current faculty for the development and enrichment of CIS in departments throughout the University's colleges.
- 4) Direct the OCIS and FCIS subject to the policy guidance of an Executive Board.
- 5) Carry out development activities (e.g. expand corporate contacts in coordination with the University's Division of Alumni Affairs and Development) and,
- 6) Expand external relations with industry in partnership with the university's colleges, programs, and centers.

## **RESPONSIBILITIES AND MEMBERSHIP OF THE FCIS**

The FCIS is created to guide the development of computing and information sciences throughout the university. It is expected to:

- identify key areas for faculty recruitment in a timely fashion,
- advise the college and central administrations on issues related to faculty promotion and retention,
- anticipate facilities and other resources needed to maintain the University at the forefront of this important field, and
- promote collaboration in attaining objectives related to the university's teaching, research, and outreach missions.

Degree granting privileges and the ability to make primary (tenured, tenure track, or term) professorial appointments are reserved to the University's colleges. Thus professorial appointments to the FCIS will be secondary or adjunct to primary appointments in departments within any of the university's colleges.

The FCIS will have a university-wide membership. Its initial membership will be determined by consensus among the Office of the Provost and the deans of Computing and Information Science, and the Colleges of Engineering, Arts and Sciences, and Agriculture and Life Sciences.

Subsequent appointments to it will be handled by appointment procedures similar to those followed by the endowed colleges. Thus the FCIS and the Dean of CIS' authority to extend FCIS membership to individual faculty will be similar to that granted the endowed college deans and their departments to make faculty appointments. Only faculty

appointed to the FCIS will be eligible to have their positions funded by University resources budgeted through the OCIS. Professorial faculty not funded by the OCIS also are eligible for membership.

The initial charge to the FCIS will be the development of a five year academic plan for the university-wide enhancement of teaching, research, and outreach related to computing and information sciences and of the quality and breadth of faculty appointments in support of its recommendations.

The Computer Science Department will be located in one or more of the existing colleges based on the recommendations of the 5 year academic plan.

## **THE OFFICE OF COMPUTING AND INFORMATION SCIENCE**

The OCIS is created to serve as the administrative unit for the FCIS and the Dean of CIS. The OCIS reports directly to the Dean of CIS and through the dean, to the Office of the Provost.

### **FCIS EXECUTIVE BOARD**

The FCIS' executive board will be appointed by the Provost with the advice of all the Ithaca based college deans and the Faculty Senate in a manner that is similar to that followed with other university-wide committees. Among the Executive Board's roles will be to advise the Dean of CIS on policies that will govern the operations of the OCIS and assist the Dean of CIS in meeting the goals set forth in these documents and recommended by the Faculty Senate. The Board's membership will be representative of all of the university's Ithaca based colleges and will be chaired by the Dean of CIS who will ensure that the Board meets at least once each semester. The roles and responsibilities of the Executive Board will be reviewed after three years of its initial appointment.

### **WORKING ASSUMPTIONS AND TERMS**

The CIS dean's mandate is from the President. The Dean reports to the Provost. Among the categories for which mechanisms and procedures are needed to carry out this mandate, reporting function, and the day-to-day operation of the OCIS are:

- Externally sponsored programs
- Academic appointments -- faculty
- Academic appointments -- non-professorial
- Undergraduate curriculum and related affairs
- Relationship to the Graduate School

## Externally Sponsored Programs

The Dean of CIS will share responsibility for all CIS related proposals forwarded to the Office of Sponsored Programs by members of the FCIS. The responsibility will be shared with the principal investigator's home college. Policies related to indirect cost recovery will be consistent with those of the principal investigator's home college.

## Academic appointments – faculty

FCIS appointments are anticipated to involve faculty in endowed and statutory units. Appropriate procedures for all appointments that are funded, wholly or in part by the OCIS will be developed initially with the Colleges of Engineering, Agriculture and Life Sciences, and Arts and Sciences and then discussed more broadly with other units.

The authority to make primary professorial appointments is reserved to the deans of the university's colleges. The Dean of CIS, however, will appoint search, promotion and tenure committees jointly with the dean of the candidate's home college for all proposed or current members of the FCIS. Appointment, tenure, and promotion recommendations will be made according to University policies that apply to the candidate's home department and college.

## Academic appointments: non-professorial

The OCIS will submit procedures for non-professorial appointments to the Office of Human Resources and the Office of the Provost for review and approval.

## Undergraduate Curriculum and Related Affairs

### (a) Existing CS major

Existing undergraduate computer science majors will be maintained in the Colleges of Arts and Sciences and Engineering. Admissions for undergraduates will proceed exactly as they do now through those colleges. Student services will continue to be provided as they presently are. Members of the FCIS will maintain the same level of engagement in their home colleges in all matters that relate to admissions, advising, curriculum, assignment to committees, etc. as do their colleagues.

### b) New undergraduate majors and concentrations

The FCIS and Dean of CIS will explore the creation of new undergraduate concentrations (or minors) and majors in computation and information sciences. An example of a new major is Information Management. The dean will consult widely with the computational

science community to determine the goals and aspirations of proposed concentrations and majors and will develop plans for their implementation through mechanisms to be determined by the FCIS and sponsoring colleges and departments. For example, the Dean of CIS may convene a broad committee of computational scientists and others with significant related interests throughout the university for advice on the need for new undergraduate courses in the broad area of computational and information sciences. All members of the FCIS will be responsible for advising and teaching students who elect concentrations (or minors) and majors in computation and information sciences regardless of their home college.

Tuition policies for students enrolled in new majors or concentrations in computing and information sciences supported by the FCIS will be similar to those that govern the undergraduate biology program.

#### Relationship to the Graduate School

The relationship between members of the FCIS and the Graduate School will be similar to those that exist now, thus Ph.D. and MS programs will operate entirely as they do now in relation to the Graduate School.

**DRAFT PROPOSAL**  
*for*  
**Organization of Cornell's**  
**Distance Learning Activities**  
**Mary Sansalone**

Motivation for Approach

The initial and recurring cost of supporting technology-mediated learning is substantial, whether the aim is enhanced instruction in on-campus courses or the development of programs for a host of other constituencies. Whether the goal is to develop continuing education programs for professionals or general education activities for millions of bird-watching enthusiasts, Michael Goldstein observed that

*"The cost of producing and delivering high-quality courseware is not only substantially greater than that of face-to-face instruction, it is also constantly recurring. Like the production of a West End play, it requires capital."*<sup>1</sup>

While acknowledging that the production of Internet based programs is expensive, John Chambers of Cisco Systems noted that

*"The next big killer application for the Internet is going to be education... what will drive it will be the demands on companies, in an intensely global economy, to keep increasing productivity."*<sup>2</sup>

Taken together these two observations reflect the primary motivations for developing the proposal outlined in this report. The four key aspects of this proposal are:

1. The formation of *e-Cornell*, a for-profit company for the support of Cornell's distance learning activities;
2. An approach for enhancing on-campus technology-based instructional activities; and
3. The strategy that has been used to develop a list of initial projects and potential partnerships for *e-Cornell*. (This list is expanding as new ideas and potential projects are proposed by colleges and other entities at Cornell.)

These aspects are described in order in the following sections.

*e-Cornell*

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<sup>1</sup> *A Capital Innovation for Making a Profit*, by Michael B. Goldstein, London Times (Educational Supplement), Dec. 17<sup>th</sup>, 1999. Goldstein is a member of the Washington DC law firm of Dow, Lohnes and Albertson, pllc. He heads the firm's educational institutions practice.

<sup>2</sup> *Next, It's E-ducation*, editorial by Thomas Friedman, New York Times, Nov. 17th 1999.

It is proposed to establish a legally separate, but Cornell University controlled, for-profit corporation to pursue distance learning activities. *E-Cornell* will be given the "right of first refusal" with regard to the development of ideas and activities using the Cornell name that have commercial potential and appeal to external constituencies and customers. The two vice provosts will work with the Cornell deans, program directors, and heads of other units to refer promising ideas and activities to *e-Cornell*. In addition, Cornell Information Technologies (CIT), which will continue to have the responsibility for providing support for technology-based instructional activities that enhance learning of Cornell students, will refer promising ideas to *e-Cornell*. A formal agreement between the university and *e-Cornell* will address this and other key issues including use of the University's name and marks and other licensing issues, and parameters of University oversight and approval (academic standards for admission of students to particular programs, faculty oversight of academic content, etc.).

The reasons for creating a for-profit entity are to promote the following opportunities:

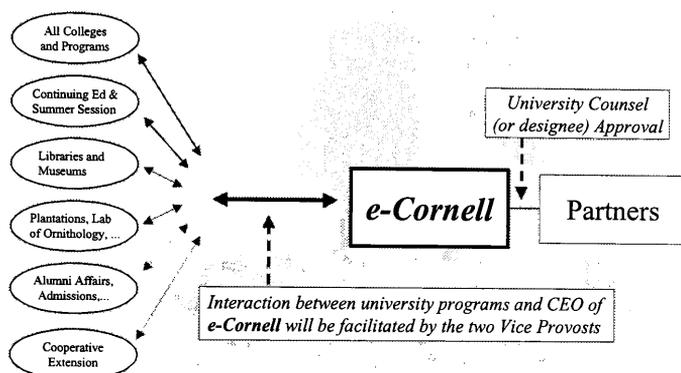
- ⊖ operate in a complex and dynamic market environment;
- ⊖ generate significant revenues that can be used by deans and directors for faculty compensation, support of faculty lines, and the myriad other needs of the various colleges, programs, and laboratories;
- ⊖ attract the capital needed to launch new programs;
- ⊖ partner with third-parties and commercial partners where there is a need for capital and greater name recognition in the market place;
- ⊖ partner with other universities and entities that may want to sell their content through *e-Cornell* (e.g. *e-Cornell* would be a third party vendor or commercial partner for other universities);
- ⊖ provide opportunities for transfer of technological advances and instructional courseware developed by *e-Cornell* to Cornell with the goal of enhancing not-for-profit instruction by Cornell faculty for Cornell students; and
- ⊖ provide an opportunity for Cornell to benefit from the appreciated value of its equity interest in *e-Cornell*.

*Third Parties and Commercial Partners* – It is anticipated that Cornell, on behalf of particular Colleges, Programs, Laboratories, and other University units, may contract through *e-Cornell* with third parties and commercial partners in two situations:

1. Where the Cornell entity needs to partner with a third party to enhance name recognition so as to be able to enter a competitive marketplace; and
2. Where a third party brings to an agreement needed capital, expertise, or position in the marketplace.

All such agreements are subject to the approval of the Cornell University Counsel (or designee).<sup>3</sup> While there are literally hundreds of potential commercial partners and third party vendors seeking to partner with the most prestigious universities on distance learning ventures, we anticipate that *e-Cornell* will engage in a limited number of such partnerships and only in situations that meet the criteria specified above.

Figure 1 shows a schematic of the proposed organizational framework.



### Support for Cornell's Technology-Based Instructional Activities

Cornell Information Technologies (CIT) under the direction of the Vice President for Information Technologies will continue to have the responsibility for providing technical and pedagogical support for activities that are expected to be primarily those that enhance learning of Cornell students, but that have little or no profit-making potential.

In addition, there is an increasing demand for synchronous kinds of educational activities involving the linking of classrooms, the linking of students at other sites to a Cornell classroom, or the linking of experts to Cornell classrooms or studios. The Vice President for Information Technologies will expand

<sup>3</sup> The University's *Conflicts Policy* is being clarified by the University Counsel working with a faculty advisory group, which includes the Dean of the Faculty. The goal is to clarify existing policies (rather than modify or create new policies) by adding scenarios that describe internet teaching situations. The proposed scenarios will then be brought to the University Conflicts Committee.

instructional technology support, including web-based classes, and distance learning classroom design, and operation, and maintenance. FABIT will play an advisory role to the VP for IT on these matters.

*Instructional Technology Support* - The cost of producing and delivering high-quality courseware is substantially greater than traditional face to face instruction. It is anticipated that significant benefits for activities aimed at improving learning for Cornell students might be gained from advances and innovations developed by *e-Cornell*. A number of scenarios are possible. CIT might want to contract with *e-Cornell* to develop templates for various types of faculty-student web-based instructional activities. Alternately, creative or technological advances made by *e-Cornell* might be shared with CIT for use in assisting Cornell faculty with the development of instructional technology-based activity to enhance learning for Cornell students in exchange for other services (see discussion of offsetting services below).

*Classroom Design, Operation, and Maintenance* – CIT, under the direction of the Vice President for Information Technologies, will be responsible for developing a campus-wide infrastructure plan, which will set out state-of-the-art classroom standards. The VP for IT will also develop an approach (including financial arrangements) for providing ongoing operation and maintenance of distance learning classrooms. This service will be available to the Colleges and other Cornell units that may build distance learning classrooms.

### Offsetting Services

The contractual relationship between Cornell and *e-Cornell* will also accommodate the exchange and offsetting of services provided between the University and the Corporation. For example, Cornell might provide specified human resource services to *e-Cornell* in return for production services for special programs or activities, such as the design of templates for instructional support. There would be a balancing of the value of the services exchanged.<sup>4</sup>

Additionally, *e-Cornell* may have a periodic need for access to state-of-the-art distance learning classrooms, such as those that currently exist in the ILR School. Again an offsetting of services might be worked out so that *e-Cornell* has access to these classrooms.

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<sup>4</sup> As long as Cornell receives fair market value for the use of its facilities, there are no material legal impediments to this cooperative approach.

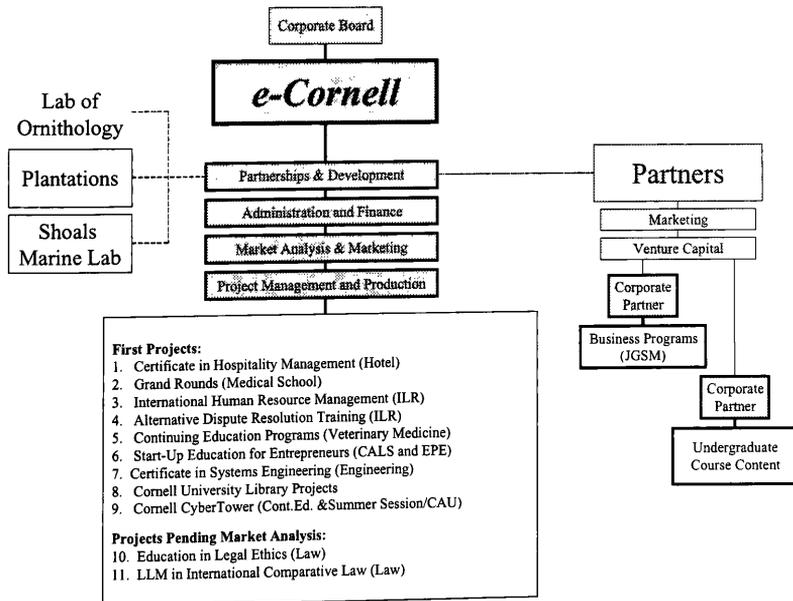
## Strategy and Initial Content for *e-Cornell*

### Strategy

The initial strategy for *e-Cornell* is to:

- ☞ Offer continuing education programs from Cornell's top professional schools where we have either the top brand name or sufficient strength in a niche market to be competitive in the marketplace. We particularly sought opportunities where we have the potential to be the first in the marketplace.
- ☞ Couple Cornell University Library and museum digitization efforts with its distance learning programs and activities;
- ☞ Capitalize on Cornell's unique strengths in birds, gardens, and oceans; and
- ☞ Seek partnerships when name recognition in the marketplace and/or capital are needed to launch new programs.

Any online degree program proposed by a College or School will require heightened scrutiny on campus and Board of Trustees' approval. Figure 2 represents our initial strategy schematically. Note that all projects listed are those that have been proposed to date and are not meant to appear exclusive of other ideas and programs; additional projects and ideas are being added as they are proposed by Colleges and other Cornell units.



Key aspects of this strategy include:

- ⊕ Five of the first professional school projects are certificate programs offered from four of our Colleges with the top rankings and brand names -- Hotel Management, Industrial & Labor Relations, Veterinary Medicine, and the College of Agriculture and Life Sciences.
- ⊕ Certificate and niche programs offered by our other highly-ranked professional schools – the Medical School, the Law School, and the College of Engineering – add additional possibilities for the first phase of activity.
- ⊕ The Cornell University Library's digitization effort presents the opportunity for the Library to provide electronic document and image support for the projects proposed by the various professional schools. In addition, there is the unique opportunity to become the library for distance learners through partnerships with other universities and commercial distance learning partners.
- ⊕ A public relations project – Cornell CyberTower – features programs by some of Cornell's outstanding faculty and is aimed at attracting the attention of high school students (prospective undergraduates will be able to have a glimpse of the Cornell experience) and alumni.
- ⊕ Through partnerships and projects with the Laboratory of Ornithology, the Plantations, and the Shoals Marine Laboratory there is an opportunity to build educational programs and activities around Cornell's unique strengths in the areas of birds, gardens, and oceans.
- ⊕ Through agreements with corporate partners the Johnson School of Management proposes to offer programs in business administration.
- ⊕ An opportunity to partner with other top universities and Colleges in a consortium planning to offer undergraduate courses to other colleges and universities.

## Distance Learning and *e-Cornell*

- Background
- Motivation for Plans
- Approach
- Strategy and Content
- Legal and Policy Issues

1

## Background

- University reports:
  - 1998 Report to the Provost on Distance Learning (*David Lipsky, Chair*)
  - 1999 - A Cornell Strategy for Distance Learning: Conceptual Issues (*J. Robert Cooke*)

2

## Background

- Situation
  - Faculty and colleges beginning to contract with third parties to produce distance learning programs
  - Board of Trustees pressuring the University to develop a strategy and approach for distance learning activities
  - FABIT's recommendation to the Provost (March 1999) to have only one on-campus technology based instructional support office
    - CIT's Academic Technology Support Group
    - Office of Distance Learning

3

## Background

- Goals:
  - Create mechanisms to realize many good ideas
  - Address the recommendations made by FABIT
  - Protect the Cornell name
  - Make sure Cornell and its colleges and faculty gain the greatest possible return on distance learning programs

4

## Motivation for Plans

- Create new educational programs

*"The next big killer application for the Internet is going to be education... what will drive it will be the demands on companies, in an intensely global economy, to keep increasing productivity."*

John Chambers, Cisco Systems  
New York Times, Nov. 99

5

## Motivation for Plans

- Economic challenges created by technology

*"The cost of producing and delivering high-quality courseware is not only substantially greater than face-to-face instruction, it is also constantly recurring. Like the production of a West End play, it requires capital."*

Michael Goldstein  
London Times, Dec. 99

6

## Motivation for Plans

- Generate revenue to help support on-campus activities, improve faculty compensation, new academic programs, etc.

7

## Approach

- Create a Cornell University controlled, for-profit corporation, *e-Cornell*, focused on the development, marketing, distribution, and maintenance of distance learning programs
  - Production capabilities of the Office of Distance Learning will move into *e-Cornell*
- Negotiate all third-party, for-profit partnerships through this company

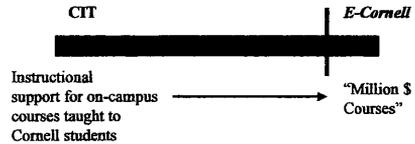
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## Approach

- CIT's role on campus
  - Technology-based instructional support
    - Benefit from advances made by *e-Cornell*, such as templates for web-based instruction
    - Send promising ideas to *e-Cornell*
  - Classroom design, operation, and maintenance
  - Campus infrastructure

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## Approach

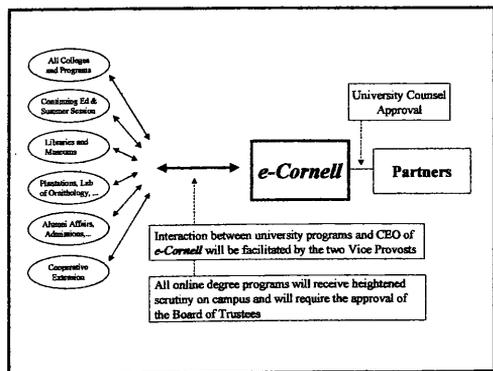


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## Approach

- Offsetting services:
  - Cornell will provide *e-Cornell* with distance learning classroom access and possibly other services
  - *e-Cornell* might provide Cornell with technical or production services for special activities

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## Initial Strategy for *e-Cornell*

- Lead with continuing education programs from Cornell's top professional schools.
- Couple Cornell's library and museum digitization efforts with distance learning programs
- Capitalize on Cornell's unique strengths in birds, gardens, and oceans
- Seek partnerships when name recognition in the marketplace and/or venture capital are needed to launch new programs

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## Content

- First Professional School Projects:
  - Certificate in Hospitality Management (Hotel)
  - International Human Resource Management (ILR)
  - Alternative Dispute Resolution Training (ILR)
  - Continuing Education Programs (Veterinary Medicine)
    - Advanced Practice Management
    - Medical and Surgical Rounds
  - Certificate in Systems Engineering (Engineering)
  - Start-Up Education for Entrepreneurs (CALs)

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## Content

- First Professional School Projects (cont.)
  - Continuing Education (Medical School)
    - Medical Grand Rounds
  - International Programs (Medical School)
- Professional School Projects Pending Market Analysis:
  - Education in Legal Ethics (Law)
  - LL.M. in International Comparative Law (Law)

15

## Content

- Cornell University Library Projects:
  - Programs on archiving and information retrieval
  - Electronic image and document support for *e-Cornell* programs
    - Digitize selected library materials
    - Image unique visual and textual collections
      - pathology slides for Veterinary Medicine
    - Broker access to proprietary information
  - A digital library for distance learners
    - A bold dream, but potentially *e-Cornell's* biggest asset
- Johnson Art Museum Projects

16

## Content

- Birds, Gardens, and Oceans:
  - Laboratory of Ornithology Projects
    - Web site on birds
    - Databases for science and conservation
    - Educational and Citizen Science programs
    - Partnership with the National Audubon Society
  - Plantations Projects
    - Similar to those proposed by the Lab of Ornithology
    - Certificate Program in Public Horticulture
  - Shoals Marine Laboratory
    - Educational programs and partnerships

17

## Content

- Offsetting Services Project:
  - Cornell CyberTower (CAU / Admissions)
    - Highlight what is exciting and unique about living and learning at Cornell
      - Recruiting of prospective undergraduates
      - Resource for high school teachers
      - Program for alumni
    - A few first projects:
      - History of the English Garden
      - Human Paleontology
      - Legal and Ethical Dilemmas of the Internet Age
      - A Tour of Ancient Athens

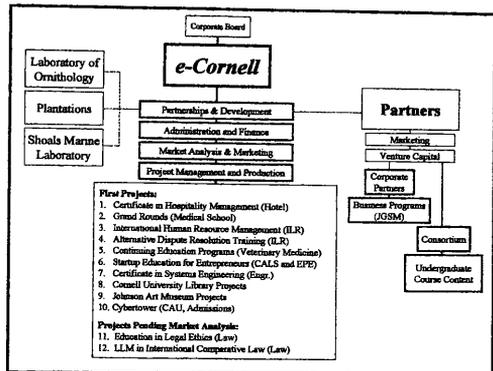
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## Content

### ■ Potential Partnerships

- Johnson Graduate School of Management and Corporate Partners
  - Certificate Program in Core Business Skills
  - Executive Education and Training Modules
- Consortium of top universities and colleges
  - Provider of undergraduate course content
  - Credit would be awarded by institutions offering the content to their students

19



## Rationale for “for-profit” entity

- Attract private capital investment
- Potential capital appreciation of Cornell’s equity interest
- Agility to deal in dynamic, complex market
- Possible equity interest for key corporate employees and others providing services

21

## Policy Issues and Documents

- Prescribe relationship between University and *e-Cornell*
- Clarify existing “Conflicts Policy” to govern Internet teaching
- Determine distribution of revenues among
  - University
  - College or Unit
  - Faculty Members

22

## Overarching Agreement

- Licensing use of University’s name and marks
- Project identification, selection, and management
- University oversight and approval
  - academic integrity of programs, admissions standards set by the Colleges/faculty who create programs, etc.
- Exchange and/or sale of services between two parties
- University will retain rights to use all content and programs produced by *e-Cornell* for on-campus instruction

23

*Yours affectionately,*  
**E. Cornell**

E-Cornell

- Educational programs in the age of information
- A bold experiment with great potential

24

MINUTES OF A MEETING OF THE FACULTY SENATE  
March 8, 2000

Professor Howard Howland, Neurobiology and Behavior, Speaker: "I am to remind you that no photos or recordings will be allowed in the meeting. I will now call on Dean Cooke for remarks."

