A MEETING
OF THE UNIVERSITY FACULTY SENATE
WEDNESDAY, MARCH 31, 2021

CHARLIE VAN LOAN: Same rules. Sorry for the problem. This is the first time it happened. We'll take steps to guard against this in the future; although our backup plan, which we've had going for 20 senate meetings, never had been used until today. Thanks, Jill, for helping out there.

Just two quick announcements. One is the residence hall naming thing is over, and very happy with the lineup. Thanks for supporting Resolution 156. There's a two-minute video at the "Cornell Chronicle" site, in case you want an overview of the whole thing.

We're going to have to have an extra meeting two weeks from now. That meeting will have two agenda items. One will be a meet the candidates panel discussion. We always do that for DOF elections. Because of unexpected business the last month or so, things had gotten jammed up, so we'll stage that.

By that time, we'll have all three of the working group reports in hand, and we'll have a unified discussion of them. Not sure if we can cancel the April 21st meeting. We'll think about it, but we're getting near the end and we have important business to carry on.

This is the third attempt to get this item into the agenda. It's extremely important. You will agree the tenure process is our most sacred process out there, and we have to pay attention to it. We have a committee whose job it is to oversee the tenure process, but we don't own it. It's co-owned, so to speak, with the provost's office and, on occasion, there are HR issues in there and sometimes legal issues in there.

Working with the ASPSF for about a year, several particular issues came up that they would like to have the senate weigh in on. The act of passing the associated resolutions would
not make these things law. It simply sets the stage for further action that may result in these things taking effect. Let's got to the first one.

All these are package resolutions. You can see the details on the appending legislation site or you can click on the agenda page to get them. When we started working on this two years ago, step one for me personally was hey, what do the colleges do. I was kind of chagrined to find out that, for most of the colleges, their documentation is locked up in the form of an intranet.

I got hold of everything, but the more I started thinking about this -- and the committee agrees with this -- is that it's not a good thing. These documents have to be out there in public. CALS and Engineering do that. Maybe in the year since I made this slide up, there are other colleges; but basically, it's not a university-wide policy.

Why do we want to have these policies online? Five reasons. First, it helps demystify the process. Not knowing how things work really causes angst and so on. It minimizes the chance for procedural missteps. Chairs are busy. It would be great to have full visibility, so chair assistants, staff, students, everybody can see what's going on.

It fosters clarity. Why? Because instead of writing for a small cluster of senior colleagues, you know that what you write is out there for everybody to see. You're going to care about readability.

Version control. There may be a tenure document that the PDF, ten years old, it is in your office, you get it out, you think that is the real thing. Obviously, it's not. You want to have everything on the web. The web version is the version.

Finally, and I know from experience, it's an opportunity for the colleges to learn from one another. We've got ten colleges out there running their tenure shows. They are all doing a great job, by and large; but there's a lot of things you can learn from others. Let's make it easy.
No-contact lists. You are coming up for tenure. Three years ago, maybe you had a run-in with some senior person in your field, or a possible reviewer is competing for the same grant, or you're very anxious because you have a real hot idea and you're worried about having it ripped off. The colleges have different stances on this. Most of them have no comment. Others have texts that sort of says okay.

Here's the proposal, that the candidate has the right to put in the dossier a no-contact list; but next to each name, you have to have a brief explanation. The department has the right to go to the no-contact list. It's just that if you do, you have to say why. That goes in the dossier as well.

The people downstream in the review process get to see both sides of the issue there. This is a straight-shooting transparency thing, doesn't force departments to change their standards or anything like that. It's just saying transparency, and the candidate has the right to articulate worries about certain possible reviewers.

The visibility of the chair's letter to the dean. I must say, in sitting in on these meetings with the AFPSFers, who come from all over the campus, I was kind of shocked to learn about some stuff that goes on; for example, the tenure voters not knowing who the external reviewers are. I mean, shocking stuff. I'm not saying the whole system is permeated with it. There are very isolated instances; but again, this is a transparency thing, but it has a wrinkle to it that has to be addressed.

