Online Faculty Senate
November 11, 2020

Stay muted unless you are called upon to speak.

Use ‘Raise Your Hand’ to request permission to speak. Stay muted until recognized. Once unmuted, you have 2 minutes to pose a question or make a statement.

You can submit online questions or comments via the Chat or Comments function. Be brief. Time permitting, questions/comments will be read to all participants.

‘Gallery View’ within Zoom allows you to see this slide and the participants.

Audio and Chat will be posted on the meeting webpage.
Announcements

C. Van Loan
Upcoming Meetings

Dec 2   Developing a framework for handling hate-based communications that target faculty

Dec 16  Reports from the three Working Groups that are part of the antiracism initiative
• Budget Priorities
• How we got here
• Precautionary Actions and Assumptions
• Current Forecast
• Critical Decisions
Budgetary Priorities

1. Maintain the health and safety of our community
2. Preserve the educational quality of our programs and our leading research and scholarship
3. Alleviate the financial impact of the budget on our employees
4. Continue to invest in our core missions
FY20 SUMMARY

Ended FY20 in good shape
  • Deferred capital and planned maintenance expenditures
  • Significant cost reductions: travel, supplies, repairs, entertainment
  • Strong philanthropy
  • Hiring freeze

Despite
  • Housing and dining rebates
  • Loss of revenue in enterprise units
  • Costs of shutdown and COVID testing
  • Technology investments

*Savings will fund deferred expenditures and buffer multi-year impact of pandemic*
## FY21 – Cost Reductions Implemented

<table>
<thead>
<tr>
<th>Actions Taken in FY21 Budget</th>
<th>$ Value (millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspend Retirement Contributions / Salary Reductions</td>
<td>$43</td>
</tr>
<tr>
<td>Capital Spending Reductions</td>
<td>$35</td>
</tr>
<tr>
<td>No Salary Increase</td>
<td>$25</td>
</tr>
<tr>
<td>Reductions in Common Support Functions</td>
<td>$25</td>
</tr>
<tr>
<td>Hiring Pause</td>
<td>$20</td>
</tr>
<tr>
<td>Travel Pause / Discretionary Spending Reductions</td>
<td>$20</td>
</tr>
<tr>
<td>Increase Endowment Payout</td>
<td>$12</td>
</tr>
<tr>
<td>Other Reductions / Use of Reserves</td>
<td>$10</td>
</tr>
<tr>
<td>Shift Philanthropy to Current Use</td>
<td>$15</td>
</tr>
<tr>
<td><strong>Total Actions</strong></td>
<td><strong>$205</strong></td>
</tr>
</tbody>
</table>
Budget Assumptions

• 95% UG/ 70% Grad Enrollment
• 14% Annual Unemployment (for Financial Aid purposes)
• $20M COVID-19 Expenses
• 10% NYS Allocation Reduction
<table>
<thead>
<tr>
<th>Category</th>
<th>$ in millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition &amp; Fees</td>
<td></td>
</tr>
<tr>
<td>Undergraduate – actual 98% vs plan at 95% of target</td>
<td>$20.0</td>
</tr>
<tr>
<td>Masters Degree – near target vs. plan at 80% of target</td>
<td>$15.0</td>
</tr>
<tr>
<td>State Appropriations – assuming 20% decline vs. plan of 10%</td>
<td>$14.0</td>
</tr>
<tr>
<td>Educational Activities &amp; Other – significant variability, but current overall trend indicates slight improvement</td>
<td>$10.0</td>
</tr>
<tr>
<td>Personnel Costs – salary and benefit costs trending slightly higher</td>
<td>$18.0</td>
</tr>
<tr>
<td>Financial Aid – unemployment and resulting impact on Cornell student families significantly less than projected</td>
<td>$71.0</td>
</tr>
<tr>
<td>General Expense &amp; Services – projecting higher costs due to additional COVID expenses such as securing quarantine space</td>
<td>$15.0</td>
</tr>
<tr>
<td>Use of Fund Balances – improvement in financial results expected to eliminate need to use reserves; impact may vary by unit</td>
<td>$45.0</td>
</tr>
</tbody>
</table>
## Ithaca & Cornell Tech - FY21 Forecast