## 1. REMARKS BY THE DEAN

J. Robert Cooke, Dean of the Faculty: "I have only two short items to present to you. The first is on the screen [the Teaching and Learning Forum scheduled for March 15] and some of you have already read it. I want to say that I hope that you will attend and will encourage your colleagues to attend. The faculty speakers are the recent recipients of the Weiss Presidential Fellow Awards, so they have been selected and honored because of their contributions to teaching and we will have a chance to have some words of wisdom shared with us. The two student panelists are the student-elected Trustee and the other is the head of the Student Assembly. It's only a few days away, so please make a note and urge your colleagues to attend. We are going to produce a publication that will list the best practices in teaching and learning at Cornell so that we can share the good things that are happening in one department with faculty in other departments.

"The other thing I need to say is that I have ten minutes on the Trustee agenda to make a presentation on Friday afternoon and I will report whatever instructions you give as a result of the resolution today."

Speaker Howland: "Thank you. I'd like to call on Provost Randel for Questions and Answers."

## 2. QUESTIONS AND ANSWERS WITH THE PROVOST

Don Randel, Provost: "Professor Anton very nicely sent me an e-mail the other day warning me that he wanted to ask a question about Project 2000 and related matters, so let me just begin with that. He began by saying that he understood that we had spent \$60 million on this matter and he wanted to know where it all went and where we stood. In fact, there was never a plan to spend \$60 million of real cash money. That sum may have been used but it would have included an amount of which at least half that could be attributable to the reallocation of people in the organization. So if you added up all of the people that came from departments and devoted some or all of their time working on it, the value of that labor was thought to be about half. We have so far expended essentially the amount of cash money, in order of \$30 million, that was initially planned.

"The difficulty is that for that \$30 million of cash money that was initially planned to be spent, we have achieved some rather small fraction of the total set of systems that we expired. So for the money we have spent we have essentially installed the HR payroll system, but not with the full functionality that was hoped for. We have done some planning for other systems, namely student information systems, the development of

the Alumni Affairs system, and the Sponsored Research system, none of which has been installed.

"In light of this experiment, I mean experience . . . (laughter). . . we have clearly undertaken to rethink the entire matter fundamentally and we've been having discussions with deans and others on how to proceed with this. Polley McClure and Carolyn Ainslie have led a group to analyze our experience and see where we are and what we might reasonably hope to be able to do and we will have a discussion of all of these matters in the President's Council next week. We expect by then or shortly thereafter to be able to say what we think the alternative to the original plan should be. It will be to spend very much less money than it was turning out to cost had we stuck to the original plan. It has to be said that not only did the systems – the installations, the setting up of them – cost more than anticipated, but what we have done so far has not yielded the savings that we had anticipated. And indeed, the HR payroll system has added some ongoing costs to our operations.

"So clearly, we cannot continue on that path. We will radically alter the course. This is not to say that we will be able to do nothing about the system. We have no choice but to address our needs in that area and in particular in HR payroll, where we are still unable to do some things that we desperately need to be able to do. For example, the management of our fringe benefit program requires us to have a system, which we do not yet have in place, if we are to try to manage those costs and gain control of them in some sense. The cost of fringe benefits is a very serious part of the faculty and staff compensation budget. Our ability to control the costs of fringe benefits is important to us in terms of everything that we want to be able to do in compensation. It's not that we can do nothing.

"Most of the money, it should be said, did not go to PeopleSoft. That is, PeopleSoft sold us the software, but most of the money was spent on the installation and the consultants that were required to install the software, since PeopleSoft is not in the business of installing its software. It also has to be said that the product itself was not as robust as we had expected and had hoped it would be. They are – were – the leading company in the business of installing HR payroll kinds of systems in the corporate world. It turns out that migrating that to the academic world was much more complicated than anyone had imagined. So we have lots of company among universities and, although we are not among those people threatening to sue PeopleSoft, they certainly know very well what our problems have.

"We will persevere with the HR payroll. What we do with the rest of the system is what we're now in the process of deciding. It will, at a minimum, slow down the entire activity considerably. Your questions on that or any other matter?"

Professor Terrence Fine, Electrical Engineering: "First, a preface to the question. As you're aware, the Senate struggled with pressures of time to respond to issues that are about the proposal for Computing and Information Sciences. Over the intersession, even Vice Provost Garza struggled with time to do something like 12 drafts . . ."

Professor Peter Stein, Physics: "Professor Fine, could you stand up?"

Professor Fine: "Yes. I was saying that we have been struggling with pressures of time this past Fall to respond to issues raised by the Computing and Information Science Initiative and even Vice Provost Garza struggled with time, as I know personally, over the intersession to generate something like a dozen drafts of the proposal trying to be responsible and reach a compromise on this issue. He presented that to us at the February meeting, a month ago essentially, and I have heard nothing. I would like to know from you what progress has been made on this issue since we last heard from Vice Provost Garza."

Provost Randel: "This matter is scheduled to be taken up by the Academic Cabinet on Monday. This is a group that meets only every two to three weeks and its scheduling was such that it did not get on the agenda for their meeting immediately following your last meeting. It will be discussed in the Academic Cabinet on Monday. As you know, the document that emerged did not settle every last detail about what might not be done. There would still be things to work out. In any case, I expect we will take into account the Senate's discussion of that document. I wouldn't swear to you that on Monday an edict will be issued that crosses every 't' and dots every 'i'."

Speaker Howland: "Are there any more questions? Yes, Professor Walcott."

Professor Charles Walcott, Neurobiology and Behavior: "In another matter of somewhat unfinished business, how is the plan for Biology proceeding?"

Provost Randel: "Where are my friends when I need them? (Laughter and someone called out 'We're all here.') There was a meeting, I guess maybe two weeks ago, at which we sat with Jeff Doyle and the financial officers and deans of Arts and Sciences and CALS and I think that we have now agreed to everything that needs to be agreed to about the administrative arrangements, the finances for the Undergraduate Office, and so forth. I just received a summary of that produced by John Finamore, which I believe is now acceptable to everybody, so I think it is now possible to say that not only something has been agreed to, but what it will be. I would recommend heckling the man on your right from time to time since CALS plays a leading role in this."

Speaker Howland: "Yes?"

Professor Elizabeth Earle, Plant Breeding: "Back to Project 2000. At the time that the project was proposed and initiated, there was certainly skepticism about whether this was a good direction to go. In retrospect, do you have any comments about what we might have done better to prevent the expenditure of a lot of money on a minimal product?"

Provost Randel: "Well, there was very substantial discussion about how to proceed on a set of needs that were really inescapable, that is, the need to improve our pay system. There was no question that this was going to take some amount of money. The question was, how much money? The alternatives were to try to produce an integrated suite of systems with one vendor that would have everything talking to everything else and thus create certain kinds of dependencies and enhance our ability to manage the institution, or to go with the 'Best of Breed' model. That is, to get an HR payroll system from PeopleSoft, buy the financial system from somebody else, and buy another system

from someone else. You would have a problem of compatibility but you would be going after the known manufacturer in each of the known areas. What we decided to do was to try to approach it by building more or less simultaneously an integrated suite of systems.

"If one wanted to second guess that decision now, I suppose the obvious thing would be to say that we should have taken the other approach, the 'Best of Breed', rather than attempt to do it all in one gulp and create something that would be wholly integrated. The goal is not wrong. It would be highly desirable to have what we thought we were going to get. Nobody had ever done that before, but nobody had ever done anything else either. That is to say that Harvard, for example, decided to start in with finances and they have stopped saying what they spent on their system. Everybody who has tried either approach has had some kind of trouble. Suppose we had taken the 'Best of Breed' approach and we said that we were going to do the HR payroll with PeopleSoft and not do anything else with PeopleSoft. As we now know, all by itself, that would have been plenty of trouble. The fact is that no institution had figured out what it was going to be like to undertake a strategy.

"We are ourselves the problem, to some degree. The ability to adapt things that work well in one environment is limited. We, as a community, evidently, are unprepared to make decisions without being complicated. Everybody wants their own registrar and their own way of doing things and that's very expensive. When no two colleges can agree on who ought to get to see certain kinds of data, you're talking about using something that will be much more expensive than it inherently needs to be.

"Could we have done something smarter that would have produced a different result? In retrospect, we can't point to the clear option that would have spared us the trouble we went through. Even if we had just said that we were going to do HR payroll with the leading maker in the industry we would have gotten into all of the trouble that we got into with that one system. Fortunately, we've been able to back out."

### **3. APPROVAL OF THE MINUTES OF FEBRUARY 9, 2000**

Speaker Howland: "Thank you Provost Randel. I'd like to call for unanimous approval of the minutes. Hearing no objections, the minutes are approved. I'd like to call on Associate Dean and Secretary of the Faculty, Kathleen Rasmussen, for a Nominations and Elections Committee Report."

### **4. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE**

Professor Kathleen Rasmussen, Nutritional Sciences and Associate Dean and Secretary of the University Faculty: "My report this time is short and it is entirely consistent with what you received in the call to the meeting. The Nominations and Elections Committee has made the appointments you see on this overhead (Appendix A, attached) to the A.D. White Professors-at-Large Selection Committee. These are effective July 1<sup>st</sup>.

"While this may not seem like it takes a lot of effort, we have been spending our time developing slates for the at-large seats for the Senate, the Associate Dean and Secretary,

and the two committees that we elect, the Nominations and Elections Committee and the University Faculty Committee."

Speaker Howland: "Thank you very much. We're now going to hear the matter of distance learning. I want to explain to you what we have in front of us. First, I'm going to call on Polley McClure for a summary of the Forum on Distance Learning. Then we're going to hear a motion by Professor Fine on the topic, but at this point we're going to be discussing only the procedure and not the substance. In order to discuss the substance of distance learning, we're going to enter in a motion to enter in to quasi-Committee of the Whole so that we can have a rather free-ranging discussion. So I'm now going to call on Polley McClure, Vice President, Information Technologies, for a summary of the February 29<sup>th</sup> Forum on Distance Learning."

## **5. DISTANCE LEARNING**

### **A. Summary of Forum on Distance Learning**

Polley McClure, Vice President, Information Technologies: "It's quite a challenge to summarize in five minutes the lively and complex set of ideas that were covered in the forum, so I might take six minutes to get through it.

"First of all, just a piece of context. It's been noted that in the United States we need to approximately quadruple the amount of post secondary education available over the next decade. Virtually all of that expanded need is in the adult lifelong education arena. Minimal growth is expected in the traditional space of Cornell's traditional mission, 18-22 year old residential education. The cost of traditional education is escalating beyond the ability of many to pay. Companies, such as University of Phoenix, are attempting to provide the adult education that is part of the expanding need. Several first-rate universities have also formed companies to compete in this space. There are two reasons for such universities to attempt to fill this need. First, the public good of educating people who will experience dramatic changes in the knowledge and skills needed during their working life. Second, harvesting financial returns that otherwise would be taken by companies in order to redirect the proceeds to support our core missions. E-Cornell is a proposed vehicle, not to address our traditional mission, but to allow Cornell to participate in meeting these new needs, against other private ventures.

To the issues discussed in the Forum:

1. E-Cornell is one mechanism whereby Cornell faculty and colleges may be enabled to deliver distance learning products. Colleges have products that they want to deliver now.
2. E-Cornell will most likely be used only for courses/programs that require substantial capital, have the potential to make a profit, and support students at a distance or where partnerships with outside agencies need to be negotiated.
3. E-Cornell is a first, but not the only vehicle for support of technology mediated learning at Cornell. CIT will develop the technology infrastructure, support and services to enable faculty and colleges to offer the full range of distance and on-site instructional offerings independent of E-Cornell.

4. Admissions standards, academic standards, priorities for all distance learning offerings will be in the hands of faculty and colleges, whether or not E-Cornell, CIT, or some other entity provides the production, marketing, distribution and maintenance support.
5. E-Cornell is being formed to protect Cornell's name and to ensure that Cornell gains the greatest possible return on its distance learning products,
6. E-Cornell will not interfere with individual faculty distance learning products like multimedia textbooks; it will be involved only when the program is being delivered as a Cornell University program.
7. The for-profit model has been chosen to attract the capital required, to deliver additional faculty compensation, and to enable the speed and flexibility required in the internet world.
8. An over-arching agreement is being drafted to establish Cornell's position of control over programs of e-Cornell.
9. Separate status of e-Cornell provides insulation from the unique priorities and huge demands for capital that would otherwise be placed on the University.
10. E-Cornell will provide a way to distribute our learning resources to a larger student base.
11. Most of the issues raised about admissions standards and faculty control of content, credit, and degrees for non-traditional students are already issues for existing continuing education programs.
12. Courses offered by distance learning can be at least as high quality as those delivered by traditional means.
13. Revenues from e-Cornell will be split between the Provost and College, with the College providing revenue back to faculty.
14. E-Cornell will provide back to Cornell all the materials and resources it distributes off-campus for on-campus use at no cost.

"Then, the issues of concern. First, to the matter of process:

1. The proposal to establish e-Cornell is seen as an academic matter, and, as such should be subject to approval by the Faculty Senate. Consultation with the Faculty Senate has been viewed as inadequate to date.
2. The work of two previous faculty committees on this subject is not evident in the current proposal.

"Then, to the matter of content:

1. Universities are public interest institutions and must remain independent of powerful private interests. E-Cornell, as a for-profit entity, puts the independence of Cornell University at risk.
2. Academic freedom is put at risk through destruction of the wall of separation between the University and outside private interests.
3. E-Cornell may, in order to maximize profit, sell its products to anyone with the money to purchase them, without regard to their qualifications.
4. The assumed potential revenue probably will not materialize.
5. Just because other institutions are getting into distance learning isn't any reason for Cornell also to do so. We won't necessarily be left behind in any important sense.
6. It would be better for Cornell to establish a publishing business that could distribute educational materials rather than courses and certificate programs.
7. E-Cornell will draw faculty attention away from our on-campus core constituency.
8. E-Cornell will expect Cornell faculty to give them special consideration as agents for their educational products.
9. High-quality, distance-learning materials require much faculty time and are very expensive to produce and maintain.
10. Distance learning is lower quality education than traditional learning in a classroom.
11. The economics of the proposal will inevitably distort Cornell's traditional priorities and values.
12. Why not try a PBS model for distance learning instead of the for-profit model? It would avoid almost all of the faculty concerns except those of process.

"Thank you very much."

Speaker Howland: "I would like to call on Professor Terrence Fine, the Chair of the Committee on Academic Programs and Policies, for a resolution from that committee and the University Faculty Committee."

#### **B. Resolution from the University Faculty Committee and the Academic Programs and Policies Committee on Distance Learning**

Professor Fine read the resolution:

WHEREAS, distance learning, being a form of instruction, is an academic matter and therefore a faculty prerogative requiring consultation through the system of faculty governance, and

WHEREAS, the administration has proposed to create a for-profit corporation to engage in distance learning, and whereas, a for-profit academic enterprise raises serious concerns about the maintenance of the University's fundamental public service mission and about the protection of academic freedom,

THEREFORE BE IT RESOLVED, that the Faculty Senate expects to participate with the Administration and Trustees in the development of principles and plans for distance learning. Such plans, once formulated, should be presented to the Faculty Senate for faculty review.

Speaker Howland: "Is there a second to this? Okay."

Professor Fine: "Some of the reasons for this came from the latter part of Polley McClure's report. You were provided the rationale, but of course the rationale is not what we're voting on; the rationale is just to provide background to the motion. It's the motion we're asking you to vote on. I would just take from the rationale a couple of points. We're looking at a large-scale, for-profit educational enterprise. There may be other for-profit educational enterprises in the University but they're not at the same level of academic education as the one being proposed. This is a large-scale model that exists for the purpose of making profit and the proposed for-profit organization raises potential conflicts in the goal of profit-making and the public interest. We can certainly see profit-making considerations swaying content when we find venture capitalists members of the board. This motion does not decide a position. It does not conclude one way or another and that's important. What it does conclude is that this is important enough to warrant formal consideration. One cannot just blow by the issues and assume that everything is handy and dandy. They need consideration. The motion is not asking you to decide whether, indeed, this is a reconcilable problem or not. That is one issue. The other issue is the conflict with the public service mission of the University. When we get into a for-profit enterprise in the education area, there is a potential to distort the public service mission. It may not, but it certainly warrants the consideration of the faculty. That is the motion that is being offered to you. Others may now wish to speak."

Speaker Howland: "Thank you. Is Professor McAdams here? Did you wish to speak to this?"

Associate Professor Alan McAdams, JGSM: "I want to speak to the substance of e-Cornell. I think this motion is a fine motion and I would vote for it."

Professor Stein: "I have a question of interpretation for the maker of the motion. I wonder what it means, mainly the last paragraph, if for instance the Board of Trustees should decide at its next meeting, which I think is next weekend, to go ahead with a for-profit venture and spend money doing that, would you think that would be inconsistent with this motion, assuming that the Senate passes it or would that be

consistent with the motion? Are you merely asking that as this effort develops that the administration consult with the Senate?"

Professor Fine: "It would be my view that deciding on a for-profit entity at this point would be inconsistent with the motion."

Speaker Howland: "Thank you. Further discussion on the motion? Yes?"

Associate Professor Paul Velleman, ILR: "I'm not a Senator, but am I allowed to speak?"

Speaker Howland: "Of course you are."

Professor Velleman: "Peter, I would suggest, in particular, that the end of the resolution should specify that the faculty should be consulted before the establishment of this entity. I see the risk that the Trustees will establish the entity and promise to consult with us sometime in the future. If that's what's intended, I think the resolution should say that."

Speaker Howland: "I'd like to remind you that we can't entertain substantive amendments on the resolution at this point. Provost Randel?"

Provost Randel: "Let me say one thing about the assumption that is stated right off that sort of runs through the whole and that is that the Faculty Senate is somehow in a position to review the offerings of colleges and departments. I think that is simply not true. And let us suppose that e-Cornell disappeared even as the twinkle in the eye of some ruthless capitalist, colleges and units are going to do this and the Faculty Senate is not going to be consulted and, indeed, has no position from which to claim that they ought to be consulted. That is to say that the offerings of courses and programs is left entirely up to the colleges. The central administration does not intervene in that. If a college wants to offer course x or y, the Senate is not consulted about that. If college or department x or y wants to offer a course in the summer session, for example, that is not a matter for review by the Faculty Senate or the central administration. It is the responsibilities of the faculties in the units to determine what they will offer. So the argument here suggests that somehow the Senate should be reviewing the offerings of academic units and that is a wholly novel theory in the University. If e-Cornell doesn't do it, the Hotel School, the Johnson School, you name it, are going to do it anyway, and nobody is going to be consulted about it but them."

Speaker Howland: "Professor Fine?"

Professor Fine: "At best, that's a disingenuous argument. E-Cornell is not meant to be an entity that serves just one college. It has clearly spread its wings over a variety of programs. You have seen listings of Vet College, ILR School, Johnson School, Hotel School, and other courses ranging across the array of academia. It think it's quite fair to say that any program that proposes to deal with that range of colleges falls within the purview of the Senate. Elements of it may be restricted to individual colleges, but the program overall is reaching out across the colleges. That's one thing. The second thing has to do with 'They will do it anyway.' We have discussed this in the UFC. How do they get to do it anyway? Is this sort of offering another course in probability? I

shouldn't pick on Phillip Morris, but I will. Say I decide that Phillip Morris is going to sponsor my probability course. They're perfectly happy to do it and I will put on my personal website for the course a banner saying that they engage in epidemiological studies to support probability. I suspect that I will be violating some principle here. It is our understanding that the colleges that wish to make relations with private sponsors, corporate sponsors, etc., need permission from the administration. In that case, your remark causes me even greater concern and I feel even more relieved to have such a resolution if the central administration is so willing to write a blanket endorsement of their ability to engage in contractual relations with private enterprises. I don't think that's part of the normal functions of the academic operations of colleges."

Speaker Howland: "I'll let the Provost reply but then I'm going to stop the dialogue and get to a general discussion."

Provost Randel: "A number of things are stirred together in those remarks. Of course, colleges and departments are not free to enter into contractual relationships with outside entities using the name of Cornell. When I say that they're going to do it anyway, they're going to do it on their own initiative without seeking outside sponsorship at all. If they were to seek to put an advertisement next to the Cornell logo, sure we would object. But if Veterinary Medicine or ILR wants to offer Executive Education on their own initiative, there is nothing to prevent that in the electronic form anymore than there is anything to prevent it in the forms in which they are now doing it. As to your first point, e-Cornell simply seeks to be the vehicle through which many colleges and units who want to engage in this will be facilitated in their doing of it. And only a piece of it at that. E-Cornell's function is only to enable those existing programs in the University to offer distance education of a kind that will require substantial investment. That will be a small fraction of what we do in distance learning. The entirety of our Extension activity, which is sure to be transformed by the internet, is going to go on as a wholly separate matter from e-Cornell. E-Cornell is being contemplated for the sake of securing the resources to do things that parts of the University want to do anyway and that we think would be best managed by some entity to facilitate that rather than everyone having to invent it on their own terms."

Speaker Howland: "Any comments directly on the motion?"

Professor Joseph Ballantyne, Electrical Engineering: "The motion, it seems to me, is very clear in what it is stating and it refers only to principles and plans. I don't see anywhere in this motion anything about content. It seems to me that one of the previous speakers said that the Faculty Senate wants to review content. I see nothing in the motion nor have we heard anything about reviewing the content only the principles and plan. It seems to me that this Senate very recently established a University-wide committee to review all promotions to tenure and this seems to be a related to this."

Speaker Howland: "Other comments."

Professor Emeritus Donald Sola, Modern Languages and Linguistics: "I'm not a Senator, but my question is for clarification. There appear to be two things governing here. One is explicit and the other is not. One is the for-profit element. What is not unambiguous is the question of distance education by electronic means. There's a lot of background

here that implies that is the intent, but there's nothing explicit that says that this is the intent. My own reaction is that this University, the faculty and the administration, is pretty naïve on the question of distance education by electronic means. So I like this and I have no right to vote on it, but I think that's one element that needs clarification."

Speaker Howland: "Additional comments?"

Professor Richard Galik, Physics: "I disagree with Professor Stein. I don't think there's any ambiguity here. I think that the development and the plan clearly indicates that, as Professor Fine said, if the Trustees were to go ahead and actually formulate this entity in a week, that would constitute a plan and that would be against the motion. I don't see the need to modify this."

Speaker Howland: "Yes sir?"

Professor Paul Hyams, History: "I'm a member of CAPP and not a member of the Senate but I would be very depressed if I thought that the Senate had no right to pass a view on an entity that was for-profit and bears the name of Cornell, whether it bears an 'e' in front of it or not. I think that there's the PBS question, and if not the Senate, then who? At what stage can the Senate comment on something that strikes at every one of us – if only because it involves a lot of money?"

"The e-Cornell plan has been thought about long and hard for two years. Some of the best minds of the University from Day Hall have been thinking about this, they've even occasionally talked to people from the rest of the campus. When CAPP looked at it, it found a number of items that hadn't been considered and it was possible to ask Vice Provost Sansalone what their projections were for profit, what she thought the size of the market was, and got no answer. That's depressing. The real case for consulting the Senate as a surrogate for the faculty is that if you don't do it beforehand, you'll get trouble later. What we're best at is raising awkward obstacles to clever ideas, and we should be given the chance to do that if the administration wanted plans to go through.

"Let me give one example of an omission because it's rather important in the tiny constituency of humanities that I might be said to represent. The Cornell University Press controls a great mass of content which could be used in a distance learning project. It has experience in textbooks, it has textbooks, and some of those textbooks have electronic constituents. It has some experience, though limited, in electronic textbooks and electronic publishing. That experience is limited because the amount of capital it has been allowed to use is very limited. It has brought luster to the reputation of this University. It has done a job, like a number of departments and divisions of the University, that has not been much applauded but has been valuable. And it has been sensibly administered over the last few years, by which I mean that its books more or less balance. It seems to me that there are three options within e-Cornell for the Cornell University Press. Either it should be integrated into e-Cornell in some way, since they're doing the same things, or the plans ought to have a very carefully specified boundary line between what can be done in the University's name by University Press and what is reserved for e-Cornell. Or, Cornell University Press ought to be wound up. I think that the third option would be a disaster, but I think that the administration ought to look at this and I haven't heard, outside of the CAPP meeting where I raised it,

one mention of the Press. What other things are there that people in this room would have raised had they had the chance to see the plans in detail in an earlier stage, but which have not been thought about?"

Speaker Howland: "Further comments on the motion? Professor Stein?"

Professor Stein: "I wonder if it's in order to offer a non-substantive amendment? A clarifying amendment? I'm persuaded by listening to my colleagues Professor Galik and Professor Fine that they fully intended the motion to include the establishment of a for-profit corporation. I'm not sure that every fresh eye looking at that would conclude the same thing. Therefore, just to make it clear, I wonder if it would be in order to add the words 'including the establishment of a for-profit corporation' after 'once formulated.' I would argue that the words don't change the intent of the legislation, they only make it clearer. Can I ask for unanimous consent?"

Speaker Howland: "Just one second. I'm sorry Professor Stein, but I have to rule it out of order. It's not a stylistic change. It seems to change the content of the motion."

Professor Stein: "I believe it's in order for me to challenge the ruling of the chair."