The proposal is that the letter should be visible for the voting faculty to review before it's sent to the deans. Here are three reasons. This is not a way of casting dispersions on chairs. It's simply saying look, the more eyes that look at this critical document, the better. In that document, they vary. It depends on how the chair handles things. By and large, there will be some synopsis of the deliberations, and you want to make sure that's kind of accurate.
Then there's sort of a subtle thing, but I think a very important one, which is that these decisions are not just the chair's decisions. They are the tenured faculty's decision. It's kind of a quiet reminder about that.

Here's the concern, which is this: In the deliberations, it may be pretty awkward or maybe there's some things the chair wants to communicate to the dean that just can't be sort of floating out there. If that's the case, you do what's done in the Arts College. If you go to our website, you can see the text they have on the second letter, which is to say the chair can transmit other information to the dean via a second letter.

There's a worry that if there's just one letter, the chairs won't be forthcoming enough. With the second letter, which the Arts College handles perfectly -- I really like their language; it's up there -- you sort of solve that problem. You have transparency, all these fringe benefits, without cramping the chair's style. People are in these leadership positions for a reason. They are supposed to lead and pass judgment on things, and you don't want to put a damper on that. This doesn't do that.

This one, it's sort of a little math problem, in a way. However, in my opinion, and in looking at the 60-odd places all on the tenure track the AFPSF reviewed, perhaps nothing is more important than this.

Let's talk about the typical method. We have 70 or 80 units out there. They probably have different styles, different variants, and this is how it works. There's numbers associated with it. Tell the candidate, hey, give me three names, and we'll pick two of them. But whatever you do, we're going to augment some subset of your list with our reviewers. That's kind of how it works.
But then you get into this game thing, if I leave Professor X off my list, then the Department just has to pick Professor X. It's kind of an asymmetry here in the process, an opportunity for second-guessing and gamesmanship.

Here is an alternative approach -- here's the chitchat schematic -- the candidate and the Department independently produce a list, with the instruction basically being that that collection of reviewers knows the score. Those ten reviewers, or whatever, collectively give a snapshot of the candidate, from the candidate's point of view; these ten people can accurately give a snapshot of my scholarship and so on. You have these two independent, in quotes, because there's a lot of hallway chat, so to speak; but in any case, you go off and do those two things. Those go into the dossier.

However, the Department then goes about, it has the two lists in front of it, and there will be some rules about minimum number you have to take from the candidate's list and so on. The final list is assembled from those two independent lists. There's less gaming with this.

Here is the big positive or one of the big positives: Candidates have to be able to think broadly, not just about reviewers who are close to them. Part of the review process is to figure out your radius of impact. We're going to have to probe increasingly far away from you to find out what the impact of your work is. We want candidates to think about that from day one, to say you should always have in your head a collection of some number, 10, 15, 7, 8, of reviewers that you are going to submit to your dossier.

A little schematic to show how it works. Let's say ten. The candidate has the list, the department has the list. Then, subject to a certain math minimization rule, you assemble the final list. And it will be a mix. In the dossier will be reported that we got a letter from Reviewer B, and that person was on both lists. B, C, F and H are, in general, going to be really good reviewers. They are both identified as intelligent reviewers of the dossier. Then you'll have two
other types of letters that were only on the Department's list and those that are only on the
candidate's list.

Those are the four proposals. We have a few minutes here to talk about them. Again, the idea here is to get senate feedback; are you receptive to these things. We'll take some vote on these things. There are four resolutions, and this simply will communicate basically to the provost's office that this is how the faculty feel about these four things, then we take it from there.

Why don't we turn off the slides and see if there's any conversation to have about these.

JILL: David Lee.

DAVID LEE: Thank you, Charlie. Two questions on two of the different points. On the no-contact list, the justification for the candidate coming up with a no-contact list on his or her behalf is very clearly justified. There's no justification why the Department should have the ability to override that, even with this letter that is described, so I'd like if you could just tell us what the justification you heard in your discussion is for that, because it's not clear to me why that would be.