<table>
<thead>
<tr>
<th></th>
<th>2021 Prelim. Budget</th>
<th>2021 Current Forecast</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Revenues</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuition &amp; Fees</td>
<td>$1,147</td>
<td>$1,182</td>
<td>$35</td>
</tr>
<tr>
<td>Investment Distributions</td>
<td>277</td>
<td>277</td>
<td></td>
</tr>
<tr>
<td>Gifts</td>
<td>173</td>
<td>173</td>
<td></td>
</tr>
<tr>
<td>Sponsored (Direct &amp; Indirect)</td>
<td>425</td>
<td>432</td>
<td>$7</td>
</tr>
<tr>
<td>Federal &amp; State Appropriations</td>
<td>139</td>
<td>125</td>
<td>$(14)</td>
</tr>
<tr>
<td>Housing, Dining &amp; Other Auxiliaries</td>
<td>105</td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>Educational Activities &amp; Other Sources</td>
<td>292</td>
<td>302</td>
<td>$10</td>
</tr>
<tr>
<td><strong>Total Operating Revenues</strong></td>
<td>$2,558</td>
<td>$2,596</td>
<td>$38</td>
</tr>
<tr>
<td><strong>Operating Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Costs</td>
<td>$1,354</td>
<td>$1,372</td>
<td>$18</td>
</tr>
<tr>
<td>Financial Aid</td>
<td>552</td>
<td>481</td>
<td>$(71)</td>
</tr>
<tr>
<td>General Expense &amp; Services</td>
<td>471</td>
<td>486</td>
<td>$15</td>
</tr>
<tr>
<td>Maintenance &amp; Facilities</td>
<td>132</td>
<td>132</td>
<td></td>
</tr>
<tr>
<td>Debt Service</td>
<td>53</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenditures</strong></td>
<td>$2,562</td>
<td>$2,525</td>
<td>$(37)</td>
</tr>
<tr>
<td><strong>Net Before Transfers</strong></td>
<td>$4</td>
<td>71</td>
<td>$75</td>
</tr>
<tr>
<td>Transfers (To)/From-Other than Plant</td>
<td>2</td>
<td>1</td>
<td>$(1)</td>
</tr>
<tr>
<td>Transfers (To)/From-Plant Funds</td>
<td>(43)</td>
<td>(43)</td>
<td></td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td>45</td>
<td>0</td>
<td>(45)</td>
</tr>
<tr>
<td><strong>Net from Operations</strong></td>
<td>$0</td>
<td>$29</td>
<td>$29</td>
</tr>
</tbody>
</table>
Important Budget Considerations

• Budget projections are premised on a continued hiring freeze!
• Budget impacts will vary significantly by unit
  – Based on mix of resources – e.g. state appropriations, tuition
  – Capacity to constrain spending on hiring and non-personnel activities
  – Savings from SIP, CURP, salary reductions
• Capacity of central resources to offset
  – Cost savings in central administration – SIP, CURP reduction, hiring freeze, spending constraints
  – Ongoing budget reductions assigned to specific units
  – Redistribution of prior-year savings
Better off than we thought at this point
Result of tremendous collaborative effort of faculty and staff
Need to retain focus on fiscal discipline
Differential affects by College; Center will try to smooth impact
CURP and Salary Reductions were initiated in order to ensure that we could make the investments necessary to protect our community and pursue our missions
Given the positive financial outlook, our first priority will be to restore the CURP and Salary reductions
Decision not made by the President yet, but announcement likely next week
Discussion
Veteran’s Day 2020

Philip Kay (Psychology’23)

Warrior-Scholar Program
Service-to-School
Veteran’s Summer Bridge Program
Standardized testing

Burdick – Faculty Senate November 2020
Decisions to announce by February 2021*

1. Revert to pre-2020 standardized testing requirements
2. Extend 2020 practices for 1 or more year(s)
3. Extend 2020 practices indefinitely