Speaker Howland: "I believe that's correct." (Laughter).

Professor Stein: "Despite my deepest respect for the Chair, I believe that this is a stylistic or grammatical change in that it makes clear what the maker of the motion wished readers to conclude from it."

Speaker Howland: "Right. The ruling of the Chair has been challenged and it takes a simple majority to resolve the question. So I will ask now if the ruling of the Chair should be sustained or not? All in favor of sustaining the ruling raise your hands. All opposed please raise your hands. It clearly fails."

Professor Stein: "What?"

Speaker Howland: "My ruling fails. Does it have a second? Okay. It is in order for you to make an amendment to this motion. Would you restate your amendment?"

Professor Stein: "To add the phrase in the second line from the bottom, set off by commas, 'including the establishment of a for-profit corporation.'"

Speaker Howland: "That comes after?"

Professor Stein: "It should probably come before 'once formulated.'"

Speaker Howland: "Yes? Discussion on the amendment?"

Professor Earle: "Is it in order for me to suggest that the new words would be better placed at the end of the previous sentence? I think it might be grammatically better."

Speaker Howland: "Yes? More discussion on the amendment?"

Professor Nicholas Sturgeon, Philosophy: "I'm happy about the sentiment behind the amendment but I worry about what the words actually say now. It sounds as if we're endorsing the establishment of a for-profit corporation and that we just want to be consulted about it. It is worded to take for granted that there will be development of principles and plans for distance learning that include a for-profit corporation whereas I thought that part of what we wanted to be consulted about was whether there should be. Changing the word 'the' to 'any' might preclude that."

Speaker Howland: "Okay. Is there any more discussion? Yes?"

Associate Professor Kevin Nixon, Plant Biology: "I hate to add more, but I think maybe we should put something like, 'prior to formulation of a for-profit organization,' we should be consulted. They could consult us afterwards the way it is worded."

Speaker Howland: "Okay. Yes?"

Professor Risa Lieberwitz, ILR: "I think with regard to the last suggestion, if the intent of the writing was to make it clear that there is the initial role of the Faculty Senate and if the faculty governance were to go ahead and be a central party in formulating a plan, it would then be brought to the Faculty Senate as a whole for review and a vote. To add yet another word in the direction of clarifying as others were trying to do, I would suggest including 'any potential or any proposed establishment.' One of those would be important if we want to be clear. We're not just trying to add words, we're trying to make it clear that before anything is done we need to have full Faculty Senate participation. Therefore in the spirit of these friendly amendments, we should say 'potential.'"

Speaker Howland: "Let's find out if it is a friendly amendment."

Professor Stein: "Sure it's friendly."

Speaker Howland: "Questions or comments? Shall we vote? Okay, we have to vote first on the amendment and then on the motion. All in favor say 'aye.' All opposed say 'nay.' The amendment clearly carries. Is there further discussion on the motion or shall we vote on it?"

Professor Earle: "I would like to hear Professor Fine explain his 'no' vote. Is there something we're missing?"

Professor Fine: "You do not wish to hear me explain my 'no' vote, actually. (Laughter). I think this became a travesty of what people think the faculty do. The intent was clear, it was well-understood. The Dean of the Faculty could have communicated it clearly to the Trustees as could the legislative history. Instead, we spent precious time that we could have used to discuss the motion doing word-smithing in Committee of the Whole. I think this sort of thing does not get us a lot of respect among the people we are addressing."

Speaker Howland: "Yes?"

Deborah Streeter, Bruce F. Failing, Sr. Professor of Personal Enterprise and Small Business Management: "I'm not a Senator, but I haven't heard a voice of opposition to the motion, so what the hell, I'll stand in front of the train. I really appreciate a lot of the viewpoints that have been spoken here and the on-line forum, and I encourage everyone to take a look at them. I teach an area of entrepreneurship so maybe I'm already from the environment of 'ready, fire, aim' but I think we'll be missing something if we totally block any establishment of e-Cornell as opposed to getting involved with the planning process. Maybe I'm stressing the wrong thing but when I'm finished, I'll sit down. The issue as I see it is that we should not be so risk averse and we should trust ourselves and our colleagues much more. E-Cornell can't go anywhere without faculty members signing up to provide content and so forth. I'm one of the first programs that they picked, so maybe you think I'm speaking only because of self-interest, but I actually trust the colleagues that I have that if e-Cornell wants to dictate the terms to us we should say 'no.' I'm not worried about that aspect. I think that the issues of intellectual property are much more serious and we should enter into a dialogue about that."

Speaker Howland: "Thank you. Are there any more comments? Yes, Professor Walcott?"

Professor Walcott: "I'd like to call the question."

Speaker Howland: "Okay the question has been called. We have a second. All of those in favor of terminating debate and moving to a vote say 'aye.' All opposed say 'nay.' Okay. We will vote on the motion before us as amended. All of those in favor of the motion say 'aye.' All of those opposed say 'nay.'"

*WHEREAS, distance learning, being a form of instruction, is an academic matter and therefore a faculty prerogative requiring consultation through the system of faculty governance, and*

*WHEREAS, the administration has proposed to create a for-profit corporation to engage in distance learning, and*

*WHEREAS, a for-profit academic enterprise raises serious concerns about the maintenance of the University's fundamental public service mission and about the protection of academic freedom,*

*THEREFORE BE IT RESOLVED, that the Faculty Senate expects to participate with the Administration and Trustees in the development of principles and plans for distance learning including any potential establishment of a for-profit corporation. Such plans, once formulated, should be presented to the Faculty Senate for faculty review.*

Dean Cooke: "Can we get a counted vote for the Trustees?"

Speaker Howland: "Yes. Secretary Rasmussen will you help me? All of those in favor of the motion, please stand. I presume everyone who is standing is a Senator. Please sit down, and all of those opposed, please stand. Do we have abstentions? Okay the vote

was 65 in favor, 1 opposed, and 2 abstentions. At this point, I will call on Professor Fine."

### **C. Quasi-Committee of the Whole to Discuss Distance Learning**

Professor Fine: "I want to move that the Senate go into quasi-Committee of the Whole for the purpose of discussion only of the matter of e-Cornell and distance learning, those issues we are not free to discuss during the motion. The quasi-Committee of the Whole will terminate discussion at 6:00 p.m. I believe there's no 'Good and Welfare,' so it will be in time for the Senate to adjourn. That's the motion."

Speaker Howland: "Is there a second? Okay, it is debatable. Seeing no hands, should I move to a vote? All of those in favor of the motion say 'aye.' All opposed say 'nay.' Good, we are in quasi-Committee of the Whole. Under those rules, the Chair retains the chair. You have the topic before us, e-Cornell and distance learning. Does anybody wish to speak to this topic? Yes, Professor McAdams?"

Professor McAdams: "I'm the senior Senator from the Johnson School and I'd like to focus on areas where I see difficulty and where we need to have a discussion. The issues that I see are property rights, possible conflicts of interest, and a notable shifts of ethos. I think the Senate's motion illustrates these. Then there is the absence of any clear business plan that tells us how e-Cornell would be functioning.

"I'm a member of an informal task force at the Johnson School that Dean Cooke called together. We met yesterday and we meet again tomorrow. We raised ten issues in our discussion. I don't want to do all ten, but I want to hit five. One question is, what are we really trying to achieve? What I hear is that we're trying to get there with others. I always ask how do we differentiate ourselves if we're joining a thundering herd. How does Cornell differentiate itself from others? There are some other factors that the Provost mentioned and for the first time I heard the comment that we're already doing a lot of this through Cooperative Extension. At the forum, I suggested that Cornell differentiate itself by becoming the PBS of distance learning. We're already doing that through Extension and other ways, but people say that it's impossible. I say that if it's currently taking place, it's not impossible. We're also doing it to some degree through the Cornell Press. So we're already moving in these areas; and we're already acting in these areas, maybe we could do it that way.

"A problem that I see with e-Cornell is that it seems to be a very rigid organization with solid boundaries. There is a need for a contracting facility if we're going to be participating in this area. It does not necessarily need to be for-profit. It does not necessarily have to be a major organization with rights of first refusal with everything that is available from faculty or groups of faculty. Some kind of contracting facility in that area would be useful. It should be small, elite, empowering individuals and entity groups, but be faculty initiated. What I don't see is that empowerment of people here from outside. I see an iron mask.

"Another question is will we get a clear business plan that suggests that there may actually be return to Cornell from these activities? All of the back-of-the-envelope work that I've heard suggests that it's going to be very unlikely. I would like to hear someone

who really understands it say that we can make a lot of money here. If we can't make a lot of money, it is clear that there are going to be problems with conflict if it is for-profit. With the ethos that we are operating, the profit should be large. Until we see that the profit could be large, I wonder why we would go forward.

"Once we have a business plan for e-Cornell, we raise another issue. If this is going to have payoff for Cornell University, isn't it worth the commitment of some of our endowment funds rather than going outside to entrepreneurs who will come under a for-profit mechanism, requiring us to pay taxes on whatever net revenues we're able to achieve, before there's any return at all? If we were going forward and it takes capital, we might commit our own capital and that might also tend to differentiate us from some of our colleagues.

"The problems come very largely when we go for-profit, with outside investors, with their own Board of Directors, with their own fiduciary relationships to the outside investors, and their objective in a for-profit business is to make profit. It seems to me that there is a spectrum of ways in which we could function without going that far. I think it would be worthwhile for us to carry on further discussion and analysis in those directions."

Speaker Howland: "Yes?"

Professor Emeritus William Streett, Chemical Engineering: "I'd like to point out that when I was Dean in the late 1980s, the Vice Presidents of IBM, Hewlett-Packard, AT&T, and other companies came to me and said, 'Look, we have thousands of engineers and scientists whose skills are rapidly becoming obsolete. We desperately need to have those skills upgraded and you have the courses and programs to help us do that.' They said, 'We will pay you a premium on the on-campus tuition if you will deliver these courses and Master of Engineering degree programs at a distance.' The prevailing technology then was satellite technology and we attempted to get that kind of program off the ground. The initial expense was such that we didn't succeed in making it work. We could see the possibility of the Internet coming down the line, but at the time the Provost wasn't willing to fund it for long enough for us to get it going. So, we didn't. I simply want to contrast that with the experience of Stanford University. Starting a bit earlier than that, Stanford set up a microwave system to deliver courses and degree programs in Silicon Valley. That has been one of the great energizing factors of the enormous commercial success and the scientific and engineering success of Silicon Valley. They must deliver that now via the Internet.

"When I visited Hewlett-Packard some years ago, they were celebrating the occasion of the 1000<sup>th</sup> Hewlett-Packard employee who had earned an advanced degree from Stanford through that program. The off-campus students in Silicon Valley perform better, in general, than the on-campus students. Stanford has made an enormous amount of money from those programs. It has not corrupted the University and Hewlett-Packard and IBM have not attempted to influence what the University does or how it does it. In fact, it has provided a substantial stream of income that has advanced the University in a number of ways, not the least of which is faculty salaries. There are good reasons for doing this and there are institutions that have been doing it for a long time and are very successful at it."

Professor McAdams: "I'm also familiar with Stanford, I'm a Stanford graduate and I am good friends with the Dean of Engineering at Stanford. I would point out that there is no e-Stanford as an intermediary to facilitate this. The Engineering School did it and they did it well and it was run by the Dean and was done by videotape with local mentors. They're running out of local mentors because corporations are very much leaner and so they are finding difficulty with following the model that they have. A lot of what they are doing now is in real time, satellite activity. They happen to have Silicon Valley all around them that helps facilitate the program. In any case, they didn't have some kind of iron mask to go through."

Speaker Howland: "In the back?"

Professor Ballantyne: "I have two comments. One is that I'm very confused about the status of intellectual property rights. Additionally, I heard about right of first refusal and then informally I heard that it's all been changed. I still have no idea what it is. I think that's an issue of grave importance to the faculty. The second point is just a brief comment. One of the reasons that program did not succeed in Engineering was that our faculty was not willing to give a Master of Engineering degree based only on distance learning courses. We did require that they come to campus."

Professor Richard Baer, Natural Resources: "I have a somewhat different concern. Traditionally, maybe until the last 50 or 100 years, education to a large extent has been seen in terms of moral formation, development of character, and initiating people into a community of learners and one of the things that I'm uneasy about in distance learning is an increasing number of students who will cheat if they can get away with it. In my classes, people have come right out and said that if they could get away with it and it would advance their careers, they would lie and cheat. What I'm concerned about in part is not so much the finances, but how we as faculty will assume the traditional role of not just transmitting information. I think it's dangerous to see our role as just transmitting information or even skills. Ideally, we're shaping people's character and their sense of responsibility as learners and as a part of the community. I don't see how this works well. It could work well if there was an adequate system of mentoring, but it worries me that distance learning tends to see education minimally in those terms of transmitting information. I could see ideally the distance learning in which we also receive materials from other universities that would free us up as faculty to spend more time with students, individually and in small groups, in terms of that kind of apprenticeship role and initiating into a community of learners and all of the responsibilities, duties, and privileges that entails. I'm somewhat concerned about this and I wish that we would begin to think about those aspects of the issue."

Speaker Howland: "Yes?"

Associate Professor Stephen Vavasis, Computer Science: "Many of my colleagues are also concerned about the issue of intellectual property issues in all kinds of distance learning, not only for-profit. I don't know if everyone is aware of the lawsuit at Harvard where Harvard is suing its own professor who taught a distance learning course for a different university. Harvard thought that this was a violation of its intellectual property rights. It seems to me that something like that could happen at

Cornell, so I would like to propose that the Senate delegate to a small group, perhaps the University Conflicts Committee, our wishes that they engage the administration to get a clear statement of what are the intellectual property issues associated with distance learning."

Speaker Howland: "Professor Ahl?"

Professor Fred Ahl, Classics: "I think most of us know that regardless of what we do or say here that not only will this thing go ahead, but it is in fact already going ahead. What we're going to be doing is trying to jump aboard the missile that's already been launched. I regard it as a missile because as I understand it, and I may have misunderstood, this isn't something like Open University that's being planned, where the idea is to fulfill a public service by providing a wide range of educational programs in a wide variety of programs. This comes across fairly clearly as a desire to seize the opportunity to make money. If there were an already existing view of Cornell as an elitist institution, we're actually going to damage it by turning into something of a money-grubbing place. It isn't as if we're saying we have a mission to perform for the community at large. We're not interested in doing anything in the range of this program that will not make money. I think that's the statement we'll be making about ourselves with e-Cornell. It may be that this will bring Cornell money; it may bring a great deal of wealth. I'm anxious about what it may say about the University and I rather suspect that there are others on the faculty who feel that way too."

Speaker Howland: "In the back?"

Professor Michael Todd, Leon C. Welch Professor of Engineering: "I have listened with great care to all of these discussions and I'm appreciative of the comments. I think this could work but I'm not sure for-profit is the way to go and I'm glad that we are thinking about alternatives. I would like to mention a colleague of mine and the family of Ezra Cornell, who is none too happy about having their name used in this way, and suggest that we change the 'e' in e-Cornell to a dollar sign." (Laughter).

Professor Emeritus Sola: "One thing that is being brought up here was sounded in the Corson Symposium rather clearly. Don Holcomb talked about the economics of the University and about the problem of replacing lost income in other ways. If this thing is worth it, maybe some star performers would put money on it. My own experience of distance education comes from when I taught an unusual language that most people don't study. If they did study it, they came in the summer and worked intensively and then the question was what to do next. That got me interested in distance education by electronic means. I think that the theme is relevant. Why is it that not more people are involved? I think it's because you don't think of the undergraduates or graduates who come through as a continuous stream and how to get them hooked in a way that gives them ultimate loyalty to the institution is the challenge. E-Cornell is not relevant here. I think it should be pursued and I hope that if I was a president of a corporation I could make a presentation and it might be accepted. My point really is to what extent does the theme of loyal patronage to the institution and the money payoff that comes from that, concern you as a faculty?"

Speaker Howland: "Yes, Professor Evans."

Professor Emeritus Howard Evans, Veterinary Anatomy: "I haven't heard anyone address the issue of the dilution of faculty contact with students once this thing is in full swing or the effects on the libraries. I've heard nothing about money going to the libraries from this activity whereas the librarians will certainly be paying attention to those who are footing the bill. Assume this money starts being the major focus, the libraries will shift to supporting those courses and those activities that are bringing in the money. I'm afraid that our library facilities are already being strained and our librarians will be concentrating on the wrong things. I think it's a dilution of Cornell's effort on the part of students that are here."

Speaker Howland: "Yes?"

Professor Velleman: "I can add at least a fact to that discussion. I am a developer of asynchronous materials that have been used in distance learning, which basically means that we're not just videotaping a class or showing a class a video while it's taking place, but students work on their own time schedule. The norm in the area for developing high intensity, highly interactive asynchronous materials of the quality that we want with something with Cornell's name on it is 30 hours of authoring effort per minute of student experience. That is the official industry norm for developing materials of this quality. There are some products where we've reduced that to maybe five hours of effort per minute of student experience. That is the magnitude of effort that we're looking for to create materials of the quality that we would want, that are not just correspondence courses done by e-mail or posting your PowerPoint slides on the Web and letting students read them. This is actually having interaction with students and actually having materials that simulate situations and use the electronics to enhance education rather than being simply a means of delivering it. The impact on all of us, on any significant number of faculty deciding to devote that kind of effort, is something we have to consider. This idea that those faculty members who want to participate can without affecting the others of us, I think is misleading. It affects all of us if there is that kind of a dilution of effort. Now all of that said, I'm very much in favor of distance education. I think we do need to use electronics to enhance education and I think that we can enhance education on and off campus but I'm dubious about this particular model for doing it."

Professor William Lesser, Agricultural, Resource, and Managerial Economics: "I too have a little bit of experience producing a distance education program, a small thing on CD. As a result of that experience, I'm quite familiar with the costs indicated in the production of these materials and sufficiently realistic enough to imagine that the people who invest in this are going to want to at least recover their investment. The notion of making this for-profit is not alien and similarly, anyone who invests is going to want to own the property rights and any rights which you would have then would be something that you would have to negotiate. That's not particularly surprising. What's troubling me about this concept is the right of first refusal. I don't understand why if I have a concept that I don't have the right to approach a number of possible sources on an even basis as I would if I had a textbook or a scholarly book. It seems to me that e-Cornell is providing a good service and a valuable one, but they can compete on merit and not have to establish themselves through some kind of specific right. I would feel much better if we could negotiate."

"In regards to dilution of effort, that's certainly an issue, but if we don't do it, somebody else is going to do it. Somebody is going to come along and take the core courses in which the syllabus doesn't change, do a good job with it, and once it's done, we'll all be using it. There will be a dilution of faculty in that case. If we want to be a part of this, we're going to need some source of funding because, as indicated, it's extremely expensive in time and financial resources. Cornell is already somewhat behind because, compared to other universities, it has not seen fit to invest in these areas, so faculty have to generate concepts and raise their own funds to see something through to completion."

Professor Graeme Bailey, Computer Science: "I think distance education is absolutely fantastic. I have memories from about 25 years ago about watching a television program produced by the Open University. It had a picture of trying to understand what movement was like in hyperbolic space, very bizarre and I won't go through the details of it. They used a camera to show somebody walking in a straight line and as the camera moved out, you could see that the line was actually curved in reality. You got a serious impression using the benefits of the means they had available. It was a real addition to a means of understanding. The point of that was that the Open University takes typically two years to prepare a course, where there's complete involvement of all the faculty together, with all of the support of the secretarial staff together, with the services of the BBC. The costs involved to do really good quality stuff are phenomenal. The advantages to Cornell's name in doing something of that quality would also be phenomenal. I understand, of course, the position of the administration that they want to do a terrific job and the problem of raising the kind of money we need to create such a high-quality exercise. Do we do it for profit? Then taxation bites in and we have to have even more financial success to reap the earnings to justify it. Do it not for profit? Then we have to lean on the people who are already providing resources and divert money from one exercise to another. I think distance education would be terrific to do, but we must do it in the right way and my sympathies to the administration to solve a really hard problem." (Laughter).

Professor Vavasis: "I just wanted to disagree with the speaker before the previous speaker. He said that he thinks faculty ought to have the right to negotiate the best deal when they want to see some kind of distance learning material, but I can foresee a problem with that. Suppose that the professor who teaches CS100 one semester negotiates the best deal that he can get and I'm teaching it the next semester and I find that our standard syllabus has been copyrighted and the copyright has been sold. I see that this as quite a complicated issue, and stating what's in the best interest of the faculty, I have trouble with that. Again, I think it's quite important that the Senate set up a small group to get this issue under discussion."

Provost Randel: "There is such a group, in fact, already working on it."

Professor Vavasis: "Who is on it?"

Provost Randel: "Dean Cooke, for one."

Dean Cooke: "I assume that the Provost is referring to the Conflicts Committee. There is a Conflicts Committee looking at distance learning aspects chaired by University

Counsel. The Dean of the Faculty was added as an afterthought, unfortunately. I think that the faculty needs to form its own committee to look at all of the issues, a comprehensive review of proposals that are brought before the Faculty Senate, before the main meeting of the Trustees. I would welcome comments from you later if you think that's the right course. There are some profound issues that, if handled improperly, could cause grief for the University. It needs more attention than it's getting. The work that has been done on the Conflicts Committee at this moment, I don't have a fundamental problem with it. If you were to see a copy of it, I think it would strike you as reasonable. In fact, if I were to do anything, there are some other issues that have not been dealt with that it would be in the best interests of the University to clarify. So I'm not alarmed at what I see in terms of content, but I'm disappointed deeply that as co-chair of the existing Conflicts Committee, it was an afterthought that Bob Richardson and I have been added."

Speaker Howland: "Let's see, yes?"

Professor Joseph Hotchkiss, Food Science: "It seems to me in listening to this debate and others, the faculty is going in one of two directions. One is to say that the current proposal or initiative by the administration is not acceptable. The other is that we should stay with the status quo. We are producing these things now and let's stay with those. My own experience is that the University needs to do something. I have experience where I was asked to give a three-hour lecture to a half dozen cities. Something very expensive that I did in Oprah Winfrey's studio with twenty-two people that cost \$15,000 for three hours. What happened out of that, unbeknownst to me, is that a CD was produced that is on sale for \$400 a copy that is selling very well to companies who send their employees out at lunch to do this. Now the University has a certain investment in me and neither of us got anything out of it. We basically let something go, I think, that the University must capture. Whether e-Cornell is the right way to capture, I don't know, but the faculty should not walk away from this area and let things go as they are. There needs to be some kind of movement."

Professor Lesser: "Just a quick comment on intellectual property rights. They can protect us as well as damage us in most cases. In the example of using a syllabus in an existing course, the department or University can simply copyright the syllabi from these classes and then anybody who tried to use it outside of the University would be in violation of the copyright and we'd have the basis for negotiation. If you use your overheads and materials for a course and copyright them and they show up on a CD, that's a violation of the copyright. You'd then have a basis by which to negotiate some sort of benefit. So intellectual property rights can go in both directions."

Speaker Howland: "We're within six seconds of 6:00 p.m. Do I hear a motion to adjourn? A second? Okay the meeting is adjourned."

The meeting was adjourned at 6:00 p.m.

Respectfully Submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

## REPORT OF NOMINATIONS AND ELECTIONS COMMITTEE

March 8, 2000

### A.D. White Professors-at-Large Selection Committee

Douglas Antczak, Vet.  
Persis Drell, A&S  
Salah Hassan, Africana Center  
Claudia Lazzaro, A&S  
Philip McMichael, CALS  
Francis Moon, Engr.

**MINUTES OF A MEETING OF THE FACULTY SENATE**  
**April 12, 2000**

Professor Howard Howland, Neurobiology and Behavior, Speaker: "I'd like to remind everyone that no photos or tape recorders are allowed during the meeting. I'd like to call on the Dean of the Faculty, Bob Cooke, for remarks."

**1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the Faculty: "My remarks will be brief because I'm going to have another shot at discussing distance learning later. This is a presentation of the web address, to be presented by the Faculty Subcommittee the Campus Climate Committee. It is intended for use as a resource for department discussions on campus climate. If you'd like to see it, it is at this address:  
<http://www.cornell.edu/UniversityFaculty/OnlineForum.html>.

"One other thing that I would like to address is that I would like to extend my appreciation to the Campus Climate Committee. You will notice (Appendix A, attached) that the group was awarded the James A. Perkins Prize, and I wanted to show you the names of those people. They are an enormously energetic committee and they have gone ahead of what we expected them to do. I offer my heartfelt thanks to them for having worked on the committee so intensely and with very good results." (Applause).

Speaker Howland: "Thank you very much Dean Cooke. Now I'd like to call on Provost Randel for questions and answers."