Secondly, on the selection of the reviewers, it just strikes me -- I know this is well-intended, but it just strikes me as really prescriptive. Is this really necessary? I'm just not sure it's necessary. I've been on countless tenure committees in my college and other colleges throughout the university; just never encountered the types of problems that seemed to have been trying to be addressed here. Thank you.

CHARLIE VAN LOAN: On the Department going into the no-contact list, saying we're going to write anyway, has to write a paragraph, there are two things, and we want to get feedback like this. Here is the thinking behind this: First of all, there's certain rights thing there.
The Department can decide to write to whoever they want. When you start getting in there, turning screws, saying you can't do something, then that becomes an issue.

The other part of it is, the reason for the person on the list might be spurious. Maybe it's just a competing theory. It could be the no-contact list has a person on it that maybe is okay to write to. That's what that is. A complicated thing, but that's sort of the reasoning behind it.

This is the most top-secret part typically of a tenure review: Who are the reviewers. You want to inspire confidence that the process is fair, but then go back to this point. Maybe it's a weak argument; their setup encourages the candidates to think about the big picture, not just about that cluster of people who are close to their work. I think that's a pretty important idea.

In terms of prescriptive, you mentioned that. That underlies this whole project. The colleges are semi-autonomous and they don't like being told what to do. This isn't driven by some number of cases where the selection process was bad. It was sort of driven by that idea of getting the candidate to think in a certain way.

Ken, then Laurent, then Mark.

KEN BIRMAN: Thank you for this project and for the presentation. I think it's quite a good thing you're doing, Charlie. Something came up recently in my department, Computer Science, that I'd love to hear your thoughts on. It's third-year review, and then the question arose of well, if we start to write for letters in third-year review, aren't we learning quite a lot about what the writers think about this candidate. The tenure process kicks in just a few years later.

Very likely, their opinions haven't changed enormously, so do you end up locked into a situation where, at tenure time, you must use the same writers because any other decision would imply that you're being selective, based on knowledge, actually?
CHARLIE VAN LOAN: We never thought of the third-year reviewers -- not all Departments go out for third-year letters. If they do, it's probably a smaller number, but I don't typically see -- you know, it's the Department's discretion about whether or not they choose to use a third-year reviewer.

KEN BIRMAN: But if I went to you for a third-year review of a young candidate and you're refusive, I can anticipate that you're probably going to still be pretty positive for the tenure review, which is right afterwards, if you think of it. Three years is not very long. Conversely, if you are pretty negative, I would realize that you weren't very hot on this candidate at the third-year review and I might choose not to write to you, even though you're the top person in the area.

CHARLIE VAN LOAN: Well, don't forget, the third-year review letter writers, that's part of the dossier as well. Good point, but we never had a strong coupling between who you pick in the third year and who you pick in the sixth year, but worthy of study.

Laurent.

LAURENT DUBREUIL: Yeah. In general, most of what you described is pretty much the practice of the College of Arts and Sciences. And since I'm a member of it, I'm not going to be too critical of that process. My main point is about the last idea you presented about the two lists, and I would like to say that the prescriptive aspect is not so great to me.

I understand the move and especially the move against kind of hyper-specialization where the candidate would just talk to a very small number of people and we don't want to see that happening. On the other hand, I'm thinking it might be too much of a burden for our candidates to think of 10 or 15 people whom they would like to see as their possible respondents.
It's also the case the humanities co-authorship virtually doesn't exist, which also means the community doesn't have the same kind of number of people that you see here. I'm not strongly in favor with a list where you would ask 10 or 15 names to a candidate. You could also lock in the candidates into a mode where for five to six years, they would rather write for them in order to get tenure than writing for a larger object.

CHARLIE VAN LOAN: Good point. Maybe three numbers associated with the method; the length of the independent list, the length of the final list, and then the minimum number of candidate letters that you need. No one's prescribing that. The number of letters in general required varies from college to college, so no one's prescribing that. This is just a framework.

One other thing; whether or not you made these, quote, university rules or so-called best practices, that's kind of an option. But I must say, the best practices, if we put that stuff in the handbook, it's kind of dangerous, because if your unit doesn't use that best practice, then here come the lawyers.