* Presumably these are individual College decisions
Request Senate Feedback on These Issues

1. Form an admissions group of faculty and practitioners.
2. Extend 2020 options to current HS juniors.
3. Adopt ‘eligibility in context’ as a Cornell principle in enrollment growth, including identifying and reducing specific barriers for FGLI and URM students.
4. Act on problematic misuses of test results.
Use of SAT/ACT at Cornell

• Through last year, required of all applicants
• Used in context of holistic review
• Most Cornell applicants and students score in the 99th percentile
• No recent validity studies
Standardized testing during pandemic

• Normal year: 2-3 million SAT exams
• 2020: goal is 1 million exams
• ACT cancellations in all 50 states
Standardized testing during pandemic

- Cornell among the first to announce test-optional 2020
- Continuing test-free in 2021: Cal Tech, University of California (test-optional now, test-free starting 2023.)
- Test-optional one year: Brown, Columbia, Dartmouth, Duke, Harvard, MIT, Penn, Princeton, Stanford, Yale
Cornell undergraduate review by college

• A&S: test-optional; will use Landscape
• COE: test-optional; enhanced transcript reviews; RD
• CALS: score-free; enhanced transcript reviews
• Dyson & SHA: score-free; continuing holistic review
• CHE and SILR: test-optional; continuing holistic review
• AAP: score-free; continue holistic review (portfolios)
Problematic practices

• Using SAT/ACT for advising/placement
  – Beyond the tests’ design and capacity
  – Requires disclosure
  – Not available for many, so maybe an equity issue

• Reporting averages as a proxy for Class preparation
  – Developing reliable substitutes
  – Not meaningful in Cornell’s range
  – Not tied to predictions and/or standards
Information we have or can get now

Average SAT Scores and Household Income

- $0 - $20,000
- $20,000 - $40,000
- $40,000 - $60,000
- $60,000 - $80,000
- $80,000 - $100,000
- $100,000 - $120,000
- $120,000 - $140,000
- $140,000 - $160,000
- $160,000 - $200,000
- More than $200,000
Use of SAT/ACT in admission review

- SAT founded 1926 as “IQ” testing
- Many name and scoring changes
- Math: 20-25% arithmetic; 35-40% algebra; 10-15% each basic geometry and statistics. No trig or calculus.
- Reading and Writing: vocabulary, critical reading, sentence-level reading, grammar, usage, and diction.
UC faculty recommendations (January 2020)

1. Find eligibility factors beyond GPA and scores
2. Expand ‘eligibility in the local context’
3. Reduce process barriers specific to FGLI and URM
4. Expand academic and social support services
5. Extend research about test design bias
6. Develop a new, broader assessment
Information we won’t/might not have Feb ’21

Won’t have
• Longitudinal comparability for Cornell classes
• Predictable yield modeling and 2021 enrollment results
• First-year performance data (two-year lag)

Might not have
• Other university’s policies and data
Information we will/might see February 2021

• New UTR: assessments of each applicant’s rigor and performance in context of the school and curriculum
• Number, percentage, and performance of submitters
• Review experience across Cornell colleges
• Test results 2020, including current HS juniors
• College Board & ACT plans 2021, including online
Request Senate Feedback on These Issues

1. Form an admissions group of faculty and practitioners.
2. Extend 2020 options to current HS juniors.
3. Adopt ‘eligibility in context’ as a Cornell principle in enrollment growth, including identifying and reducing specific barriers for FGLI and URM students.
4. Act on problematic misuses of test results.
Background Slides
UC – California standardized testing task force

• Do tests:
  – Assess for readiness
  – Predict student success
  – Promote diversity and opportunity