**2. QUESTIONS AND ANSWERS WITH THE PROVOST**

Provost Don Randel: "I've just come from the Financial Policies Committee, held in the President's office, and I think that there is some progress being made in that group in terms of agreeing on what a peer group for comparison will be. The latest data from Academe arrived yesterday and it shows that the rate of growth of faculty salaries has grown slightly faster than the average rate of growth of faculty salaries at other institutions. There has been a modest gain of ground, although not as much as we would have liked. I hope and believe that the work will lead to some techniques to raise the rate of growth. If you haven't seen the figures in Academe, they're reprinted in the Chronicle of Higher Education. You should know that the figures for Cornell Statutory do not include the most recently authorized salary program at all. So our numbers would be better than the Chronicle story suggests, although the trend is still the same. That is to say, that the statutory colleges are losing ground against even other public institutions to say nothing of the leading private institutions. But you'll hear more about that later. Your questions?"

Associate Professor A. Brad Anton, Chemical Engineering: "At the last meeting, I asked you about Project 2000 and you mentioned a meeting of the most interested parties was scheduled for a week after the Faculty Senate meeting. I was wondering if you could report on what transpired."

Provost Randel: "Project 2000 has been declared to have reached its end. We are declaring victory and marching home. By the midpoint of the current year, we will have spent what was authorized in the budget of Project 2000 originally, which is to say that we have not thrown more cash at it than was promised. We have achieved a good deal less than half of what we expected, however. So the strategy of going forward will be to imagine our rock-bottom needs for data systems, and what we can reasonably assign to the maintenance and approval of the systems on an annual basis. No big institution has been able to get all the systems under one, so it will be a question of sizing our appetites into some reasonable estimate of what needs to be accomplished. There is much to be done on HR, so it has been printing checks more or less correctly, but there is still a terrible problem in getting data to the departments and colleges that need data to manage their affairs. So there will need to be further improvement there. We will also have to decide what we're going to be able to do with the Student Information System, which includes their online registration and the generation of transcripts and advisor information. It will not be the huge onetime solution -- we will have to bite it off piece by piece."

Professor Anton: "To continue with that, will we attempt to recover losses for services promised that were not provided by PeopleSoft?"

Provost Randel: "The short answer to that almost certainly is no, simply because most of the money that went into it was not paid to PeopleSoft. I think it unlikely that one would be able to sue them for anything substantial. It's true that the product was not as good as we and they and some other people around the country thought it should be. But the investment that we would be able to recover is small unless something very different happened with other institutions."

Mary Beth Norton, Mary Donlon Alger Professor of American History: "How much that was supposed to be accomplished got accomplished?"

Provost Randel: "Well, it was originally imagined that we would have HR payroll, Student Information Systems, Management Systems, Development and Alumni Affairs, and Sponsored Programs. Five suites that would be fully integrated and all talked to one another so that from the moment a student applied to Cornell, they would enter the system and migrate through the status from applicant to student to alumnus to a development prospect. What was done was to install the HR payroll system, though with not all of the functionality that we wanted it to have. A good deal of planning went into the Student Information Systems and the others, so we now understand what is desired, but we are far from implementing any of those ideas. What we got in the end, up and functioning, was a certain part of the HR payroll, which was clearly a large system. The other systems, like Alumni Affairs and Sponsored Programs, are smaller. We got a big chunk of HR payroll."

### **3. APPROVAL OF MINUTES**

Speaker Howland: "I'd like to call for approval of the minutes from the March 8 Faculty Senate meeting. Are there any corrections or additions? Hearing none, I will accept them as unanimously approved. I would now like to call on the Associate Dean and

Secretary of the University Faculty, Kathleen Rasmussen, for a Report from the Nominations and Elections Committee."

#### 4. NOMINATIONS AND ELECTIONS COMMITTEE REPORT

Professor Kathleen Rasmussen, Nutritional Sciences, Associate Dean and Secretary of the University Faculty: "As is our usual practice at this time of year, I bring you the slate for the elections that will be held in about a week. That is how long it takes for us to get you the ballot. What I will do is present the slate and then you need to vote on it to accept it. The slate consists of candidates for Associate Dean and Secretary of the University Faculty, Faculty Trustee, Nominations and Elections Committee members, University Faculty Committee members, and At-large Faculty Senate positions. The At-large Faculty Senate positions, I feel, need some explanation. The committee and I called 18 people. Five people said yes and then we suddenly only had 3 candidates. One other person has since backed out from when we first sent you the slate. I regret that situation. The University Faculty Committee is the executive board of the Senate and it is restricted to members of the Senate. Are there any questions? Yes?"

Unidentified: "A name was missing from the bottom of the slate, a Vicki somebody?"

Associate Dean Rasmussen: "Meyers-Wallen. She is from the Veterinary College and is currently serving on that committee as a replacement for someone who didn't complete their term."

Speaker Howland: "I'd like to call for a vote on the approval of the report. All in favor of the approval of the report say 'aye.' All opposed, say 'nay.' The report and slate are approved."

#### SLATE OF CANDIDATES

##### **Associate Dean and Secretary of the University Faculty**- 3-year term

Peter Schwartz, Professor, Textiles and Apparel  
Charles Walcott, Professor and Chair, Neurobiology & Behavior

##### **Faculty Trustee** - 1 vacancy - 4-year term

David Collum, Professor, Chemistry and Chemical Biology  
Ronald Ehrenberg, I. M. Ives Professor of ILR and Economics and  
Director, Cornell Higher Education Research Institute  
Sally McConnell-Ginet, Professor, Linguistics  
Peter Stein, Professor, Physics

##### **At-Large member, Faculty Senate (tenured)** - 2 vacancies, 3-year terms

Eloy Rodriguez, James A. Perkins Professor of Environmental  
Studies, Plant Biology  
Elaine Wethington, Associate Professor, Human Development

**At-Large member, Faculty Senate (non-tenured)** - 1 vacancy, 3-year term

Antje Baeumner, Assistant Professor, Agricultural and Biological Engineering  
 John Marohn, Assistant Professor, Chemistry and Chemical Biology  
 Michael Owren, Assistant Professor, Psychology

**Nominations and Elections Committee** - 4 vacancies, 3-year terms

David Delchamps, Associate Professor, Electrical Engineering  
 Thomas Hirschl, Professor, Rural Sociology  
 Ann Lemley, Professor and Chair, Textiles and Apparel  
 Rosemary Loria, Professor and Chair, Plant Pathology  
 Timothy Mount, Professor, Agricultural, Resource, and Managerial Economics  
 Max Pfeffer, Associate Professor, Rural Sociology  
 Gary Simson, Professor, Law

**University Faculty Committee** - 3 vacancies, 3-year terms

A. Brad Anton, Associate Professor, Chemical Engineering  
 Peter Bruns, Professor, Molecular Biology and Genetics  
 Herbert Deinert, Professor, German Studies  
 Terrence L. Fine, Professor, Electrical Engineering and Director, Center for Applied Math  
 William H. Lesser, Professor, Agricultural, Resource, and Managerial Economics  
 Vicki Meyers-Wallen, Associate Professor, Biomedical Sciences

Speaker Howland: "I'd now like to call on Professor Rich Galik, Chair of the Educational Policy Committee for an update."

**5. REPORT FROM EDUCATIONAL POLICY COMMITTEE**

Professor Richard Galik, Physics: "Dean Cooke asked for an update on our committee. Here is a list of the current members (Appendix B, attached). There are a number of issues before us. Last semester, we concentrated on the unauthorized use of course notes and, as you recall, we put together a motion that was passed by a somewhat small margin in December. As expected, this was not a panacea, but it did put the companies on notice that the faculty was not happy with their practices and, to some extent, the practices have been changed nationwide due to policies such as ours and from other institutions. There are still problems in this area.

"The committee is also concerned about University 'Free-Time' and you should all have received a copy of our memo on this issue. It was not aimed directly at faculty, because you are not egregious violators of this policy. It went to students, to the Athletic Department, and to any individual involved with using University time.

"This has very interesting effects on the scheduling of final examinations. We have discussed the fact that presently there are three study days before examinations and that we could disperse those throughout the examination period to ensure that students didn't have multiple exams three days in a row. We actually put a schedule together. We meet with the students tomorrow to get their feedback.

"Other issues include evening examinations, which are not only a burden to professors, but also to students; the coordination of assignments, which is a something that affects first-year students in the physical sciences; changing the Spring semester calendar to include one day off between when classes start and Spring Break, in which case we have a few days to play with from the standpoint of the Trustees and which is something that students would appreciate having. We are also still discussing academic integrity issues and we're still trying to put down a 'Rights and Responsibilities' list to give to students.

"We certainly welcome your comments on the proposed final exam schedules or any other issues."

Professor Frederick Ahl, Classics: "On the business of the scheduling of final examinations, one of the problems is the question of faculty schedules of final exams. This year, I've ended up with two exams that I have to give to fairly substantial courses both on the final day of exams. This of course, raises problems for me and for the students. I have to try to grade all of these and get them in on time especially because I have a fair number of seniors. I hope that one of the things that the scheduling committee can take into account is to make some provisions for how this might affect faculty, especially regarding giving multiple exams on the final day for courses with seniors, whose grades are due so soon after."

Professor Galik: "This is certainly a problem for faculty as well as for students, as you can imagine. There are students who have to take exams on the last day also. Also, the fact that you have 72 hours to submit the grades for seniors is problematic. You have the recourse to talk to this gentleman (Dean Cooke) and ask to offer the examination at another time during the week at a time your students can make. You're right, it is certainly an issue to examine.

"I should also say that we looked at other examination schedules from around the country and especially the State of New York, where we have so many Regents rules, and almost all of them use a 'first-time the class meets' basis for assigning the periods. We are not the only school that uses that."

Speaker Howland: "Are there any other questions? Thank you very much, Professor Galik."

Speaker Howland: "I'd like to call on Dean Cooke for an update on Distance Learning."

## 6. DISTANCE LEARNING

### A. Update

Dean Cooke: "I will be brief. I wanted to call your attention to what is the final scheduled faculty forum this semester. It is on Distance Learning, the second iteration, and we have an expert from EDUCAUSE, Polly McClure will moderate, and Bill Arms and Barry Carpenter are the panelists who will ask questions of the speaker. Notice that it's not on Wednesday, it's on Tuesday, April 25, at 4:30 p.m., because we wanted to be free to attend the talk by the CEO of Intel on Wednesday. It's also in Schwartz Auditorium, not Call.

"I wanted to report that I did indeed report to the Trustees the resolution that you adopted on March 8th. I did it on March 11th. One member of the Board of Trustees wrote me a letter after that and specifically asked that I communicate it too you. It's from Trustee Milstein:

'I think it is important for you to have a complete sense of my own views, they probably reflect many others of the Board, on distance learning. Please convey to the Faculty Senate and the entire faculty the Board's commitment to receiving more input from the faculty before any distance learning program begins. The steps being taken now are simply preparatory and need to be taken to put us in a position to move forward with distance learning should the Board of Trustees decide to do so. It is of the utmost importance for dialogue between the administration and the faculty to continue apace. As I mentioned in my remarks, and speaking as one trustee only, failure to have faculty fully on board would give me great pause. All of your comments reflect serious concerns that are shared by the Board of Trustees and the Administration. I wanted to write this note to underline my own personal commitment to the values underlying those concerns.'

"Another sense that I got from the Trustee meeting is that the Provost's Advisory Committee on Distance Learning has been filled with a very distinguished membership (Appendix C, attached). Professor Arms will talk in just a moment on what's happened. If the Cornell Sun had chosen to do so, they would have included this quote that I supplied which indicates my satisfaction and pleasure at the appearance of this committee and at the committee membership.

Cooke says that '...with the appointment of this strong committee I believe that the deliberative process can now proceed both effectively and rapidly. I anticipate that the committee will seek advice broadly, think deeply about this important and historic opportunity, and propose options that are consistent with the broad service and educational missions of the university. The Faculty Senate, in my opinion, is eager to receive recommendations and to respond thoughtfully.'

"It is a very able committee. On your behalf, I was suggesting that we looked forward to receiving from them some thoughtful proposals for our discussion."

Speaker Howland: "Thank you very much. I'd like to call on Professors William Fry and Kay Obendorf, Faculty-elected Trustees."

## **B. Report on Trustee Consideration**

Professor S. Kay Obendorf, Textiles and Apparel, Faculty-elected Trustee: "First, I want to remind you that you have two faculty-elected Board members. I have had the pleasure of serving for the past four years and you have seen the slate of candidates of who may take my place. Bill has served for the past two years as the second Faculty-elected Trustee. It's a very educational experience for a faculty member to serve on the Board of Trustees and, periodically, it is the practice of the Faculty-elected Trustees to report to the faculty. With the concerns that have been expressed, we thought this was an appropriate time to speak to you about some of the things related to e-Cornell and to answer your questions. That's what we want to do today.

"What I want to do is to review a little bit with you some of the events that have occurred related to e-Cornell. The first discussions of e-Cornell were not using the term 'e-Cornell.' They were using 'distance learning,' which is the name of the committee that Bob just put up on the overhead. The Office of Distance Learning was formed in the Spring of 1997, so these concepts have been discussed on campus for a long time. This started discussions of strategies of distance learning and what Cornell should do.

"In March of 1998, at the Trustee meeting in Ithaca, distance learning was presented by David Lipsky to the Board of Trustees. To my knowledge, that was the first time the topic was discussed. In 1999, there were a series of requests by various schools and colleges to actually work with outside entities. The discussion of distance learning and these requests led to the creation of an Ad hoc group of the Board of Trustees meeting in July of 1999. These included people like Allan Tessler and Jeff Parker as well as people from the administration and from the Office of Distance Learning.

"It was really in December of 1999, in the Executive Committee, that I first heard some of the more concrete strategies and it was still under the discussion of distance learning. If I remember correctly, what was discussed was forming a Dean of Distance Learning, looking at the continuums, and figuring out what we were doing with distance learning. This really began the more public and open discussion of distance learning and what Cornell should do. The meeting of the Board of Trustees in New York City in January had the first real discussion of e-Cornell and dealing with it in a for-profit mode. So that was the first discussion that I heard using the term 'e-Cornell.' You are familiar with the meeting of March of 2000 because this was the vote. So it is the January and March meetings that Bill and I want to talk to you about.

"I also want to remind you that after the January meeting, when we first heard about e-Cornell, Bill and I met with Bob Cooke and Mary Sansalone and arranged for the presentation that Mary made to the Senate, opening some of those discussions. Now Bill wants to talk about the January and March meetings of the Board of Trustees and then we would like to take questions from you if our time permits."

Professor William Fry, Plant Pathology, Faculty-elected Trustee: "I had organized my comments into three categories and I want to start with 'Observations' first. I think it has been the experience of all the faculty members who have served as Trustees that it is a real growth curve. I'm still remarkably ignorant about the Board and about many activities at Cornell and it's been an interesting year and a half for me.

"One of the observations shared by the faculty that have served as Trustees is that the Trustees are a remarkable group of people. They have a remarkable devotion to this University that I think goes beyond reason sometimes. (Laughter). They are remarkably devoted to this University and I think part of that comes from the fact that many of them were undergraduates here and they have a real nostalgia for the place. As a result, they are remarkably generous with their time, with their effort, and with their money -- as you are aware of with the recent scholarship drive. They are remarkably dedicated to the undergraduate experience. The sense that I have gotten, more than anything else, is that they want nothing to interfere with that experience. They want the undergraduate experience at Cornell to be absolutely spectacular. That's important for what I'm going to say a little later on.

"As Kay mentioned, I first heard about e-Cornell on January 29. We did meet about getting the information to the faculty as quickly as possible. Since that time, I've been on a speedy learning curve again. I have had many conversations both with faculty who want some vehicle so that they can put their distance learning efforts on time and other faculty members and administrators who are absolutely livid. I want also to convey that there are many Trustees who are concerned about conflicts of interest and conflicts of commitment. They want that not to happen in terms of e-Cornell. They are particular about the residential undergraduate experience; it's what they experienced and it's something that they hold very dearly.

"I've also been to the Faculty Fora and I learned much to my intrigue that Peter was sort of right with you in my skepticism about how effective e-Cornell would be. My feeling about the resolution from the March 8 Faculty Senate meeting is that the Trustees heard it loud and clear. The resolution that was passed by the Trustees identified the issues that were raised in the Faculty Senate resolution very appropriately. Bob, the letter you just read from Trustee Milstein I think reflects that. What I felt about what was passed by the Board, and what he felt was passed by the Board, was that it was a way to create a box to look at and to see what could be put into that box. There were no irrefutable actions, but it would allow them to proceed forward. I'll stop now and both Kay and I would be happy to answer questions if we can."

Associate Professor Jeremy Rabkin, Government: "The premise of this report is that the Trustees are an important, independent decision making body in all of this, and I don't mean to sound scoffing or disrespectful because I'm sure they have given a lot to Cornell, but could you give us some impressions of the extent to which the Trustees are in a position to come to a view separate from the administration? Just to help you a little bit, I know hardly anything about the Cornell Board of Trustees, but I know something about other boards and generally, they are very well managed by the administrators of these organizations. The administrators put forth an agenda, apply all of the information that they have, and more or less say, 'You've got to support us because you picked us to manage this place.' So it doesn't really make a difference what the Trustees think."

Professor Obendorf: "I'm not sure I can give all of the answers, but I think that I'm going to share one simple person's observation on a very complex system. Yes, indeed, you're right, the presentations that I described to you and other presentations that I see that are given by the administration to the Board are to inform them but there is a selection of

what they are being informed about. I also see that there is a give and take in discussion between the Board of Trustees amongst themselves and with the administration. There's quite a bit of discussion of these issues, and it's very hard for me to say what the contribution of the Board or a particular member of the Board is in some of these because it comes through discussion. There is quite a bit of active discussion so it's not that the Trustees are telling the administration what to do or the administration are simply presenting the issues the way they want to present it. There is some give and take with this. There is a fair amount of discussion and sometimes it is in discussions that occur within the Board of Trustees and in discussions that occur on campus. E-Cornell exhibits some things of those discussions.

"I also have to say that there were fairly active Board of Trustee members who were saying that with the technology and communication level, Cornell needed to make a move. The administration was presenting to the Board, but I also heard Board members stating very specific views that we needed to move ahead because we have to be active in this information age. My view is that this is not all one way or another. It's a give and take."

Professor Fry: "I think that's correct. I have a lot less experience than Kay or others who have been on the Board. I think that the Board wants to make some sort of decision. Next question?"

Professor Ahl: "Sorry to have a second point to raise today, but it's very nice to have our Faculty Trustees with us today. I think many of us would agree. I was really sad to see that we only have ten minutes with them. It would be very nice, I think, since they are delegates untainted with the blight of administration, to hear from them more regularly and to be kept up to date. I hope that the Senate would make a point of inviting them more often to keep us posted so we can keep up with the issues and what they're about. Thank you."

Professor Obendorf: "I've been here very faithfully and I've seen Bill here, so we do attend regularly to keep in touch. We could ask the University Faculty Committee to put us on. Even though my term will be ending, if you want to hear more from us, at the beginning of Fall, I'll even come back."

Speaker Howland: "I'd like to call on Professor Arms to talk about the new Distance Learning Committee."

### **C. Provost's Advisory Committee on Distance Learning**

Professor William Arms, Computer Science: "We have had just one meeting and the subject of the meeting is relevant to what we're discussing today. We talked almost entirely about the process by which decisions are made in these areas and how we can help that process. I've got three slides that summarize how we are thinking about how we can help the University.

"What I've got here is what I consider the dilemma. Here's a quotation (Appendix D, attached) from the President's letter that he sent to all of us in which he rightly points out that there are decisions that have to be made quickly. I wouldn't say that the

Internet has changed things, I think that there have always been decisions in which the deliberative process that we would like to have is challenged by the need to make decisions quickly. Although it is my own statement, I hope everyone will accept it -- that is, that major academic initiatives need to have more understanding and support to succeed. That doesn't mean that everyone has got to be in favor of it, but we need what we in the networking community call a 'rough consensus.' The challenge to our community, and to the University in general, is how can the University make good decisions, rapidly, with broad University-wide understanding and support?

"I've got a little diagram here (Appendix D, attached) that shows my hopes and my fears. It's got a very simple scale. The first thing is that we want the University to make good decisions. The second thing is that we want good processes to make these decisions. The definition of 'good processes' is somewhat complex, but it certainly involves flow of information, consensus building, and those sorts of things. I am saying that we are in that right-hand side, where that big red blob is. Whether the decisions have been good or bad, I have no hesitation in saying that I do not like the process. I think it's safe to say that in the last month, there's been a sign both from the senior members of the administration and the members of the University Faculty Committee of people trying very hard to improve the processes. My hope is that we'll follow the green arrow into good processes and good decisions. My fear is that we will work so hard on the processes that we'll forget to make good decisions and we'll follow the black arrow. (Laughter).

"So what can we, as a committee, do to play our part in this? Here are a few thoughts. The first is that from this committee you will see frequent short papers and outputs. You will not see a big report that we take nine months to put together and a further nine months to discuss before anything happens. We'll see little things happening. Our high priority is to work on a general statement of principles around which all decisions can be made. We heard, in the last presentation, the principle of the real importance of not doing anything that might harm traditional on-campus education. We will use incremental decision-making. We will try to help the University identify the incremental decisions as they come up for faculty and administrative consideration. We've put a lot of emphasis on information flow. We have put up an embryo website and the address is on the agenda today. We're going to try to put on that website interim things that people should know about. I feel that the role of our committee is to be in the middle of the road between the administration and the Faculty Senate. The old joke is that if you walk in the middle of the road, you get hit by the vehicles going in both directions. I expect to find that from time to time, the faculty will think we look too much like administration and the administration will think we look too much like faculty. We have several former deans on the committee and they are people who know both sides of the road so I think that will help.

"One last thing is that I put my electronic mail address there so please send your thoughts and suggestions to us. Try to keep them under one page and remember that we'll be putting them on the website for everybody to read. (Laughter). Thank you."

## **7. RESOLUTION ON ACADEMIC DECISION-MAKING PROCESSES**

Speaker Howland: "So, we move now to the resolution on Academic Decision-Making Processes. We have received three amendments, so in the interest of efficiency here's what I would like to do: After Professor Walcott introduces his motion, we will move to Professor McAdams' amendment. It's my understanding that Professor Norton will withdraw her amendment if the motion passes. We will then consider Professor Stein's amendment and then the motion itself. Then we have a second amendment from Professor McAdams that reads as follows: Approximately four minutes before the end of the time allotted for this discussion the chair will recognize Professor McAdams to make the following two motions. He will move that when the meeting adjourns it will resume at 4:30 p.m. on April 19 at the same place. That is a debatable motion and can be passed by a simple majority. He will then move that the question be postponed until the next meeting. This also requires a simple majority and it is debatable.

"With that, I would like to call on Professor Walcott, a member of the UFC, for a resolution on academic decision-making processes."

Professor Charles Walcott, Neurobiology and Behavior: "Professor Arms really gave the introduction to what I wanted to talk about. You will remember that at our most recent meeting we had a vote about a resolution to the administration about e-Cornell. It was passed by some 65 to 1, which is a rather strong sentiment for this body. I rather suspect that if I brought a resolution for motherhood and apple pie that I could scarcely get such an affirmation.

"When the UFC heard the report of what the Board of Trustees has done, we met and we proposed resolutions and we debated among ourselves. We were very concerned about the action on e-Cornell. We proposed a number of motions and resolutions to bring before this body and we shared them with the President. Essentially, the administration, the President and the Provost agreed with all of the conclusions that we had in the resolutions. Bill's committee was formed and was given a broad mandate to look at distance learning without any holds barred. His report would come before this body as would the report from the President before they go to the Board of Trustees. This is what we were concerned about and we were pleased with those actions.

"On the other hand, the decision about distance learning follows on the heels of a number of other events, which are detailed in the handout that you have, that have caused us some concern about the relationship between the Faculty Senate and the President and the Administration. In order to try to clarify that relationship, we suggested to the President that it might be useful to sit down as a group and see if we could work out a set of ground rules, understandings, common operations, to try to forestall further occurrences of the kind that we have experienced in the past. The President agreed to do that and so what we are bringing to you today is the resolution that the University Faculty Committee and the Dean of the Faculty will work with the President and presumably the Provost-to-be to develop a series of understandings of how we might work together more effectively in the future to prevent misunderstandings of the kind that have occurred in the past and to try to pull everyone together in a more collegial and effective way.

"The motion that I have to present is up on the overhead (Appendix E, attached), so I don't think I need to take the time to read it. So I would like to move for the motion."

Speaker Howland: "The chair would like to recognize Professor McAdams for an amendment."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I propose the amendment that is on the blue sheet. It has three parts to it and they are shown in the transparency (Appendix F, attached). The first 'Whereas' remains unchanged, but I propose changing the second 'Whereas,' as well as both of the 'Be it Resolveds.' If there is a second, I would be happy to speak to this."

Professor Walcott: "I would be happy to second this."

Professor McAdams: "We had a special faculty meeting of the Johnson School faculty yesterday. We found it to be a very useful event and when I speak later to the second set of motions that I propose. I am suggesting that others do likewise. I find myself very much informed by having had the opportunity to discuss with my colleagues at some length their perceptions and reactions to the motion that was originally proposed. The objective of the changes that I have listed here are to soften this motion especially in light of the fact that the President has already agreed to proceed as we are suggesting. This merely permits the Senate to go forward. Therefore, the listing of all kinds of events is no longer necessary. Those have been widely discussed, but I have found that my colleagues have not been close enough to these events to feel comfortable in voting essentially in favor of the 'Whereas' -- they just don't have enough information on it. To spend the time to bring them up to date, chapter and verse, is still very ambiguous. And we don't need it. All we need to do is to say that there are different perceptions of what constitutes appropriate faculty input and that seems to be the case and that these have occurred on recent issues. The first 'Whereas' stands as it had previously been written. So we know the issues that we are focusing on."

"I'll say just a couple of things more. If this motion as originally proposed was presented to our faculty, I doubt if I would see a majority of people in favor of it. The motion as modified, I think I could get a large majority of support. This should deal with issues in principle rather than in particular."

Speaker Howland: "The motion is before the Senate. Is there any discussion? Yes?"

Associate Professor Tony Simons, Hotel Administration: "I personally don't agree that the language needs to be softened. Personally, I'm angry and I don't think there have been misunderstandings. The Senate has spoken loud and clear several times and the central administration has chosen to ignore it. So I believe that an expression of that situation is appropriate. I don't think that the action laid forth or the action proposed by the motion is extreme. We're simply saying, 'Ouch' and 'talk to us' and we're setting up a way that we can do that. I don't think that it needs to be softened. I think that for it to be an expression of pain and anger is fully appropriate for the way that I, as a Senator, feel."

Speaker Howland: "Further discussion on the motion? Yes?"

Associate Professor Stephen Vavasis, Computer Science: "I'll speak in favor of the amendment. I can't speak about Biological Sciences, but in the Department of Computer Science and the e-Cornell discussions, my impression is that Senate members were upset that they weren't consulted at the beginning of the process, but in the end of both those cases, the administration did consult the Senate. You will recall that in the discussion of Computer Science, Vice Provost Garza presented the Senate with an updated report after our motions were passed, that took into account many of the Senate's motions. The same occurred with e-Cornell. The administration created a committee. So the administration has been responsive, just not as fast as some Senators would like. I agree that the softer language is more appropriate."

Professor Michael Latham, Nutritional Sciences: "I would like to oppose this resolution at least in terms of that the situation is that there has been a pattern of behavior. The preamble here lists two or three things. My writing a letter to the Ithaca Journal and the Cornell Daily Sun on this issue a couple of weeks ago was not mainly because of e-Cornell or because I was opposed to what happened with Biological Sciences or because the Provost was appointed without consultation of the faculty, but because of all of these things put together. There has been a pattern of behavior and it has been escalating in the last year or two. I've been on the faculty for the past 32 years and I think that this is unprecedented, the lack of consultation of the faculty with regard to these kinds of issues. At least, I think, it expresses a pattern of behavior that this faculty would like to change. I expect that passing the resolution does change things, but maybe it's a good idea to list why there is a reason for change."

Speaker Howland: "Yes?"

Professor McAdams: "Maybe it takes unanimous consent, but if there's a way for me to add the word 'pattern,' if the word 'pattern' would help, 'There has been a pattern of different perceptions,' I would be happy to do that. I share a lot of the anger but I would like to suggest that this might be a very good time to look forward and not backward. We in the Senate probably have that level of anger because we are close to it and we have seen it. My colleagues haven't. It would be difficult for them to support the original motion."

Speaker Howland: "Yes?"

Professor Rabkin: "I would like to speak to the point that our colleagues who aren't in the Senate don't share our sense of this. We are elected to represent them and one of the things we are elected to do is to pay attention. If we cannot protest when we are disregarded because the people who aren't paying attention aren't as concerned as we are, then we'll never be able to do anything. The Faculty Senate was the obvious most appropriate forum in which consultation should take place. The administration just sprang things on us. If we're not going to protest, who is going to protest?"

Speaker Howland: "Yes?"

Professor Locksley Edmondson, Africana Studies and Research Center: "I'm very happy indeed to see the day arrive when Jeremy and I actually agree. I am speaking in favor of the resolution. I am also speaking as a member of the UFC. It seems clear to us that

the overwhelming views of the Senate on these two issues were ignored. In great haste. This happened, similarly, with the last reports. We asked for more time to reflect further and the administration decided not to pause. There is no way anyone can tell me that the Board of Trustees didn't pass a resolution establishing a for-profit thing called e-Cornell. This was reiterated in the letter that the President sent out to all faculty. It was extremely clear. Since then, some pressure has begun to develop from deliberations of the UFC and there has been some modification from the points of view of all involved. Let me be very clear. They set up this committee after they became aware of our discontent with their deliberative style.

"I also want to say that beyond Senate issues, this started actually with residential situations where committees that were set up were totally ignored and then in the second place, they were totally bypassed.

"I also want to mention that I regard it with some fear to be told by our President that the deliberative culture of our community is at odds with the Internet Age. That came in the context of the e-Cornell decision. So I think it's quite appropriate as elected representatives to make our position clear and uncompromising. Hopefully, I think that this will be a useful thing in pushing for a turning point. We don't want conflict with the administration, nor do I perceive that they want conflict with us.

"So I speak in favor of the original resolution and I will pause for a moment because I wanted to say something about another resolution, but I'll hold back for the time being."

Professor Norton: "I, as the chair indicated, will withdraw my amendment and I want to speak in favor of Professor McAdams' amendment. I think it solves some of the problems I had in mind in proposing my own amendment earlier. Members of my department indicated to me that under no circumstances did they want me to vote for the resolution as originally written because they felt that there had been consultation of the faculty on some of the other issues. It just was historically inaccurate that there was no consultation. The administration did something other than what the faculty wanted. In the case of Biological Sciences, the faculty did not give the administration a clear indication of what it wanted since the faculty itself was sharply divided on Biological Sciences. Therefore, members of my department, historians all, said that they did not want the history misrepresented and that was why I proposed the amendment. My own personal belief is that had the President not agreed to set up the Advisory Committee on Distance Learning, I would have been much more willing to vote for something resembling the original wording. Now that the process is moving forward and that we have the administration's attention and we have worked out a procedure or there is the possibility of negotiating an agreement to solve this procedural issue, there is literally no point in beating, what I regard as, a dead horse. We need to look to the future as another speaker said. Therefore, I support Professor McAdams' amendment."

Speaker Howland: "Okay, let's see, Professor Fine?"

Professor Terrence Fine, Electrical Engineering: "First of all, I highly endorse the remarks of Professors Edmondson and Latham and I'd like to take this opportunity to challenge the History Department on their grounds of history. None of them are historians of the Faculty Senate. I think I'm correct in that."

Professor Norton: "But they do follow what's going on."

Professor Fine: "Let's get into that briefly. I believe that on October 24, 1998 the Faculty Senate passed a motion concerning the future of Biological Sciences in which it asked for more time for further deliberation. I don't know the exact day of Rawlings' response, I believe it was about three weeks later in mid-November, in which he announced his decision therefore cutting off any further discussion. Was the house on fire? Was there a need for him to act so quickly? From what I understand from my colleagues in Biological Sciences, something like a year and half later, the decision has yet to be implemented. So there wasn't an emergency. Nobody was at risk and needed a quick decision. He very clearly acted in an affront to a simple motion by the Senate, very much like the 65-to-1 motion that was just asking for more time for discussion.

"We could get into the more tangled issue of Computer Science and the CIS initiative. The Provost may wish to disagree with me, he often will, about how we had to drag the administration through this process gaining the time to discuss it. Yes, there was discussion, but perhaps you and your department are not aware of how much effort went into gaining the space for that discussion. That was not freely granted. It was granted in the end. At the very last minute, where you referred to Vice Provost Garza, the UFC had to convince the Provost to allow him to come to speak to the Senate. That was not on the boards. It happened. I give him credit for doing the right thing. But this was not an automatic process. The past is not as simple as you account it.

"I also have to get to the 'deliberative culture' thing. You stole that line from me and I cannot let it go (to Professor Edmondson). (Laughter). I can't believe he contrasted the deliberative culture of the University with the realities of the Internet room. Many years ago, I eavesdropped on a conversation in the Statler Club, and I don't know who said it, maybe it was someone from this room. The person said, 'One should not make too much of reality.' (Laughter). I thought, 'what an idea!' because we engineers are used to making a lot out of reality. This is the first good example of making too much of reality. But, the deliberative culture of the University, if I had to pick two words to describe what we were about I would say that those are two pretty good words to put that in balance with the Internet. The President of University saying that? That, to me, goes beyond the pale. Nonetheless, the bottom line is the 'Therefore, Be it Resolved.' We need to come out of the meeting today saying 'yes, we're going forward to negotiate an agreement on this matter,' not postpone it to next week. I know that's speaking to another motion. The rest of it, I prefer it the way it was, but I can live with your changes. However, I think we need to be sure to end up with that 'Be it Resolved' today before we leave."

Speaker Howland: "Professor Stein?"

Professor Peter Stein, Physics: "Move the previous question."

Speaker Howland: "The question has been moved. All in favor of moving to a vote say 'aye.' All opposed, say 'nay.' Okay, we'll move to a vote. All in favor of Professor McAdams' amendment, say 'aye.' All opposed, say 'nay.' I think the 'nays' have it, do

you want a count? Okay we'll take a count. The amendment fails by a vote of 19 yes, 47 no, and 2 abstentions. Okay now we'll consider Professor Stein's amendment."

Professor Stein: "Why do you think I called the question? (Laughter). I have an amendment (Appendix G, attached) that qualifies the words 'academic matters' in the Therefore Be it Resolved clause. It says that the written agreement that we want the UFC to draft with the administration covers decisions of the central administration on academic matters. It struck me on thinking about this that the words 'academic matters' were very vague -- on the one hand too narrow and on the other hand too broad. Doesn't that sound like a faculty member? It's too broad because there are a lot of academic matters that don't concern this body. There are a number of negotiations that the central administration makes with individual departments and lines that have nothing to do with the academic staff. The charge of the Senate is academic matters that concern more than one college, so I would like to qualify academic matters in that way to ensure our colleagues that this asks for a big power grab by the Senate over the affairs that have traditionally gone on within the individual colleges. In that sense, it's too broad and I want to narrow it. On another sense, it's too narrow and I want to broaden it. There are a large number of matters on which this body has offered advice that are not academic. In fact, a number of the resolutions that we have passed are not academic. In the rationale, I listed some of them. They include the sexual harassment procedures, faculty salaries, and athletic plans. These are clearly not academic matters. We have passed resolutions on all of these subjects, two on faculty salaries, several on sexual harassment, and a resolution on athletics. There are others, but I've forgotten what they are. To my knowledge, we have not been answered on any of them. We passed some of these resolutions by margins exceeding 65 to 1 and we have not gotten a response. I think that if this body chooses to pass a resolution and send it to the administration I believe that there should be enough respect for the Faculty Senate by the administration so that we get an answer. It doesn't ask for the answer to be positive but at least something from the administration. The words that I'm proposing would accomplish this."

Speaker Howland: "Is there a second for Professor Stein's amendment? Okay, it's open for discussion."

Professor Richard Baer, Natural Resources: "I want to speak in favor of the amendment. It's not just the Senate that the administration doesn't respond to; I've been appalled these past few years at the times that I've written memos to the President, the Provost, and some of the Deans, never to even have an acknowledgement that they received them. These were carefully written memos in some cases. (Laughter). But not even to acknowledge that you have received something from a faculty member goes beyond the pale for an academic institution and it represents a change from the previous administration, in my opinion. So I want to speak strongly in favor of this and I think it's up to us to give the UFC examples of where we would like to see improvement and to remind the administration that they are administration and not management. (Laughter)."

Speaker Howland: "We're pretty short on time here so can we move to a vote on this? Do I have a second? All in favor of the vote, say 'aye.' All opposed, say 'nay.' Okay we're voting on Professor Stein's amendment as before you. All in favor of it, say 'aye.'"

All opposed, say 'nay.' Okay it passes unanimously. We'll now move to Professor McAdams' second amendment. We'll give him a chance to make his motion."

Professor McAdams: "Again folks, I respect your reaction to the last one. I believe that this motion in it's current form requires consultation by us, as Senators, with our faculty constituent. I move that when this meeting adjourns that it be adjourned to Wednesday, April 19 at 4:30 p.m., our regularly scheduled alternate meeting time."

Speaker Howland: "Is there a second to the motion? Okay the motion is seconded. It is non-discussible. All in favor of moving to an adjourned meeting, please say 'aye.' All opposed, please say 'nay.' The motion fails. We're now ready to vote on the main motion. Is there discussion on the main motion?"

Professor Edmondson: "First of all, I think that the most serious message is communicated with this that across an ideological divide, people are united. I think this says it all. Second, as a member of the UFC, it has been quite interesting how frequently we have deliberated this issue in the last two weeks. E-mails were sent at 10:00 at night and at 6:00 in the morning. There was no discrepancy between the Internet culture and the deliberative culture. (Laughter). In fact, I've never actually seen such consultation. We communicated and discussed with each other more than you could ever think. We modified and amended this so much. So you can see that this was a product of serious discussion and deliberation with the most modern technological advances available. (Laughter). I don't understand what President Rawlings is talking about. The third thing I want to drag in through the back door is that I do feel personally insulted by the rationale presented by the History Department. To suggest that I was part of a group that was rewriting history, not committed to truthful representation. The language is, frankly, insulting and inflammatory and unnecessary. This is not the way that academic colleagues or fellow Senators should address each other. I want to make that very clear."

Speaker Howland: "I think I have the sense of the House. (Laughter). Would someone call the question? Okay, can we then move to a vote on the main motion?"

Professor Stein: "Point of order."

Speaker Howland: "Yes?"

Professor Stein: "We're going to vote on the amended motion, not on the motion as originally written?"

Speaker Howland: "Yes we're voting on the amended motion. First, all in favor of calling the question, say 'aye.' All opposed say 'nay.' Fine. All in favor of the main motion as amended, please raise your hand. All opposed to the motion as amended, please raise you hand. Those who abstain, please raise your hand. The vote is 64 for, 4 against, and 3 abstentions. Thank you very much.

*WHEREAS, deliberation on academic issues constitutes the core of a university faculty's function, and*

*WHEREAS, following a pattern set with the reorganizations of the Division of Biological Sciences and the Department of Computer Science, the Cornell administration once again ignored the very clear wishes of the faculty\* for consultation on an academic matter by moving ahead with the creation of e-Cornell as a for-profit enterprise for distance learning, without permitting time for due deliberation by the faculty through their governance structure,*

*THEREFORE, BE IT RESOLVED that the Senate instructs the Dean of the Faculty and the University Faculty Committee (UFC) to draft a written agreement between the Faculty Senate and the President, covering the process by which decisions of the central administration on academic matters that concern more than one college or on other matters that the Senate has addressed or that the UFC wishes to bring to the Senate will be handled, and*

*BE IT FURTHER RESOLVED that the Senate instructs the UFC to present the agreement at the May 10, 2000 meeting for formal Senate ratification.*

"We must get to the Good and Welfare so let's do the proposal from Asian Studies quickly. Professor Fine, are you ready?"

## **8. RESOLUTION ESTABLISHING A GRADUATE FIELD IN ASIAN RELIGIONS**

Professor Fine: "Yes. We have a proposal from four faculty members in Asian Religions for a new graduate field in Asian Religions. This was discussed in Asian Studies. It was brought to the committee in the Graduate School and they approved it. It then came to the Committee on Academic Programs and Policies. We discussed it and asked some questions and got answers from Professor Law and Dean Cohen that were satisfactory. We recommend to the Senate that they approve the establishment of a new Graduate Field in Asian Religions. Professors Law and Boucher are here to answer any specific questions."

Speaker Howland: "The motion is before you. Is there any discussion on the motion? Okay the question was called. All in favor of calling the question, say 'aye.' All opposed to calling the question, say 'nay.' Okay, all in favor of the motion, say 'aye'. All opposed, please say 'nay.' It passes unanimously. Very good.

*WHEREAS, a graduate field in Asian Religions has been approved by the Graduate School, and*

*WHEREAS, the Committee on Academic Programs and Policies has also approved the new graduate field,*

*THEREFORE, BE IT RESOLVED, that the Faculty Senate approves establishing a graduate field in Asian Religions and urges the Administration to place this on the agenda of the Board of Trustees for consideration.*

"It's now my pleasure to proceed to Good and Welfare. I call on Professor Jennifer Gerner and Professor Isaac Kramnick to present a report by the West Campus Program Planning Group called 'A Vision for Residential Life.'"

## 9. GOOD AND WELFARE

Professor Jennifer Gerner, Policy Analysis and Management: "Well this is a committee that's been in existence for about three years and is pursuant to the North Campus Initiative. Therefore, what are we going to do with West Campus and how will we get upperclassmen interested in living there? This is a committee that has had faculty and students and staff. We are now in the position to begin an evolutionary development of programs on West Campus. I think what Isaac, the chairman of the committee, will do is give you the specifics but I think it's going to be involving faculty and we need to make it exciting. We need help to do that. Isaac?"

Isaac Kramnick, R.J. Schwartz Professor of Government: "Very quickly, since the 1960s, various faculty committees at Cornell have met and recommended closer integration between residential life and the academic mission of the University. Now that all freshmen are moving to North Campus as of 2001, the opening up of West Campus offers us that opportunity. Since early 1998, two faculty-led committees, with student and staff members, have met and they have proposed a fundamental transformation, over the next 15 years, of West Campus for the approximately 1,800 post-freshmen of the 9,000 post-freshmen who choose to live on campus. These two committees presume that the same number of students will want to go into the Greek system and live off-campus. But then also, as we have been seeing in other campuses, the culture of students has changed in the 1990s. More students are wanting to stay on campus. For those 1,800 who can be housed on West Campus, in University-owned dormitories, this committee has proposed that over time a closer integration between academic aims and residential life take place.

"It has been proposed that, gradually, in the course of 10 or 15 years, four to five residential colleges of living-learning units be established on West Campus. These would be under faculty leadership, with a live-in faculty dean, and would have faculty affiliates connected to the housing. Undergraduate RAs would be replaced by Graduate or Professional tutors and each of these houses would have their own dining hall.

"You have all received a copy of the proposal and this will be an incredible challenge for the faculty. Many faculty have been suggesting something like this for over thirty years. It will ensure that faculty have a closer mentoring relationship with the students. It will also put Cornell in sync with our peer institutions who are also responding to changes in the student culture that emerged in the 1990s and are making innovations along these lines and will allow us as faculty to attract the best students to Cornell.

"I could say a lot more, but I assume you have some questions. Yes?"

Professor Ann Lemley, Textiles and Apparel: "Having been through the college search last year, I visited many universities with my daughter, who is now at Cornell. (Laughter). It's a good choice, but she didn't get into her number one choice which did

have residential colleges. Do you see this as sophomore, junior, senior housing? If this is the case, then is it the case that fewer students from freshmen to sophomore year are going to find housing on campus because West Campus will be more largely populated by juniors and seniors?"

Professor Kramnick: "Well, we assume that certain features of the Cornell culture will continue, such as the desire to live along the lake or downtown or in dilapidated housing in Collegetown. (Laughter). That will continue. So we don't know that. One other thing that I forgot to mention is that as this housing is phased in, they will not have themes, they will not be program houses and they will not be associated with any particular undergraduate college. The students in them will be from all of the colleges. In realistic terms, we think that they will be primarily sophomores but we do hope that some juniors and seniors will stay on. We also are suggesting as a plan for the future that there be student affiliates, so that those who move away in their junior or senior year could come back to the house and have dinner at the house dining hall and still be a non-resident member of the house."

Professor Walcott: "You mentioned an e-mail describing this. Has this been distributed?"

Professor Kramnick: "I'm actually on leave."

Dean Cooke: "We didn't physically produce copies, but it is on the Web."

Professor Kramnick: "I believe there will be a story in the Chronicle about the committee's recommendations. Yes, Peter?"

Professor Stein: "It sounds nice and it sounds expensive. Can anyone put a price tag on it?"

Professor Kramnick: "The two committees have not. There is a report on the website. It is the case that a \$100 million gift was given by an anonymous donor to this already. You're right, there will be a price tag, but our committee was not concerned with price. It was concerned with the program and relating the faculty to this and the effect on the students and staff. There will be changes in the student culture in which certain aspects of residential life will be directed by the faculty as opposed to the autonomy that exists now in dining and campus life."

Professor Lemley: "I have another question. As a member of the Cornell Council for the Arts Executive Committee and Chair of the Department that has a huge role in the performing arts, we have discussed many times the need for more performance places and practice rooms and I hope the committee is taking that into account."

Professor Kramnick: "We address this in the report. Should this become a reality, we want to instruct architects that each dining hall should be converted into performance space and that sort."

Professor Joseph Ballantyne, Electrical Engineering: "I had heard an anecdotal number of the cost from a Vice President in Day Hall and it was \$160 million."

Professor Kramnick: "Well then somebody else has got to give another \$60 million! (Laughter). We were just interested in the programs."

Professor Simons: "While on the one hand this sounds like it may make a nice contribution to student life, a factor that's coming into my own deliberation on it is that I'm being asked to take a greater role in a University whose administration clearly doesn't care what I think. It's an unfortunate coincidence of timing, but this is a factor that I think will affect the faculty."

Professor Kramnick: "Our committee assumes, as you will see in the report, that faculty participation isn't going to be simply out of the goodness of their hearts. They will be appropriately remunerated as is done in other institutions. When you give time to this kind of the venture, there's got to be something for you as well in addition to free dinners and conversation with bright students."

Speaker Howland: "Thank you very much. Do I hear a motion to adjourn? Okay, the meeting is adjourned."

Adjourned at 6:00 p.m.

Respectfully submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

**The Campus Climate Committee was awarded the  
James A. Perkins Prize  
for Interracial Understanding and Harmony**

**Campus Climate Planning Committee Membership**

<u>Name</u>	<u>Affiliation</u>
<b>Ron Booker</b>	Associate Professor, Neurobiology & Behavior
<b>Michael Brown</b>	Student Assembly
<b>P.J. Brown-Mikula</b>	Workforce Diversity, Equity and Life Quality
<b>Tony Joe Carrizales</b>	Undergraduate Student, Arts & Sciences
<b>Lynette Chappell-Williams</b>	Director, Workforce Diversity, Equity and Life Quality
<b>J. Robert Cooke</b>	Dean of Faculty
<b>Raymond Dalton</b>	Director, Office of Minority Educational Affairs
<b>Dawn Darby</b>	North Campus Service Center; Employee Assembly
<b>Katie Dealy</b>	Student Trustee
<b>Gwendolyn Dean</b>	Coordinator, Lesbian, Gay, Bisexual, Transgender Resource Office

<b>Clare Fewtrell</b>	Associate Professor, Molecular Medicine
<b>John Ford</b>	Dean of Students
<b>Cris Gardner</b>	Director, Office of Assemblies
<b>Linda Gasser</b>	Organizational Development and Employment Services, Office of Human Resources
<b>Robert Harris</b>	Vice Provost for Diversity and Faculty Development; Africana Studies and Research Center - <b>Committee Chair</b>
<b>Thomas Hoebbel</b>	Media and Tech Services; Employee Assembly
<b>Robert Johnson</b>	Director, Cornell United Religious Work – <b>Committee Co-Chair</b>
<b>Heather Kim</b>	Institutional Research and Planning
<b>James Lamb, Jr.</b>	Student Assembly
<b>David Mahon</b>	Student Trustee
<b>Jane Mt. Pleasant</b>	Associate Professor, Soil, Crop and Atmospheric Sciences
<b>Mary Opperman</b>	Vice President, Office of Human Resources
<b>Yurij Pawluk</b>	Student Assembly
<b>Bob Rich</b>	Director, Programs for Employment and Workplace Systems
<b>Peter Schwartz</b>	Professor, Textiles and Apparel
<b>Pamela Stepp</b>	Assistant Professor, Communication
<b>Emanuel Tsourounis</b>	President, Student Assembly

# MEMBERS OF THE EDUCATIONAL POLICY COMMITTEE

Carole Bisogni  
Debra Fried  
Richard Galik, **Chair 99-00**  
Douglas Gurak  
Robert Kay  
Ali Hadi  
Susan Piliero  
Charles Seyler  
David Stipanuk  
Kathleen Rasmussen, *ex officio*  
J. Robert Cooke, *ex officio*

# Slides presented to the Faculty Senate

William Y. Arms

April 12, 2000

*Advisory Committee on Distance Learning*

# Advisory Committee on Distance Learning

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## The Dilemma

"... the deliberative culture of the University will at times be at odds with the realities of the rapidly changing Internet world."

*Hunter Rawlings*

Yet major academic initiatives, such as distance learning, will fail unless they have broad *understanding* and *support* across the University community.