• Testing practices improved, deweighted, or eliminated?
<table>
<thead>
<tr>
<th>During crisis (temp)</th>
<th>Pandemic and post-pandemic practices</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Stopped</strong></td>
<td><strong>Started</strong></td>
</tr>
<tr>
<td></td>
<td>End: changing testing policies annually</td>
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<tr>
<td></td>
<td>Amplify: new review/metrics</td>
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<tr>
<td></td>
<td>Variing by College</td>
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<tr>
<td></td>
<td>Considering wider options</td>
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<tr>
<td></td>
<td>Anticipating impacts</td>
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<tr>
<td></td>
<td>Let go: requiring of all?</td>
</tr>
<tr>
<td></td>
<td>Reporting out of context</td>
</tr>
<tr>
<td></td>
<td>Using beyond design</td>
</tr>
<tr>
<td></td>
<td>Market-driven choices?</td>
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<tr>
<td></td>
<td>Restart: yield modeling</td>
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<tr>
<td></td>
<td>Predictive analytics</td>
</tr>
<tr>
<td></td>
<td>Ensuring fair review</td>
</tr>
<tr>
<td></td>
<td>Post-crisis (&quot;permanent&quot;)</td>
</tr>
<tr>
<td></td>
<td>Stop =⇒ Start</td>
</tr>
</tbody>
</table>
Voting on Five Resolutions

• The Code of Academic Integrity Resolution split into three parts so actually seven votes required.


• Ballots emailed to Senators soon after meeting.

• What follows is a review of the resolutions.
Are you in favor of the Resolution in Support of Naming a Residence Hall After Barbara McClintock. If this UFC-sponsored resolution is approved, then the Senate would submit a nomination to the North Campus Building Naming Committee requesting that one of the new residences be named after Nobel Laureate and renowned Geneticist Barbara McClintock (B.S. '23, M.S. '25, PhD '27).
Are you in favor of the Resolution on the JCB Professor of the Practice Policy? If approved, then the S.C. Johnson College of Business would be able to enact a PoP percent limitation plan that unifies the Senate-approved plans that already exist for the School of Hotel Administration, the Dyson School of Applied Economics and Management, and the Johnson Graduate School of Management. The reporting of the internal vote on the proposal conforms with the legislation and is above all required thresholds. The Senate’s Committee of Academic Programs and Policy supports the resolution.

<table>
<thead>
<tr>
<th></th>
<th>Percent Who Voted (Need 2/3)</th>
<th>Percent Who Voted Yes (Need 1/2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TT</td>
<td>129/157 (82%)</td>
<td>122/157 (77%)</td>
</tr>
<tr>
<td>RTE</td>
<td>52/72 (72%)</td>
<td>46/72 (63%)</td>
</tr>
</tbody>
</table>
Are you in favor of the **Resolution on RTE Percent Limitation Approval Procedures**? If this CAPP-sponsored resolution is approved, then the colleges would be provided with an unambiguous framework for submitting to the Senate an adjustment of their RTE percent limitation constraints. The legislation ensures that the proposed limitation on the ratio of RTE-to-TT faculty is carefully justified enabling the Senate to assess the impact that the modification would have on the role of tenure in the academy.
Are you in favor of the Resolution to Revise the RTE Cap Percentage in the CVM? If approved, then the College of Veterinary Medicine would conform to an RTE percent limitation based on the total number of lecturers, senior lecturers, senior extension associates, senior research associates, research professors (all ranks), clinical professors (all ranks), and professor-of-the-practice (all ranks). This will not decrease the number or proportion of tenure-track positions, which will always be the majority. The proposal conforms with the pending legislation on RTE percent limitations. It would enable the CVM to align its RTE faculty with titles that match their work, which is critical to maintain excellence in its clinical and public health missions. The proposal is unanimously endorsed by the Senate’s Committee on Academic Programs and Policy.
Are you in favor of that part of the Resolution on Changes to the Code of Academic Integrity Prompted by the S20 Semester that is concerned with changing the grade option? If this EPC-supported change is approved, then students under investigation for an AI Code violations would be prohibited from dropping or changing the grade option in the course until cleared of all violations. Furthermore, the instructor would be allowed to offer a student taking their course S/U, the option of changing to the LET grade option before assigning a grade penalty after a guilty finding.
Are you in favor of that part of the Resolution on Changes to the Code of Academic Integrity Prompted by the S20 Semester that is concerned with having an independent witness during the primary hearing? If this EPC-supported change is approved, then the independent witness is still required even if the hearing is recorded. While the independent witness is normally a member of the faculty, the legislation would make it acceptable for a member of the staff to serve in this capacity.
Are you in favor of that part of the Resolution on Changes to the Code of Academic Integrity Prompted by the S20 Semester that is concerned with the handling of large cases? If this EPC-sponsored change is approved, then the instructor would be able to designate a member of either the University or RTE faculty to run a primary hearing in cases that involve more than three students. In that situation the hearing must be recorded and the instructor retains full responsibility for determining guilt and an appropriate sanction (if any).
You will receive an email with the qualtrics link just after the Senate meeting is over.

You have one week to vote.
Policy 6.4 Stakeholder Review Update

Faculty Senate - November 11, 2020
Laura Rugless, Office of Institutional Equity and Title IX
titleix.cornell.edu
titleix@cornell.edu
Background

• Policy 6.4 covers Prohibited Bias, Discrimination, Harassment, and Sexual and Related Misconduct

• Interim policy changes were made through the University’s policy process, effective 8/14/2020 to comply with new Title IX regulations

• New requirements apply to sexual harassment defined in the regulations
Policy 6.4 Stakeholder Review Group

• Purpose is to review the policy changes and gather input in order to finalize the policy through the University’s policy process

• Representatives from each assembly as well as Tech and Weill are included in the review
Review Group Discussion Items

Policy:

• Evidentiary Standard – unchanged; remains preponderance of the evidence

• Designated Reporters (DRs) – changed from broad duty to consult for all non-confidential employees to list of DRs

Procedures:

• Alternate Resolution – addition of informal as well as formal means of alternate resolution

• Hearing Panel Process – addition of oral cross-examination led by parties’ advisors

*Additionally, unrelated to the Title IX changes, some members have interest in the bias process and protected status definitions.
## Overview of Procedures – effective 8/14/2020

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Prohibited Conduct</th>
<th>Co-Investigator</th>
<th>Hearing Panel Process</th>
<th>Reviewer Process</th>
<th>Appeal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee</td>
<td>Title IX</td>
<td>X</td>
<td>A</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Employee</td>
<td>Non-Title IX</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td>Title IX and/or suspension or dismissal is a potential sanction</td>
<td>A</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td>Non-Title IX</td>
<td>B</td>
<td>X</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Procedures related to Policy 6.4
Important Issues for Faculty

Risa Lieberwitz
Professor of Labor and Employment Law
ILR School
Faculty Senate member
Title IX cases
(alleged sexual misconduct/sexual harassment)

STUDENT RESPONDENT

- **Investigator** decides whether enough evidence to send case to Hearing Panel.
- **Full hearing before Hearing Panel** (“Hearing A”) **prior to conclusions on the allegations.**

FACULTY RESPONDENT

- **Investigator** decides whether enough evidence to send case to Hearing Panel.
- **Full hearing by Hearing Panel prior to conclusions on the allegations.**
Non-Title IX cases (alleged sexual misconduct/sexual harassment/other harassment or discrimination)

**STUDENT RESPONDENT:**
- **Investigator** decides whether enough evidence to send case to Hearing Panel
- **Full hearing** by Hearing Panel **PRIOR TO conclusions on the allegations.**
  - “Hearing A” where potential sanction of suspension/dismissal.
  - “Hearing B” where lesser sanction.

**FACULTY RESPONDENT:**
- **Investigator concludes whether misconduct occurred/recommends sanctions.**
- **Full Hearing only** where there is a subordinate-supervisory relationship or academic freedom issue:
  - Hearing by Senate Committee on Academic Freedom **AFTER the conclusion** reached by investigator.
- **All other non-Title IX cases: NO hearing** on misconduct/sanctions
  - **Dean** reviews investigative report and makes final decision.
  - Faculty respondent may file grievance in **college-level grievance procedure.**