*How does the committee help the university make good decisions rapidly, with university-wide understanding and support?*

# Advisory Committee on Distance Learning

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## Approach

- Frequent, short papers (often drafts), not a big report.
- General statement of principles and checklist of topics.
- Incremental decision making.
- Emphasis on information flow -- web site, comments, etc.
- Close communication with administration and faculty senate.

*Send one page comments to [wya@cs.cornell.edu](mailto:wya@cs.cornell.edu).*

April 3, 2000

Memo To: J. Robert Cooke  
From: Hunter R. Rawlings III  
Subject: Distance Learning

After several discussions with you, we have constituted the Provost's Advisory Committee on Distance Learning. In keeping with your suggestion, we asked Professor William Arms to chair the committee, and I am pleased to report that he has accepted the invitation. Of the six additional faculty members on the committee, three are your nominees. As you will note from the attachment, the charge to the committee is broad in scope, and the committee will consult with and give reports to both the faculty and the administration. I look forward to the deliberations and recommendations of a first-rate committee.

cc: Provost Randel  
Vice Provost Sansalone  
Professor William Arms

Attachment

### **Provost's Advisory Committee on Distance Learning**

**Charge:** To advise the President, Provost, and the University on all aspects of distance education. In particular to study and make recommendations about the relationship of Cornell University to other organizations that use Cornell's name or resources for distance education. The committee will consult with and submit reports to both the University administration and the faculty.

#### **Committee Membership:**

William Arms (Engineering); *Chair*  
Don Greenberg (AAP/CS)  
Peter Martin (Law)  
Barry Carpenter (Arts & Sciences)  
Peter Lepage (Arts & Sciences)  
Deborah Streeter (CALs)  
David Lipsky (ILR)  
Bob Swieringa (JGSM)  
Mary Sansalone (ex-officio member, administrative staff)

**Resolution on Academic Decision-Making Processes**  
from the University Faculty Committee  
April 5, 2000

WHEREAS, deliberation on academic issues constitutes the core of a university faculty's function, and

WHEREAS, following a pattern set with the reorganizations of the Division of Biological Sciences and the Department of Computer Science, the Cornell administration once again ignored the very clear wishes of the faculty\* for consultation on an academic matter by moving ahead with the creation of e-Cornell as a for-profit enterprise for distance learning, without permitting time for due deliberation by the faculty through their governance structure,

THEREFORE, BE IT RESOLVED that the Senate instructs the Dean of the Faculty and the University Faculty Committee (UFC) to draft a written agreement between the Faculty Senate and the President, covering the process by which decisions of the central administration on academic matters will be handled, and

BE IT FURTHER RESOLVED that the Senate instructs the UFC to present the agreement at the May 10, 2000 meeting for formal Senate ratification.

**Rationale:**

The confidence of many Cornell faculty in President Rawlings and members of his administration has been shaken by a series of decisions that they have made on major academic issues, without consulting the faculty through its duly constituted governance structure - the Faculty Senate.

The support of the President for the establishment of e-Cornell as a for-profit distance-learning enterprise, in the face of a 65-1 vote by the Senate asking that it be consulted first, represented the most recent example of his apparent disregard for faculty opinion. This decision precipitated a crisis, which was somewhat ameliorated when, in a meeting with the UFC on April 4, 2000, President Rawlings made it clear that the "shell" corporation known as e-Cornell need never come to fruition if other models of distance learning were found to be preferable. The recently appointed Provost's Advisory Committee on Distance Learning has been given the mandate to explore all possible models for distance learning at Cornell.\*\* It is also instructed to present its findings to the Senate for their review. The President additionally agreed to present his decisions on distance learning to the Senate prior to their being submitted to the Board of Trustees.

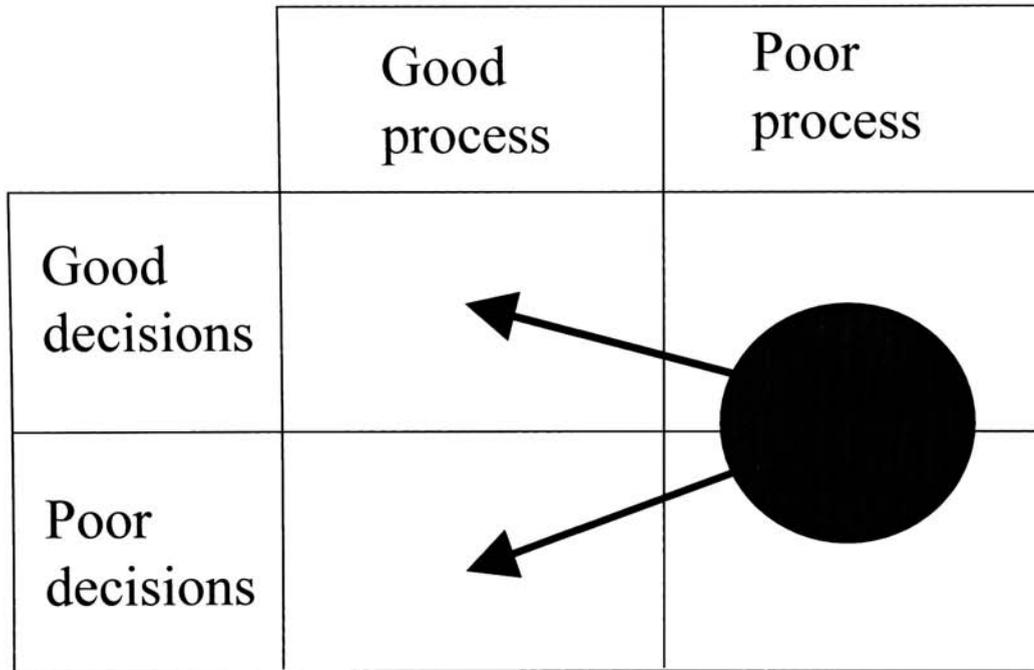
Despite these helpful developments, this incident, in the context of the earlier events cited above, brought into focus the need to clarify the relationship between the Faculty Senate and the President and Provost concerning advice and decision making on academic matters that may be under consideration by the central administration.

\*65 to 1 vote by the Faculty Senate on March 8, 2000 stating *"that the Faculty Senate expects to participate with the Administration and Trustees in the development of principles and plans for distance learning including any potential establishment of a for-profit corporation. Such plans, once formulated, should be presented to the Faculty Senate for faculty review."*

\*\* See letter from President Rawlings attached to this resolution.

# Decision Making at Cornell

## The Hope and the Fear



**AMENDMENT TO THE RESOLUTION ON ACADEMIC  
DECISION-MAKING PROCESSES**  
**Alan McAdams**

Modify the second WHEREAS to read as follows:

WHEREAS, there have been different perceptions on what constitutes appropriate Faculty input in some recent important issues of this kind, following a pattern set with the reorganizations of the Division of Biological Sciences and the Department of Computer Science, the Cornell administration once again ignored the very clear wishes of the faculty\* for consultation on an academic matter by moving ahead with the creation of e-Cornell as a for profit enterprise for distance learning, without permitting time for due deliberation by the faculty through their governance structure,

and in the first RESOLVED replace the word "draft" with the word "negotiate":

THEREFORE, BE IT RESOLVED that the Senate instructs the Dean of the Faculty and the University Faculty Committee (UFC) to ~~draft~~ negotiate a written agreement between the Faculty Senate and the President, covering the process by which decisions of the central administration on academic matters will be handled, and

In the second RESOLVED delete the words "the Senate instructs" and insert the word "shall" in place of the word "to":

BE IT FURTHER RESOLVED that ~~the Senate instructs~~ the UFC to shall present the agreement at the May 10, 2000 meeting for formal Senate ratification.

**AMENDMENT TO THE RESOLUTION ON ACADEMIC  
DECISION-MAKING PROCESSES**

**Peter Stein**

In the Therefore, Be It Resolved paragraph, immediately after the phrase "academic matters" add the following text: that concern more than one college or on other matters that the Senate has addressed or that the UFC wishes to bring to the Senate. The paragraph would then read:

**THEREFORE, BE IT RESOLVED** that the Senate instructs the Dean of the Faculty and the University Faculty Committee (UFC) to draft a written agreement between the Faculty Senate and the President, covering the process by which decisions of the central administration on academic matters that concern more than one college or on other matters that the Senate has addressed or that the UFC wishes to bring to the Senate will be handled, and

Rationale: The phrase "academic matters" does not describe very precisely the scope of the appropriate discourse between the Senate and the administration. As far as academic matters are concerned, the scope should be limited to items that fall within the jurisdiction of the Senate; i.e., academic matters that transcend college boundaries. On the other hand, the bulk of the recommendations that the Senate has sent to the administration fall outside of (or could be argued to fall outside of) the phrase "academic matters". Sexual harassment procedures, faculty salaries, and athletics are clearly not academic, and it has been argued that organizational changes such as the dissolution of DBS or the formation of FCIS or e-cornell do not fall within the academic jurisdiction of the Senate. To avoid jurisdictional arguments, the proposed amendment says that any motion of the Senate directed to the administration deserves formal consideration and response.

4/11/00

MINUTES OF THE FACULTY SENATE MEETING  
May 10, 2000

Professor Howard Howland, Neurobiology and Behavior, Speaker: "I'd like to remind you that there are no cameras or tape recorders allowed in the meeting. We have just one Good and Welfare presentation from Susan Murphy and Kathryn Abrams. I would now like to call on Dean Cooke for remarks."

**1. REMARKS BY THE DEAN**

J. Robert Cooke, Dean of the University Faculty: "I wish to call you attention to the deaths that have occurred in the faculty this academic year. I'll read them (Appendix A, attached) and then I'll ask you to rise and pause for a moment.

"We have some major reports this meeting, including elections, reports from the UFC on principles of cooperation and consultation, a major report on Computing and Information Science and on discussions we've had throughout the year, a faculty salaries discussion, and a report from Ethics and Student Life. We also have a resolution on TIAA investments and a resolution dealing with distance learning for over the summer.

"I have three special things I wish to do before I yield the podium, and that is to recognize three important people to this group. The first is Anna Gravino, who is the person who has been transcribing all of our minutes for two years and all of the minutes for the Faculty Forums. She is graduating this year. (Applause).

"The second is the Associate Dean and Secretary of the University Faculty, Kathleen Rasmussen, who is completing a three-year term on June 30. She has rendered exemplary service to this body as Associate Dean and most especially I appreciate the dedicated work she has done for the Nominations and Elections Committee, which we get reports from at every meeting. It's an extraordinarily difficult task and one that essentially holds this organization together. Thank you, Kathy. (Applause).

"The third is Judy Bower, who is Executive Staff Assistant Extraordinaire. She will be retiring on June 30 after 27 years in the Office of the Dean of Faculty. She has worked with 7 deans of faculty, Norman Penney, Byron Saunders, Kenneth Greisen, Joseph Bugliari, Walter Lynn, Peter Stein, and myself. For 17 of those years, she was Executive Staff Assistant and for 10 years she was the Administrative Aide. Her duties have dramatically increased in the last few years and she has provided the institutional memory and the good sense to advise the dean to keep him out of trouble most of the time. She is going to be sorely missed. Most of her work is out of your view, things like tenure reviews, grievances, and other confidential matters, but she is very intelligent and handles those confidently and knows not to discuss them. She prefers working behind the scenes so much so that she asked me if it was alright if she didn't come this afternoon. I told her this was not punishment and that would be fine. I'm still amazed by the kinds of things that employees at this University are able to do. Imagine the last two years before you retire being asked to be webmaster for a website that serves the entire University so that if anything goes wrong it is highly visible. That illustrates the kinds of things she was willing to take on that exhibited her professionalism. Because I

have been the one who has been most closely associated and benefited the most from her services, I'm going to break my own, self-imposed, tradition of not introducing resolutions or debating them before the Senate. I wish to introduce a motion, a resolution (Appendix B, attached) honoring Judy." (Applause).

Speaker Howland: "Thank you. Professor Stein?"

Professor Peter Stein, Physics: "I'd like to just take a moment to add my words of appreciation for what Judy has done for the whole operation of faculty governance. I was her supervisor before Bob for five years, and she did indeed have a remarkable ability to be the institutional memory for the University Faculty and, as far as I can tell, for all of Cornell. Just as an example, the other day I was looking for some obscure office and I couldn't find it in the phone book and I called several people who referred me to this person or that person. I went back to the first person I had called and she said, 'Why are you wasting time, just call Judy and ask her.' I did call Judy and ask her and she told me exactly where to go. (Laughter and applause). Quite rightly. (Laughter). As I said, I want to echo Bob's words to thank her. I'm sorry she's not here to see it, but I'm sure she will accurately edit this when it appears in the minutes. I want to thank you for all of years of service to the University Faculty."

Speaker Howland; "Thank you. Are you ready for the question? All in favor of the motion, say 'aye.' Hearing no objections, I hear a unanimous vote. I'd like now to call on Provost-designate Biddy Martin for some remarks and discussion.

## **2. REMARKS AND DISCUSSION BY PROVOST-DESIGNATE BIDDY MARTIN**

Professor Biddy Martin, German Studies, and Provost-designate: "I actually gave five of the ten minutes I was awarded because the agenda is so packed today, so I'll be very brief and even briefer than I had intended to be. You know already that I've been working with the UFC to come up with the agreement that we will discuss later. I just want to say that it was a completely pleasant and interesting experience. I feel very happy with the principles that we have articulated together and to which we agreed. Beyond that, I guess what I want to say is that I'm preoccupied with the afternoon I just had, which reflects many days that I have had over the past several months. I got to spend the first part of the afternoon with faculty from Earth and Atmospheric Sciences watching the storm and I got to spend the latter part of the afternoon watching the pre-fusion interaction of two vesicles – I think from a muscle cell of a horse. Actually, the opportunity and the experience of going from department to department on campus have been extraordinarily enriching. It's been enormously pleasurable. If I could go back to college, that would be what I would choose to do now rather than be Provost. This is a tremendous University, with much more going on than I could have dreamed and the combination of what faculty and students are doing would surprise all of you. I will say that if there's one thing to which I'm more committed to after this experience, it would be making sure that more of you get to know more about what's going on in departments and colleges other than your own. It is really amazing. I think we would probably get a long way in our efforts in the direction of decision-making, with more transparency and openness if all of us knew more about what each of us was doing. It's really heartening and I would like to thank all of you as representatives of your department. You should please go back and thank your departments for preparing the

wonderful tours and visits to which I've been treated. I'll be treated to a lot more in the next few weeks, and I am enjoying them enormously. At the moment, I'm preoccupied with visits to departments in Engineering and I've been having an absolutely wonderful time. I thank you all.

"I'm not sure whether I'm supposed to take questions, but before I sit down I want to take this occasion to have us all thank Bert Garza. He has decided to go back to his role as a researcher and faculty member in Nutrition rather than continue as Vice Provost. Though I am sorry that I won't have his services, I think that it is appropriate to thank Bert here at the Senate meeting. I won't ask you to thank Mary because she will be staying on in a capacity that you've probably already read about and will be discussing this afternoon. I don't have any further remarks about how I will manage. When I'm ready to explain how I'm going to organize things, you'll be the first to know, or maybe the second after some people in my household. In any case, I think it would be appropriate to thank Bert for his extraordinary service as Vice Provost." (Applause).

### 3. APPROVAL OF THE MINUTES

Speaker Howland: "Thank you. I'd like to call now for approval of the minutes from the April 12 Faculty Senate meeting. Are there any corrections to the minutes? Hearing none, the minutes are approved. I'd now like to call on Associate Dean and Secretary of the Faculty, Kathleen Rasmussen, for a Nominations and Elections Committee report."

### 4. REPORT FROM NOMINATIONS AND ELECTIONS COMMITTEE

Professor Kathleen Rasmussen, Nutritional Sciences, Associate Dean and Secretary of the University Faculty: "I'd like to begin by reporting the results of the recent election. There are about 1,500 and some odd active faculty and we got about 750 votes casts in this election.

#### **Associate Dean and Secretary of the University Faculty**

Charles Walcott, CALS

#### **Faculty Trustee**

Peter Stein, A&S

#### **Faculty Senate-at-Large, Tenured**

Elaine Wethington, CHE

#### **Faculty Senate-at-Large, Non-Tenured**

Antje Baeumner, CALS

**Nominations & Elections Committee**

David Delchamps, Engr.  
Ann Lemley, CHE  
Rosemary Loria, CALS  
Timothy Mount, CALS

**University Faculty Committee**

Peter Bruns, CALS  
Terrence Fine, Engr.  
Vicki Meyers-Wallen, Vet.

"This is also a very busy time of year for filling the normal rotation of committees. Generally about a third of the committees turn over every year. You have seen some of these and you have not seen others. We did conduct a canvass this year for the first time in a while and it was actually quite successful. I thank you and your colleagues for the nominations that we got. Nearly all of the committees are complete, but we have a long way to go on the University Appeals Panel and the University Assembly. If you know of anyone who would like to serve on the University Assembly, please slip me an e-mail, kmr5, because I would love to know.

**Academic Freedom & Professional Status of the Faculty**

Alan Bell, CALS  
David Bendaniel, JGSM  
Stephen DeGloria, CALS

**Academic Programs & Policies**

Mildred Warner, AAP

**Affirmative Action**

Jean Hunter, CALS  
Pamela Stepp, CALS

**Educational Policies**

Ray Bryant, CALS

**Faculty Advisory Committee on Athletics and Physical Education**

William Cox, CALS  
Ronald Ehrenberg, ILR  
Robert Gravani, CALS

**Financial Policies**

Thomas Lyson, CALS  
 Kay Obendorf, CHE  
 S. Leigh Phoenix, Engr.  
 L. Joseph Thomas, JGSM

**University Appeals Panel**

Paulette Clancy, Engr.

**University Assembly**

Daniel Schwarz, A&S

**University Committee on Conflicts**

Larry Palmer, Law

**University Faculty Library Board**

William Arms, A&S/Engr.  
 Laura Meixner, A&S

**University Lectures**

Shelley Feldman, CALS  
 Kenneth Kennedy, A&S

**University-ROTC Relationships**

Jennie Farley, ILR  
 John Wootton, Vet.

"I would like to finish by offering you my thanks for the opportunity to serve you in the last three years. I have learned a great deal and met a lot of wonderful people. I really appreciate the opportunity." (Applause).

Speaker Howland: "I'd like to call now on Professor Risa Lieberwitz, member of the University Faculty Committee, for a resolution on cooperation and consultation between the President and the Faculty Senate."

## **5. RESOLUTION ON PRINCIPLES OF COOPERATION AND CONSULTATION BETWEEN THE PRESIDENT AND THE FACULTY SENATE**

Associate Professor Risa Lieberwitz, ILR: "I'm here on behalf of the UFC to present the resolution with regard to the principles of the agreement that we reached with the administration. Before doing that, I thought I would take a quick minute to remind us how we got here. The resolution that we started with, that we adopted at the last

meeting, instructed the UFC to meet with the President and to reach an agreement to try to put into writing principles on faculty governance that would avoid some of the problems that we found in the past. We did go through that process and I would echo what Bidy Martin said, which is that I thought that the process of the UFC meeting with President Rawlings and Provost Bidy Martin really was an important process. It was a good process and it was one of cooperation but I would also say that people were quite committed to putting their positions out on the table and working out places of agreement, places where compromise was needed, and places where people understood why the different positions were being put up. I think that we really achieved a great deal through this process.

“Going on to the actual resolution, I brought overheads of the agreement and we can go through that at an opportune moment, but let me take a couple of minutes first. As you’ve read, we have the ‘Whereases,’ which give a quick history and the fact that the Provost, President, and the UFC have met to develop the agreement and we’ve created this set of principles for future cooperation and consultation. It also reads that we present this resolution and that the Faculty Senate ratifies this document entitled ‘Principles of Cooperation and Consultation Between the President and Faculty Senate.’ The important paragraph is that the Senate instructs the Dean of the Faculty and the UFC to meet with the President and Provost at the end of the 2000-2001 academic year to review the effectiveness of these principles and to consider any needed modifications. Any modifications of these principles will be submitted to the Faculty Senate for ratification. I’m going to address that in a moment.

“As we said in the resolution, we thought this was important to present to you since it was really a resolution calling for a ratification of the principles of the agreement, that we’re asking the Faculty Senate either to ratify the agreement as it is written or to reject the document as it is written or to refer it back to the UFC for further negotiations. Of course, throughout the resolution, we’re recommending that the document be ratified.

“Let me now spend a moment pointing out what I think are particularly important points (Appendix C, attached) that were achieved in the agreement. All right, I know you’ve all read it, but there are some points that are important, one of which was that we created a process. Another thing is that Section I is an essential point that we have really been debating and dealing with this last year, which is the clear recognition by the President and the administration that the Faculty Senate is a bona fide representative of the University Faculty and everything that flows from that. The agreement is a provision intended to emphasize the role of the Faculty Senate, the UFC on behalf of the Faculty Senate, the Dean of Faculty on behalf of the University Faculty, and the Faculty Senate as a representative body, to be involved in early consultation, which will require early notification and early information about the kinds of issues that are occurring on campus and the kinds of issues that are in the early stages of being thought about. That was a particular concern and it shows up in the provisions of Section II and Section III, which provide for early and continual meetings, including an early agenda-setting process between the Provost, the President, and the Dean of the Faculty. The UFC is, of course, a part of this important process of early advising and consultation. Then, with regard to Section V, two joint faculty and administration committees are dealt with. One is the actual joint committee while another is committees created by the central administration and our concern was to put in joint

creation of charters whenever possible and as much participation as possible at this point for nominations on those committees. Section VI is extremely important in terms of recognition by the administration of the need for the Faculty Senate to be involved in the process of governance, which means early consultation and enough time for Faculty Senate committees to act when they are appropriately involving the issues and enough time for the Faculty Senate to deliberate and consider these actions after their committees or other bodies. Finally, we engaged the issue of timely responses to Faculty Senate motions and resolutions.

“Again, going back to the resolution there is the provision for potential modification. I think that the resolution, which calls for review at the end of the year between the UFC, the President, and the Provost, is essential because what we are now putting into play is a continual process of interaction between the administration and the Faculty Senate to continue to review whether this is working. If there are needs for changes, they will be suggested and brought back to the Senate for ratification.”

Speaker Howland: “Thank you very much. The motion is now open for discussion. Yes?”

Professor Stein: “I would just like to say that this seems to me to be a very forward moving and positive resolution. I’m pleased to see it and those of us who were involved in the setting up of the Senate, however many years ago, know that this was a concept on which the Senate was formed. Of course, with any new institution, there are bumps along the way, and I’m pleased to see the original vision translated into the specificity of this document. I congratulate the Provost, the UFC, and the President for agreeing to this.”

Speaker Howland: “Further discussion on the motion? Yes?”

Professor Joseph Ballantyne, Electrical Engineering: “I didn’t see anything in the principles that dealt with the issue of faculty input to high-level appointments. I’m wondering if that was an issue that was discussed in this context or not?”

Dean Cooke: “Yes it was discussed and there is an agreement between the President and myself that it will be dealt with in a reasonable time scale, soon. It was not put into this document because part of it would require some consultation with the Trustees and so on. But there is clear intention to follow through and we have agreed that we would go and do something.”

Speaker Howland: “Further discussion? Yes.”

Professor Subrata Mukherjee, Theoretical and Applied Mathematics: “Just a point of clarification. Part VI talks about extraordinary situations and extraordinary happenings, like if we were to declare war on Columbia University perhaps. (Laughter). Could you give an example, other than the one that I bring up, that would fall in that category that requires such immediate action that the Senate cannot be included in the discussion?”

Professor Lieberwitz: "I think that it's a good idea to talk about that. I don't myself have any particular examples in mind so maybe someone from the administration would, but what we were trying to do was recognize that, in fact, one can't always anticipate exactly what would come up and it's worded that in such cases, the President and Provost will inform the Dean of the Faculty and seek his or her advice about how to provide for input from the Senate. We were concerned with putting in there that the Faculty Senate would still be involved but, in fact, there may be unanticipated instances, like the one that you mentioned (laughter), where one would have to act more quickly."

Speaker Howland: "Further discussion? Seeing no hands, I think we can proceed directly to the vote. All of those in favor of the resolution before you, say 'aye.' All opposed, say 'nay.' It passes unanimously.

*WHEREAS, the University Faculty Committee (UFC) was instructed in the Resolution on Academic Decision-Making Processes (passed by the Senate on April 12, 2000) to develop and present an agreement at the meeting of the Faculty Senate to held on May 10, 2000, and*

*WHEREAS, the President, Provost-designate and the UFC met to develop such an agreement and have agreed upon a set of principles for future cooperation and consultation,*

*THEREFORE, BE IT RESOLVED that the Faculty Senate ratifies the document titled "Principles of Cooperation and Consultation between the President and Faculty Senate", and*

*BE IT FURTHER RESOLVED that Senate instructs the Dean of the Faculty and the UFC to meet with the President and Provost at the end of the 2000-2001 academic year to review the effectiveness of these principles and to consider any needed modifications. Any modifications of these principles will be submitted to the Faculty Senate for ratification.*

"I'd now like to call on Vice Provost Cutberto Garza for a report on Computing and Information Sciences."

## **6. REPORT ON COMPUTING AND INFORMATION SCIENCES**

Professor Cutberto Garza, Nutritional Sciences, Vice Provost: "Good afternoon. I'm going to follow up on a discussion that began in February. I'm not going to go over all of the overheads that I presented, but bring you up to date on how we're going about implementing the proposal that I brought to you. I'm pleased to say that the President and Provost have agreed to pursue the proposal that I presented to the Senate in February.

"Just to refresh everyone's memory, there were four parts to that proposal. The first was about the Dean of Computing and Information Sciences. The position had been created with the objective of moving the University's Computing and Information Sciences initiatives forward in a timely and organized way. There was the creation of a

faculty for Computing and Information Sciences that will be used to designate a University-wide faculty body responsible for advising the University on the enhancement of teaching, research, and outreach, related to the Computing and Information Sciences and ensuring the cohesive development of this across the University.

“The FCIS is expected to take a key role in enhancing the quality and breadth of the faculty and assisting in avoiding inappropriate duplication of faculty positions. As you will recall from my discussion in February, the first step in setting up this faculty was developing an initial roster of founding mothers and fathers, if you will, of this body, the charging of the Office of the Provost together with the Dean of Computing and Information Sciences, the Dean of Agriculture and Life Sciences, the Dean of Arts and Sciences, and the Dean of Engineering to come together and develop such a roster. I’m pleased to say that we have a list that we’ve come to agreement on. They come from ten different departments and four different colleges. Because we have been unable to reach all of these individuals, I am not free to tell you who is on the list. There are about 18 people on that list, however, and they will be charged to come together over the summer and develop the five-year plan that was described in the proposal that I discussed with you in February. That proposal would serve for adding additional individuals to the FCIS and to develop a format for meeting their charge.

“The third part of that proposal was the development of an executive board whose principal roles would be to advise the Dean of CIS on policies, how to govern the operations of his offices, and to assist the Dean in meeting the goals set forth in the document that was distributed on the 7th of February and other recommendations made by the Faculty Senate. That executive board, it is anticipated, will be appointed in the Fall and they will review the five-year plan that is being put together by the FCIS. Then the Office of Computing and Information Science will be created to serve as the administrative unit for the FCIS and the Dean. That office will report directly to the Office of the Provost.

“So we’ve got an implementation that is starting with a faculty group that will be meeting over the summer. We intend that their first task will be to put together that five-year plan. The plan will then be presented to the executive board and then forwarded, with their recommendations, to the Provost for implementation.

“I’ll take any questions up to this point. Not seeing any hands, let me thank Bob and Terry Fine in helping us get together the list of founding mothers and fathers. A lot of the discussions were quite animated, as you can imagine, but they were very helpful and I want to acknowledge both Terry and Bob for their help. We could not have done it without their continued consultation. Any questions?”

Associate Professor Brad Anton, Chemical Engineering: “I understand that one of the actions of this founding committee would be to assign the FCIS to one of the colleges?”

Vice Provost Garza: “No, if you go back to the original document that was distributed, the FCIS will never belong to any specific college. In fact, the document is quite explicit in that the FCIS will not make any professorial appointments or tenure track

appointments. They will have a membership that will be University-wide, but it will not act in the sense of a college or a department. That's quite clear in the document."

Professor Anton: "The committee will also decide the budgetary relationship that the FCIS will have in the future, correct?"

Vice Provost Garza: "No, we expect that the FCIS in its five-year plan will make recommendations and will have budgetary implications. I expect that whenever the plan is put together, we will inform the eventual home for the Department of Computer Science, for example. But even there, I think that the document that was discussed in the Senate is somewhat constraining in that there are three very lacking outcomes. That is, it could stay in the College of Engineering, it could move to the College of Arts and Sciences, or it could be a department that is shared across colleges as other departments are. The plan, we hope, will inform both budget and placement."

Professor Anton: "Okay, so this group will decide where the Department of Computer Sciences is going to end up?"

Vice Provost Garza: "No, the group will make a recommendation if it wishes, but the Office of the Provost will make that decision, hopefully based on a five-year plan. The group itself will not be making that decision."

Speaker Howland: "Further questions for Vice Provost Garza?"

Vice Provost Garza: "I, too, want to thank the Senate, especially Bob, who made the two years I spent in Day Hall interesting and informative. I think he's in for a good time." (Laughter).

Speaker Howland: "I'd like now to call on Professor Thomas Dyckman, member of the Financial Policies Committee, for a report from the committee on their recent conversations with the President."

## **7. REPORT FROM THE FINANCIAL POLICIES COMMITTEE**

Thomas Dyckman, A.W. Olin Professor of Accounting: "I'm pleased to be here to report for the FPC in the light of the fact that the chairperson, Charles McCulloch, could not be with us today as he is elsewhere. The history of the issue of faculty salaries is not a new one to any of you and so I won't go into that history except to say that it's been a difficult and tough time. We had a meeting with the President on the 12th of April. It was, in my opinion, a very cordial and productive meeting. I'd like to describe basically what has happened in the process and I'm going to give the Dean of the Faculty a memo from the committee, under Charles McCulloch's name, that was addressed to President Rawlings with a copy of what the results were of that meeting in a second memo that was sent to him summarizing what we believe were the results of that conversation and what those results mean for you and I and many others.

"I don't intend to spend a lot of time on this but I do intend to summarize it (Appendix D, attached) Perhaps the most important part of this particular item is the first, that is, the reports on the progress of faculty salaries. I want to turn to the second item,

showing some more information. It will perhaps become clearer after you see the slide. In both the endowed and the statutory units, the average salary of a peer comparison group will be the goal of Cornell faculty salaries. Let me put that up here so that you can see the good news and the bad news. This is the group of schools that was selected to be in our peer comparison. You will note that there is one group for the endowed and a different group for the statutory schools. These groups were selected in a very specific way, as would be appropriate. We took, for the endowed, ratings for academic quality by the National Research Council. We took five universities that we felt were most like us in our peer group that exceeded us and the five universities that fell right behind us in the salary poll. It is our desire to reach the average of the schools. In other words, we want to be rated no worse than the average of the ten schools that we see in our peer groups. The statutory schools were chosen with input from the Deans of the colleges since it seemed that the peer groups for endowed and statutory ought to be different than just using one group as has been done in the past.

“You will note that if we are successful in reaching the average of our peer group in the endowed, then we will still be slightly below Yale. By the way, salaries are in thousands of dollars and this is the most recent data that exists. Those numbers will change over time and it’s our objective to move up as time goes along. You can see that we have a ways to go and the competition will be moving aggressively as well. It will be necessary for this University to move aggressively also. If we are able to do the same in the Statutory, which is going to be a tougher job since the Statutory suffers more than the Endowed, and move up in the same way, we would end up at number 4 in the comparison group. That is certainly a goal that we would like to see happen.

“As I talk about these numbers, there are a couple of facts that are important that the committee worked hard to secure and I hope that you will understand what they mean for us. The first is that there is no cost-of-living adjustment put into these data. In the past, there has been a cost-of-living adjustment, which the University has found useful since it tends, often, to make us look better off than we are. The view is typically that Ithaca is not as expensive as living in Palo Alto, although cost-of-living adjustments don’t take into account many things that places like Palo Alto and New York City have that we don’t, which include opportunities for spouses, some people might argue better weather, and some people also might argue that there are cultural things that are not as easily found here as in other places. The agreement with the President is such that there will be no adjustment to affect these data. It’s also a nine-month basis. Also, as we do this, the relationships that are going to be compared with the other universities will be adjusted so that the averages are equivalent to Cornell’s distribution of faculty. That is to say that we have a certain percentage of full, associate, and assistant professors and when we adjust the data of other universities, they will be put on our distribution scale rather than their own. Those are important factors in making this comparison.

“Some of the other facts that go into this report, which will be similar to the reports that you’ve seen in the past but which are now going to have different data in them, are weighted average by ranks of the Cornell faculty distribution, a tabular presentation for the current year with peer comparisons and graphical comparison for the last 25 years with peer comparisons. In addition, there will also be percentage differences computing for the first three items in Section I and the percentage change over the past year for all of them, a tabular form for item ID and IE so that we can see what those factors are.

This report will be available to faculty. We also saw an incomplete version of what that would look like. Some of the data has already been collected and is being put together by Carolyn Ainslie and will be part of the report that will be available for all of you to see.

“Let me go back again to one of the previous slides, the first one that I had up there, so that you can see a couple of more of the agreements made with the President. Let me go through those briefly because they are important. In the Endowed units, five years will be the normal planning period. In the Statutory units, we believe it will take longer than five years, maybe seven. In the process, the idea is that in the next three years, we will move from 10 out of 11 in the Endowed peer group to at least number 7 in that first three years and to number 5 in two more. That is the objective. We needed a goal because without one, we would never get anywhere. We felt that it was absolutely critical to have goals built into this process. With the Statutory units, it’s going to take us longer to get up there. Again, the goal is to rise up several levels in the next three years. In addition to that, this is something that I want all of you to feel that you can play a part in. The President has invited us to help him with ideas as to how this can be achieved. We have ideas but there are an awful lot of ideas out there in this audience and with your colleagues. We would appreciate it, as a committee, if you would inform us of your ideas and your thoughts as to ways in which we could make this happen and happen quicker. It is my belief that the quality of the faculty of this University is its single most important asset. If we don’t protect it, in terms of people we have and people we would like to hire, we will not remain in the level of universities that we think we are or ought to be. We cannot do this without your help and I would certainly be happy to take any suggestions you can give me. I’m sure that Charles will be happy to take them as long as he remains with us and I suspect that everyone has the Dean of Faculty’s e-mail, and since he doesn’t read them directly, but his secretary does, maybe she will collect them for us as well. With your help and the committee’s help, we will be able to make progress. I think I speak for the committee as well when I say that we were all very pleased with the progress we ultimately made. It did not come easily, but when it did, we were pleased with what we achieved. We have not achieved it all yet, because it will take a few years to really achieve the goals. I’m not sure that I’m supposed to answer questions, but do you have any?”

Professor J.S. Butler, Policy Analysis and Management: “Why was Ohio State listed twice among the Statutory?”

Professor Dyckman: “Did I do that? They must be a great university. (Laughter). I think it’s a typo. I’m sorry about that. Any other questions? Yes?”

Professor Douglas Haith, Agricultural and Biological Engineering: “I’m very gratified to my Endowed colleagues for this report. (Laughter). As a member of a Statutory unit, I’m appalled. You can paraphrase this and paraphrase that but the goal of salary management at Cornell would be to maintain a \$15,000-\$16,000 difference in the salaries between the Endowed and Statutory faculty, which is what this report argues to do. I do not buy the idea that Endowed faculty members should be compared to faculty at Harvard and Yale and Statutory faculty should be compared to faculty at Texas A&M and Michigan State. I do not accept that peer group for the Statutory colleges and, finally, to add insult to injury you are saying that we will do this in five

years for the Endowed colleges but it will take longer for the Statutory colleges. To do it that way, that differential is going to get even larger. I find this completely unacceptable. I think it's a wonderful effort that has been done for the Endowed faculty, but it does nothing for the Statutory faculty. I'm sorry to have to say this, but we have watched this go on for a long time between Endowed and Statutory faculty salaries. I'm sorry I have to say it."

Professor Dyckman: "Well, nevertheless, I'm glad you did say it because I think there's a lot of truth in the comments that you made. What I would hope is that we can find ideas to make that move faster in the Statutory colleges. I think that if you continue to have the strong feelings that you do, and I'm sure many of your colleagues will join you, if you can give us ideas we will do everything we can to move that process forward. We share your concerns, but we do want you to realize that it is a tougher job in the State situation than it is with the Endowed. It's not as easy, but in my opinion, it's very important. I don't disagree with a thing you said."

Speaker Howland: "Thank you very much. I'd now like to call on Professor William Arms for an update from the Provost's Advisory Committee on Distance Learning."

## **8. REPORT FROM PROVOST'S ADVISORY COMMITTEE ON DISTANCE LEARNING**

Professor William Arms, Computer Science: "I just dropped my transparencies (Appendix E, attached) on the floor and they're going to come up in random order now. (Laughter). As I mentioned at the last meeting, our aim is to find a balance between getting maximum input from the University on complex decisions and trying to move fairly quickly where there is reason to move quickly. We'll start with a slide that I prepared for the Trustee Sub-Committee on Distance Learning and that I showed to the Trustee Executive Committee. This has been influencing much of my thoughts recently. You see on the left here words like 'education' and 'liberal arts,' with links to 'research' and 'teaching' and 'use of libraries,' the sort of programs that we need to give degrees. The argument has been clearly made to the Trustees, and people accept that this has traditionally been done by a not-for-profit organization. I personally know no good examples of top-class education of this sort other than not-for-profit. On the right-hand side, there are words like 'training' and 'skills' more structure courses particularly leading to certificates and diplomas. These are sometimes done for-profit and sometimes done not-for-profit organizations, example being language training schools.

"The pressures for rapid change tend to be coming from the right-hand side. In fact, as we observe the sentiments around the University, I recognize some of my own personal observations. The first is that a University-wide, long-term vision for distance education does not exist. Moreover, to get a University-wide vision is going to take quite a long time and a lot more experience and knowledge than we have. There are widespread concerns that we heard at the Faculty Forum about distance education and undergraduate education. There's a question of if we can do it really well. There are widespread concerns about for-profit degree programs and I think that they were articulated very strongly. These are the things about the left side of my diagram - the left wing, you might call it. On the right hand side under more specific programs, there are a number of programs under development in various professional colleges and

mainly concentrated on mid-career and executive education or general education leading to certificates. There are a number of programs around the University where people have good ideas under development and are looking for the green light to go ahead. I think that we have a responsibility to enable these programs very quickly and, moreover, I believe we should find ways so that the University does things as a whole. We do not want to have a series of very separate activities going on under the Cornell name.

"The strategy that I have advocated in committee is basically shown on this slide and it is to concentrate on the right wing and I should point out here that although some people have looked at this slide and thought that I meant these to be done automatically for profit, I do not mean that. All I mean is that there are examples from the right-hand side that are being done well in a for-profit capacity. So please don't misread the slide.

"In talking with the President and the administration, we have worked on a parallel strategy. Our committee is working on a preliminary report that we're going to focus on these non-degree programs, trying to find a way to let the programs that are under development move ahead in a way that the University will find satisfactory and will enable them to do a good job. We've spent a lot of time on the relationship between Cornell and the organizations that do distance learning because there is a feeling that a separate organization is going to be the way to go and therefore the relationship to the University is fundamental. Meanwhile, the University administration, led by Vice Provost Mary Sansalone, is doing the financial planning. We don't have enough understanding of what this means to sit down with people who have money to say, 'Under what circumstances will you provide money to this University?' I'm going to throw one slide at you for one second, which is a checklist of sorts of interests that have to be addressed looking at distance learning, and which we say something in our preliminary report. We're not so much for general solutions as we are for an understanding of where we can go.

"The next thing fits well into the discussions between the President and the Faculty Senate. Moving quickly, we're going to continue to work on this during the summer and we will keep the UFC informed. We hope that there will be ways to get incremental input and feedback from the faculty over the summer, because I do generally believe that we've got to make these incremental considerations over 12-month activity not 9-month.

"Next, if you will allow me to recognize Mary Sansalone so she can tell you more details of where the plan is going."

Professor Mary Sansalone, Civil and Environmental Engineering, Vice Provost: "Okay, as Bill mentioned, I'm going to spend quite a bit of time over the next six months working on continuing with the plan of a legally separate entity. Much of this planning needs to be completed regardless of whether the entity that we've been calling e-Cornell is for-profit or non-for-profit. Just to give you a little more detail on the financial planning, it's actually moving ahead very quickly and we will have a complete business plan by the end of next week. We are doing a lot of work to evaluate the various investment alternatives and we're starting to look into working with

consultants so that we know at the creation and evaluation of business models, all of the aspects that we would need in an entity like this, such as what we are going to create and outsource and how we put all of that together. I'm also spending quite a bit of time on continuing with the academic program planning in conjunction with various colleges and units that have proposed programs. There's a lot of detail work that still remains to be done. These are focusing on executive education, as Bill mentioned, and certificate programs. I've listed just a few that are sort of ready to go, have the most detail, and I'm in the process of working out the business details of the plan and they all fit the model of executive, professional, or continuing education. I'd like to point out something following up on the slide with all of the kinds of activities that are being proposed. E-Cornell really is focused on executive and continuing education. All of the programs that have been proposed are in this category. We're translating what we already know how to do in our executive education programs onto the Internet. I'd also like to follow up and compliment Bill's left and right sides. What e-Cornell is not and has not ever been proposed to be, are undergraduate education, cooperative extension, and degree programs. We're really focused on this special area of executive education certificate programs."

Speaker Howland: "Thank you very much. I'd like to call now on Professor Barry Carpenter, a member of the UFC for a resolution authorizing the UFC to consult with the Distance Learning Committee during the summer."

## **9. RESOLUTION AUTHORIZING THE UFC TO CONSULT WITH THE DISTANCE LEARNING COMMITTEE DURING THE SUMMER**

Professor Barry Carpenter, Chemistry and Chemical Biology: "This resolution directly addresses Bill's last overhead and requests that the mechanism that we thought of for allowing the faculty to have input to the Distance Learning Committee was by the UFC as conduit. We thought that since this was the Distance Learning Committee, that it would be appropriate to use some distance learning so all of the topics that the Distance Learning Committee discusses with the UFC during the summer will be placed on the Faculty Senate's web site and we will then encourage you to read that and give us your input. By the conduit of the UFC, we will get that information to you."

Speaker Howland: "Thank you very much. The floor is open for discussion. Can you all read it? (Laughter). Is there any discussion? Seeing none, I think we're ready for the question. All of those in favor of the motion, please say 'aye.' All of those opposed to the motion, please say 'nay.' The motion carries unanimously. Thank you very much.

*WHEREAS, the Provost's Advisory Committee on Distance Learning (hereinafter referred to as the DL Committee) will continue to meet during summer 2000, and*

*WHEREAS, the DL Committee may want to seek input from the Faculty Senate during this time,*

*THEREFORE, BE IT RESOLVED that the Faculty Senate authorizes the University Faculty Committee (UFC) to act on its behalf in providing advice to the DL Committee until the Faculty Senate reconvenes in September 2000, and*

*BE IT FURTHER RESOLVED that the Dean of the Faculty is instructed to have all issues on which the DL Committee seeks input from the Faculty Senate posted on the Senate's web site, so that Senate members may be informed about such issues and may make their opinions known to the UFC during the summer months.*

"I'd like to now call on Professor Seymour Smidt for a resolution from the University Benefits Committee on TIAA's 10-year Exit Restriction. Is he here? No? Okay, then I'm to call on Professor McAdams."

## **10. RESOLUTION FROM THE UNIVERSITY BENEFITS COMMITTEE ON TIAA'S 10-YEAR EXIT RESTRICTION**

Associate Professor Alan McAdams, JGSM: "You have the resolution in writing. It's very simple and it falls up on prior resolutions. The key action is that the Faculty Senate recommends to TIAA that it should relax its restrictions on transfers and withdrawals from TIAA when feasible, i.e., unless these transfers and withdrawals would cause substantial problems for TIAA. The fundamental is that, at the moment, we can only remove funds from TIAA at most at 10% per year, whether we are at retirement point or we are shifting from the current situation to another one. Professor Scott Maynes is the chair of the committee, and he will speak to the motion."

Professor Emeritus Scott Maynes Policy Analysis and Management: "I'd just like to say that I speak on behalf of my subcommittee. We did a careful review of the investment vehicles for retirement for all of the University, and it came with this recommendation. I want to tell you that it was adopted unanimously by our committee and by the University Benefits Committee, and it has already been adopted by the Employee Assembly. So, why are we back if you adopted this last year? Well, we had some complications, as there always are, so we're trying again this year.

"I just wanted to give a personal example of what happens with this thing. I retired in 1992 and I had accumulations both from my term at the University of Minnesota and from Cornell. I had some of my money from invested in a TIAA Life Investment. One day in 1994, I called up the Minnesota Mutual Insurance Company and said, 'I want to transfer this to the Vanguard Index 500.' I thought it was a better bet. It was done in ten minutes over the telephone, not ten years. I estimate that my inability to do this with my TIAA cost me \$100,000. Yours may be more or less if you wanted to do that, but that's the case. We've had discussions with TIAA and what we want to do now in terms of execution is to change things. How do you change a big organization that suffers from institutional arterio sclerosis? (Laughter). The tactic that we're proposing is that we will not only send this resolution, if you approve it, to the chairman of TIAA-CREF, but we will also send copies of it to all of the board members of TIAA and CREF. We are looking for anybody who might have a personal relationship with any of those board members and who would be willing to send our resolution along with a personal note asking them to consider it. We have found Chairman Bings very unresponsive. How do we get at him? At least this is a possibility. The other thing I might say about the activities of our subcommittee is that we looked at all of the offerings of Fidelity and TIAA-CREF. We have no problems with Fidelity at the moment but we have a lot of problems with TIAA-CREF. Our judgement is that they serve us well, but not nearly well enough. I'll just mention one more thing. Consider that their chief instrument, the

CREF stock account, did not bad, but it did 2%, points less than the Vanguard Index 500 and it did 3% points less over ten years than the Fidelity Magellan Fund. They could do better. We also don't think that they provide enough choice. We're not asking you to act on this, but I wanted to tell you that the University Benefits Committee will be forwarding the critique to Chairman Bings."

Professor Abby Cohn, Linguistics: "Are we encouraging our colleagues at other institutions to put forth similar motions?"

Professor Maynes: "I forgot to tell you that we will be forwarding our motions and our actions, if you approve this, to all of the Ivy League universities and to others if you think it is suitable."

Speaker Howland: "Further discussion? Yes?"

Professor David Rosen, Music: "I wanted to ask why you added the 'When feasible' clause?"

Professor Maynes: "There's been a lot of concern that if there was a run on this then they might have to sell long-term investments diminishing the rate of return to TIAA. Now we have had discussions with them, both the University Benefits Committee and Hal Bierman who has been our chief consultant, and they have not discussed the analytical essence of this. Under what conditions might the rate of return be impaired? Two variables are relevant. One is how much uninvested money does TIAA have on hand that could be paid up or shifted to another account. The second one is an empirical problem. How many people would get out, if it was possible, in five years or three years? You can see that the answer to those could give rise to problems that would impair the rate of return of TIAA. We think it's a very real understandable problem."

Speaker Howland: "Yes?"

Professor Anton: "Something seems strange about this to me. TIAA is a company that sells a product and we buy that product. Now we're telling them that we don't like the way that they sell their product and we're asking them to change the way they sell it. But it's their business and it seems to me that what we need to resolve to do, if we don't like this, is stop our relationship with TIAA and find another investment. We'll send our money to that place in Minnesota. (Laughter). That would make them respond."

Professor Maynes: "Your comment is nice and easy if you are a young faculty member who is just beginning and had no accumulation in these. For most of the people in this room, who have substantial accumulations, we're stuck with 10 years and the kind of loss that I described in my personal illustration. So the market will work, but it works over a long time but it imposes a severe handicap and penalty on people who already have lots of their accumulation in TIAA."

Speaker Howland: "Thank you. I think we're approaching the end of our time. Are you ready for the question? Good. The resolution is before you. All of those in favor, say 'aye.' All of those opposed, say 'nay.' The resolution passes."

*WHEREAS, the University Benefits Committee unanimously adopted a motion in its meeting of April 13, 2000 and urges the Employee Assembly and the Faculty Senate to adopt it as well,*

*THEREFORE, BE IT RESOLVED, that the Faculty Senate recommends that TIAA should relax its restriction on Transfers and Withdrawals from TIAA when feasible , i.e., unless these transfers and withdrawals would cause substantial problems for TIAA.*

"I'd like to call on Professor Persis Drell, Chair of the Local Advisory Council for a report on the review of environmental research at Cornell."

## **11. REPORT FROM LOCAL ADVISORY COUNCIL ON REVIEW OF ENVIRONMENTAL RESEARCH AT CORNELL**

Professor Persis Drell, Physics: "I'm chair of the Local Advisory Council and we are a ten-faculty member committee that is appointed by the administration and Faculty Senate. We are instructed to play an advisory role. We advise the administration in the form of Bob Richardson, the Vice Provost for Research, on significant proposals and research having to do with the natural sciences. We will be making our annual report to the Senate in the Fall, but today I just wanted to inform you that we have been given a task by the Vice Provost. Our charge is to review the research support for environmental science at Cornell. Bob writes,

'In the next few years, the federal government will be placing special emphasis on the environmental sciences. On February 2, 2000, the National Science Foundation released a report of the National Science Board, *Environmental Science and Engineering in the 21st century: The Role of the National Science Foundation* (I can get you the URL if you would like to download it for yourself). The report describes, in considerable detail, the scientific opportunities and the recommended NSF strategies for attacking the sciences. Requests for proposals for major centers studying environmental issues will inevitably follow from the NSB report. I [Bob Richardson] am concerned that Cornell is not using its resources in faculty, facilities, and funding from the central administration to its best advantage. If we are to be in a position to respond to new opportunities, we need a flexible structure that encourages the nearly 200 Cornell faculty in various environmental science disciplines to form vigorous new collaborations to compete successfully. The Faculty Senate already has a scheduled program review of the environmental sciences in the academic year of 2000-2001. It seems likely that the recommendations in the program reviews will come too late for effective response to many of the funding opportunities. Our [Bob Richardson and the Local Advisory Council] purview does not include the academic programs and curricula. These are the responsibilities of the colleges. On the other hand, advice about the wisest use of the funds invested by the central administration is very much a responsibility of the LAC. Thus, it would be especially helpful to the Vice Provost for Research if the LAC would study how the resources of the central administration can be most effectively used to promote the strongest possible environmental science and engineering proposals from Cornell. The major support for the environmental sciences coming from the

central administration is that in the Center for the Environment. I ask the LAC to consider whether this center has the most effective structure to support a university-wide environmental collaboration and how university funds could be best invested. I ask you to ignore for the moment what structures exist today and instead consider what Cornell should have five to ten years from now. Then I ask you to make recommendations on how we can evolve from where we are now to the ideal support structure.'

"We have accepted this charge. The process has only just begun but I wanted to let you know that we had been asked to do this. My term ends June 30, but my successor will be reporting to you as the process progresses."

Speaker Howland: "Are there any questions for Professor Drell?"

Professor Ann Lemley, Textiles and Apparel: "This is the first I've heard of this, and as an environmental science researcher, I'm very interested. Do you intend to get more people involved who do environmental work? I noticed several."

Professor Drell: "You bet. I don't think that any of us feel that we are going to, in isolation, come up with the answer. We have already spoken with the Director of the Center for the Environment and we have a long list of people who we want to talk to and we'll be doing that over the summer and the fall. We're trying to get as much input as possible. I don't think that we will answer the charge, I believe the assembled faculty will answer it."

Speaker Howland: "Further questions? Seeing none, we will move on to Good and Welfare. Professor Stein has requested 20 seconds."

## 12. GOOD AND WELFARE

Professor Stein: "I want to refer back to the presentation that Tom Dyckman made and I wonder if the two documents that he passed onto Dean Cooke could be read into the minutes? I think that they are historic documents of great significance and deserve to be enshrined in our archives." (Laughter.)

Dean Cooke: "That is the case and they will be on the web shortly."

Speaker Howland: "Thank you, Professor Stein. I would like to call on Vice President Susan Murphy to speak on Ethics and Student Life."

Vice President Susan Murphy: "Thank you very much. You will remember at your last faculty meeting you heard a brief report from Professors Jennifer Gerner and Isaac Kramnick on a vision for residential life as it pertains to West Campus. Today, we want to introduce you to some early thinking that would be a part of the new North Campus Initiative for all of our first-year students. These are conversations that are part of the reaccreditation effort that is underway. We will be leading to a more fully developed and public discussion of the recommendations in the fall and I'm delighted to introduce you to Kathy Abrams, who is a Professor of Law. Kathy has spent an inordinate amount of time chairing the advising committee, which is the third component of the

undergraduate education review as part of the accreditation, and served on the North Campus Committee where she has taken a lead on this topic of ethical decision making and issues that affect students' lives day to day. I want to thank her publicly for all of the work that she has put into this. It is in an early stage and our point today is to introduce the idea to you and to solicit your responses. Kathy?"

Professor Kathryn Abrams, Law: "Thank you. For those of you who made it to the Academic Leadership Session on Monday, this may be a bit of repetition, but I wanted to introduce you to some of the main features of the proposal. What we're talking about is a mini-course that is going to be offered on North Campus. We plan to introduce it as a small pilot project in the Fall of 2001. Fall 2001 is a particularly significant period, for those of who are familiar with the residential initiative, because that's the time when North Campus will first become an all-first year residential environment.

"The plan is to have a mini-course that is offered during two or three intensive sessions during the Orientation Week. Then it will be offered once per week for approximately four to six weeks of the first term that people are in their first year at Cornell. So it will start during Orientation and extend through to the first month or so becoming less intense and less frequent as the students begin to get other commitments, like a regular course load. It will be offered only to entering first-year students and it will meet on North Campus. I will describe the various kinds of meetings as I outline the proposal, but they will occur in North Campus community centers, dining halls, and resident halls. The program has been brainstormed in two of the committees that are associated with the accreditation, primarily in the North Campus Committee and also in the Advising Committee. It will be administered, assuming we work it through to fruition, by the Program on Ethics and Public Life that operates out of the Arts College. Ethics and Public Life will be responsible for curricular development and the training of faculty.

"The goals of the course as we envision them now are several. First, a goal is to introduce students to the study of ethics. Some of you may be familiar with various initiatives in bringing the study of ethics to undergraduate education that are being considered by various communities and colleges. This is part of that broader program. The thought is that if students are introduced to ethics at the very beginning of their undergraduate careers, literally when they walk in the door, it may help them to understand how important it is to pursue the various course work available in their colleges. The second goal is to engage students in ethics fairly actively by focusing the first ethical inquiry to which they're exposed on problems that relate very directly to their lives as students. In addition, the course is designed to help create or transform North Campus into an environment in which living and learning occur together. As you may have heard from Isaac Kramnick's presentation, that is certainly a goal on West Campus. That is, that we make learning a more critical part of the residential environment as well as the curricular environment that they encounter in the classroom. That is also our goal and we hope that a program like this will help to set up an intellectual tone and a tone of inquiry and exploration in the residence halls at the beginning of the student's experiences. A final goal of the program that we consider to be very important, and this is where the advising committee fits in, was to bring students together with faculty members very early on in their Cornell experiences and

to permit them to engage with those faculty members in small group discussions. I'll describe how that occurs in just a moment.

"The content of the course is two-fold. First, we hope to introduce students to major ethical frameworks and principles such as they might be exposed to in an introductory philosophy course, but, of course, on a more introductory and abbreviated basis. Second, we want to encourage students to think about frameworks and applications to issues that they confront in their lives. So the second part of the course content is going to be introducing students to a variety of dilemmas, hypotheticals, and case examples that suggest areas in which ethical guidance is very much needed and controversies that they would want to work through by talking with the supervision of a professor among themselves in small groups. The areas that we would explore as problem areas or as focus areas in the second part of the course are still very much a subject of discussion among the group that is planning the course. Two that seem particular worthy of discussion are a focus on learning across group-based differences and a focus on academic integrity.

"One of the things that we hope Cornell students will notice as soon as they walk in the door is that they are brought together with a group of students that is tremendously diverse in a variety of ways with respect to races, gender, nationalities, religions, and sexualities. Students are going to encounter a variety of people who may or may not look or act like the people in their high schools or themselves. We want to introduce them to ways of thinking about living in the context of these differences and learning in the context of these differences. This is not simply a question of learning practices of toleration or receptivity, but thinking about how to draw affirmative benefits in the learning experience that can accrue from living and learning in a diverse environment. We might give them hypotheticals that relate to the living part of their residential experience such as, 'Imagine that you have a roommate whose religion or culture gives her a completely different approach to personal privacy than you have. How do you negotiate with that roommate? How do you understand her claims and your claims to bring about your personal lives as you choose?' Or, we might ask, 'Let's imagine that you walk into your Western Civilization class and find a syllabus that seems troubling to you because no members of your racial, ethnic, religious or gender group are represented in the readings. How should you think about this? How could you make arguments to your TA? What sorts of strategies are appropriate to address these kinds of issues?' The second area I mentioned was the area of academic integrity. These would be questions that might relate to research ethics, questions that students would confront such as the obligations of observing someone cheating during a prelim and the different perspectives of what one might do.

"The mechanics of the course are as follows. The course is going to have two components. It will operate in large group sessions such as lectures, cinematic presentations, and theatrical presentations that will involve all the people who are participating in a course together. This is probably the area where students would be introduced to ethical frameworks. Second, the students will meet in small group sessions of 15 to 20, with faculty members, to discuss the particular case studies and ethical dilemmas we prepare for them. The small group leaders for these discussions will be drawn from among the Cornell faculty. They may be first-year advisors or faculty members who are already participating in North Campus programs by being

Faculty-in-Residence or Faculty Fellows. The large group lecturers will include faculty drawn from Cornell and from other academic institutions. We also hope to involve activists and community leaders who have been actively involved in the resolution of ethical dilemmas in their own contexts. Students would receive one credit, an academic unit of credit, for taking the course. There will be no exam for the course, but we will probably ask students to keep journals or logs to write their reactions.

"The plan is to pilot the course in Fall 2001 with 20 faculty and 350-400 students. The plan beyond that is to increase the size of the course on a year-by-year basis. In the best of all possible worlds, within five to six years we would have enough faculty and financial support to be able to offer it to all entering first-year students. The final point that I want to make is that one of the things that we're most concerned about in the planning of this course is that in this course, which requires a number of approaches for resolving ethical dilemmas, we understand the concern that such a course can easily move from ethical exploration to imposition of moralisms. That is the last thing that we want to do with this program. The goal would be to select problem areas and specific hypotheticals that are extremely challenging in that they are not easily resolvable or don't have one clear answer. They're genuine, entrenched dilemmas that provide an occasion for thinking rigorously about a variety of moral views. So that's the introduction and I'd be happy to answer any questions."

Speaker Howland: "Yes?"

Professor Richard Baer, Natural Resources: "I'm assuming that insofar as there is concern for diversity and insofar as perhaps 80% of Americans view their ethics mainly within a religious framework that religiously grounded ethics will be well represented?"

Professor Abrams: "Absolutely. Receptivity to a variety of religious expressions is included in the way we're planning this. I'm a little hesitant about your use of an 80% figure because I don't think we plan to create a course by polling what percentage of Americans hold particular views and then representing that numerically in the course view that have that kind of configuration. However, religious ethics are a large part of the way a lot of people make decisions. On Monday at the Academic Leadership Session, there were a number of chaplains who participated and volunteered their services in connection with the course. Religious diversity is also one of the most important things students confront at Cornell. It would be totally counterproductive to exclude that information."

Speaker Howland: "Professor Lemley?"

Professor Lemley: "When I heard this on Monday I wondered a bit and it sounds a little better today, but I envision this as lectures on frameworks and then eventually getting to case studies and I was thinking of these 17 and 18 year olds who have just arrived at Cornell, as did my daughter a year ago, and so I was wondering if you might consider doing a lot more examples at the beginning and slipping the framework in a little bit. I got a sense that if you did things like that it would work. It sounded a little dry in the beginning."

Professor Abrams: "This may be a personal bias on my part, but I don't consider ethics dry at all. (Laughter). I think it's vital and exciting. But you're right; we're dealing with 17- and 18-year olds. I don't know how everyone teaches ethical principles, but when I introduce frameworks in the context of courses that I teach in the Law School or the Arts College, pertinent problems come away to open up normative frameworks and it would be surprising if most people didn't teach them by reference to that kind of approach. We also hope to have really provocative films and productions like the one I mentioned the other day that David Feldshuh organized that involved the journals of Asian-American students that were presented theatrically. These are ways to introduce ethical frameworks that show their vitality."

Speaker Howland: "Thank you. That clock is slow so it is time to adjourn. "

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Kathleen Rasmussen  
Associate Dean and Secretary of the University Faculty

**FACULTY DEATHS**

Richard D. Black, Professor Emeritus, Agricultural Engineering, September 27, 1998

Fred Slavick, Professor Emeritus, ILR, August 5, 1999

George Gibian, Goldwin Smith Professor of Russian Literature, October 24, 1999

Colin Rowe, A.D. White Professor of Architecture, Emeritus, November 5, 1999

Carl C. Lowe, Professor Emeritus, Plant Breeding, November 29, 1999

William Tucker Dean, Professor Emeritus, Law, December 3, 1999

Kermit C. Parsons, Professor Emeritus, City and Regional Planning, December 9, 1999

Walter Galenson, Jacob Gould Schurman Professor of ILR, December 30, 1999

Marion C. Pfund, Professor Emeritus, Nutrition, January 5, 2000

Nelson J. Shaulis, Professor Emeritus, Viticulture, Geneva, January 15, 2000

Robert F. Holland, Professor Emeritus, Food Science, January 16, 2000

Robert R. Wilson, Professor Emeritus, Physics, January 16, 2000

Charles A. Bratton, Professor Emeritus, Agricultural Economics, January 25, 2000

George W. Brooks, Professor Emeritus, ILR, January 27, 2000

George McT. Kahin, Aaron L. Binenkorb Professor of International Studies, Emeritus,  
January 28, 2000

Victor R. Stephen, Professor Emeritus, Communication, February 1, 2000

Samuel T. Slack, Professor Emeritus, Animal Science, February 28, 2000

Leonard P. Adams, Professor Emeritus, ILR, March 12, 2000

William W. Austin, Given Foundation Professor of Musicology, Emeritus,  
March 15, 2000

Natalie D. Crowe, Professor Emeritus, Cooperative Extension, April 25, 2000

Philip Taietz, Professor Emeritus, Rural Sociology, April 23, 2000

Harry R. Ainslie, Professor Emeritus, Animal Science, May 1, 2000

**A RESOLUTION**  
**TO HONOR JUDITH A. BOWER**  
**ON THE OCCASION OF HER FORTHCOMING RETIREMENT**  
**FROM CORNELL UNIVERSITY**

**Whereas** Judith Ann Bower has contributed almost three decades to the functioning of the Office of the Dean of the University Faculty; and

**Whereas** the Office of the Dean of the University Faculty serves as the nerve center for more than 1500 members of the University Faculty; and

**Whereas** Judith Ann Bower has provided the continuity and order needed to insure that the Office operated in a consistent manner in matters pertaining to the University Faculty, the Central Administration, and the Board of Trustees; and

**Whereas** Judith Ann Bower has done more than anyone could reasonably expect to enhance the efficiency and performance of that Office under a succession of Deans of the University Faculty; and

**Whereas** her keen memory, insight and intelligence, attention to detail, and genuinely friendly and helpful disposition have provided the Office of the Dean of the University Faculty with a resource that will be extraordinarily difficult to replace;

**Therefore Be it Resolved** that the University Faculty Senate on behalf of the University Faculty extends its sincere gratitude to Judith Ann Bower for the loyal and valuable service she has rendered during her twenty-seven years with the Office of the Dean of the University Faculty; and

**Therefore Be It Further Resolved** that the University Faculty Senate extends to Judith Ann Bower its heartfelt wishes for a long and satisfying retirement.

5/2/00

## **Principles of Cooperation and Consultation Between the President and Faculty Senate**

The Faculty Senate and the President acknowledge that a positive working relationship between the Faculty Senate and the Cornell central administration (hereinafter referred to as the administration) is vital for maintaining and improving the quality of Cornell University. To enhance coordination, communication, and consultation, the Faculty Senate and the administration affirm the principles that are enumerated below. These principles are in conformance with the Organization and Procedures of the University Faculty (OPUF), and are subject to the University Bylaws, which is the overarching document that sets forth the authority of the Board of Trustees, the President and the Provost, the University Faculty, and the Deans and faculties of the individual colleges and schools.

I. The President and the administration recognize the Faculty Senate as the bona fide representative of the University Faculty.

II. The President and the administration recognize the Dean of the Faculty as the principal liaison between the Faculty and the administration. He or she will be included in all meetings of the Vice Presidents' Group and the President's Council. The Dean of the Faculty will meet regularly, at least monthly, with the President and Provost, who will inform the Dean of the Faculty of the agenda for the Academic Cabinet and will advise the Dean of the Faculty of issues under consideration that come within the purview of the Faculty Senate.

III. The President and/or the Provost will meet with the Dean of the Faculty at the end of each academic year to plan a shared agenda for the following academic year, identifying two or three major issues of concern to the administration and the university faculty. The parties recognize that additional issues of concern to the administration and the university faculty may be identified during the course of the year, which may also be addressed by the Faculty Senate.

IV. The President, the Provost, and the other members of the administration will look to the University Faculty Committee for advice and consultation on all major educational policy issues that affect more than one college or school. To facilitate that advisory and consultative relationship, the President will meet regularly, at least twice a semester, with the University Faculty Committee. The Provost will meet regularly, at least once a month, with the University Faculty Committee.

V. For joint faculty-administration committees, the Dean of the Faculty and the Provost will work together to create the committee charge and to appoint the faculty members to such committees. The Associate Dean of the Faculty will seek nominations for committee members from the Committee on Nominations and Elections, and will meet with the Provost to discuss these nominations. For committees established by the administration in which the university faculty has a stake and to which faculty members will be appointed, the Provost and the Associate Dean of the Faculty will meet to discuss committee membership after the Provost has made the final decision on the

charge for such committees. Whenever possible, however, the Dean of the Faculty and the Provost will work together to create the charge for committees established by the administration. For both joint faculty-administration committees and committees established by the administration, the Provost will make the final decision about faculty membership, half of which will be selected by the Provost from the nominations submitted by the Associate Dean of the Faculty.

VI. Meaningful faculty governance requires adequate time for consideration of issues and development of recommendations. To that end, the President or other members of the Administration will not reach final conclusions or take action on major multi-college educational policy issues until the normal steps for securing faculty input, including a reasonable period for relevant Faculty Senate Committees to act and for subsequent deliberations by the Faculty Senate to occur, have been completed. Adequate time for deliberations by the Faculty Senate on such issues will include at least two consecutive regularly scheduled Faculty Senate meetings, unless the Faculty Senate completes its deliberations in fewer meetings. The President and the Faculty Senate acknowledge that there may be occasions when it will not be possible to plan months in advance to bring an issue to the Senate. In such cases, the President and/or Provost will inform the Dean of the Faculty and seek his/her advice about how to provide for input from the Faculty Senate.

VII. The Provost will attend the Faculty Senate meetings, will address the faculty and answer their questions in the time allotted for that purpose. The President and/or the Provost will make a timely response to the Faculty Senate on Senate motions directed to the administration. The President will inform the University Faculty Committee and the Faculty Senate of his/her decisions on major policy issues of interest to the faculty and explain his/her reasons for them.

5/3/00

# Meeting with President Rawlings

## Consensus

1. Future reports on progress in raising faculty salaries would follow the format detailed in the attached document.
2. In both the endowed and statutory units, the average salary of the peer comparison group will be the goal for Cornell faculty salaries.
3. In the endowed units, five years will be the nominal planning period for reaching this goal; in the statutory units, it will take somewhat longer.
4. The administration invites the Financial Policy Committee to make suggestions for strategies to meet this goal.

## Comparison Institutions and Adjusted Salaries '99 – '00

	<u>Endowed</u>		<u>Statutory</u>
1. Stanford	100.8	Pennsylvania	96.7
2. CalTech	100.1	U.C. Berkeley	89.0
3. Chicago	98.6	North Carolina	79.6
4. Pennsylvania	97.3	U.C. Davis	77.1
5. Princeton	96.1	Minnesota	76.0
6. Yale	94.2	Penn State	74.3
7. Columbia	92.6	Ohio State	74.3
8. UCLA	87.6	Wisconsin	73.9
9. Michigan	85.6	Michigan State	69.9
10. Cornell	84.7	Texas A&M	68.8
11. U.C. San Diego	82.9	Cornell	68.7
<b><i>Average</i></b> <b><i>(excluding Cornell)</i></b>	<b>93.6</b>		<b>78.0</b>

# Format for Faculty Salary Comparisons

- I. Nine Month Equivalent Salaries by:
  - A. Endowed and Statutory Separately
  - B. Full, Associate and Assistant Professor
  - C. Weighted Average for all Ranks by Cornell Faculty Distribution
  - D. Tabular form for Current Year with Peer Comparisons
  - E. Graphically for Last 25 Years with Peer Comparisons
  
- II. Percentage Differences for Items 1A – 1C
  - A. Tabular & Graphical as in 1D – 1E
  - B. Percentage Change Over Past Year

# **Advisory Committee on Distance Learning**

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## **Slides presented to the Faculty Senate**

William Y. Arms

May 10, 2000



# Observations

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## General

Cornell does not have a long-term vision for distance education

There are widespread concerns about:

- distance education for undergraduates
- for-profit degree programs

## Specific

Several attractive non-degree programs are under development for mid-career and executive education.

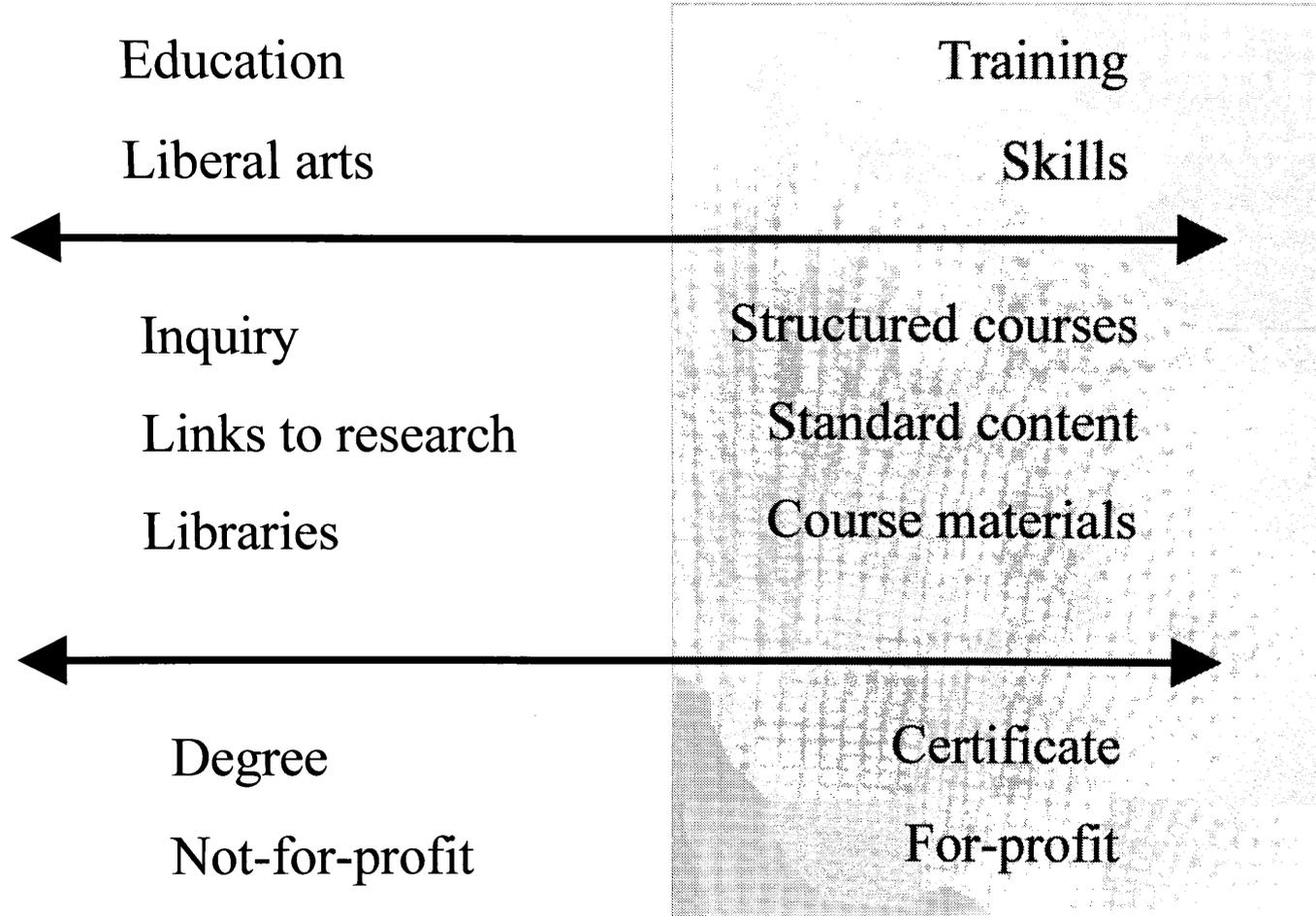
These programs should:

- be able to move quickly
- act as a university, not as independent projects

# Strategies for Distance Learning

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# Parallel strategy

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## **Committee on Distance Learning**

- Preliminary report on non-degree programs (target early June)
- Focus on relationship between Cornell and distance learning

## **University Administration**

- Financial planning for non-degree programs
- Explore potential sources of money

# Checklist of Interests (draft)

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- Faculty oversight of academic programs
- Licensing of academic content (intellectual property)
- Faculty priorities and loyalties
- Academic integrity
- Who decides which programs are offered?
- Revenue distribution policies
- Equity partners or other funding
- Legal agreements between Cornell and other organizations
- Taxes

*General solution to these questions is difficult.*

*-> Aim for interim solutions to get started*

# A Request

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The committee will continue to meet over the summer

We will keep the University Faculty Committee informed

How can we inform the faculty and receive feedback over the summer?

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