Time for one more comment from Mark.

MARK LEWIS: Yeah, when I read this resolution, everything makes sense to me, except it assumes that the chair writes the summary for the Department. And I think we had a conversation about this before. In many of our departments, the ad hoc committee, internal ad hoc committee writes the summary letter. I would just recommend we say the summary letter to the dean, not the chair summary letter.

One more quick thing. In that summary letter, there's no vote. I don't think that we would want to have the vote become public to everybody, because that's a way of having to deal with anything controversial, if you voted against the case or for a case. That's my two suggestions. Thank you.
CHARLIE VAN LOAN: Just one thing; it's only public to the tenured faculty voters. I want to be very clear about that. Just the tenured faculty voters.

One more. Seema.

SEEMA GOLESTANEH: Thank you. Thanks so much for the presentation. I just have a quick comment about the no-contact list, as someone who is not tenured, is on the tenure track. Just to understand the current policy is that the faculty on the tenure committee or the entire Department cannot use the no-contact list, sort of no questions asked versus now.

Given that, I'm just wondering how this new policy -- I understand it's the spirit of openness and allowing more flexibility for the tenure committees, but it really does seem to render the candidate a bit more vulnerable. Especially in inter-disciplinary departments, people might not know about I don't like this person's advisor. And I unfortunately have heard these stories, so they might not know the different personality type. Unfortunately, I wish everyone would act in good faith, but there's stories otherwise. I guess this is a little bit to the earlier point, but I'm hoping this doesn't make the candidate more vulnerable. Thank you.

CHARLIE VAN LOAN: Those are very good points. Remember, there is some kind of de facto no-contact list thing in operation already. It will be known a candidate will have a mentor. It will be known the candidate is nervous about X, and what if X shows up in the department discussion. Remember, as complicated as it may be, is it better than what we have now, which is kind of a free-for-all no-contact list.

Very good. Helpful. We'll study the chat, we'll take it from there.

This is a bylaws situation. The bylaws tell us how to stage various elections, who can run and so on. For the dean of faculty position, the slate is specified to be three or more. There's the reference, if you want to look it up. This can cause a problem.
Three is a big number. There's a larger context, and we all know about it, which is getting people to serve on committees, getting people to serve in the senate, getting people to run for, say, dean of faculty. Superimposed on that, the pandemic, all that makes things much harder. The question is let's change the three to a two.

Here's the reason. Right now, we have two great candidates interested in running for dean of faculty. Neema and I and the N&E Committee, which is charged with coming up with slates, we're getting near 30, 40 people. Time is running out. We have to stage this election. There is verbiage in there, if you don't have a dean of faculty and the associate dean of faculty is not going to serve as acting, then the University Faculty Committee picks; and do you want that? No. More generally, two is enough.

Here's a resolution. If we pass it, and we're going to vote right now, unless someone objects, but this doesn't make it law. All it is is we're recommending to the University Faculty, those are assistant, associate, full professor and all the emeriti. That's the University Faculty. You are excluding visiting professors and whatever. All we're saying here is we think this is a good change, and then we're going to have to do a quick polling of the University Faculty. We'll send that out tomorrow, assuming that we get that far.

Next slide, I think, says discussion. Okay, so does anyone want to speak in this? In the N&E Committee, we ran this by them. Not they are an authority, but they are so close to the process, it's sort of like what do you think about this. Most are okay with it.

There's some grudging acknowledgment that we're in a bad situation right now; why not just sort of make it an exception. You can't really do that. There's a realization that we're having trouble getting people to participate in shared governance. There is a larger problem here, and concern about that was very well-stated amongst the N&E Committee members.

Joanie.
JOANIE MACKOWSKI: Thank you, yeah. That's pretty much what I was going to ask, though, in that especially the resolution names the pandemic as making it more difficult to attract individuals. I'm hoping that the pandemic is not the normal for the next 100 years, but why not include language to the effect that when we can, that we go back to three, or some way about it, including generating more participation in governance.

CHARLIE VAN LOAN: Remember, it's two or more. I think the reason you might want to go for more than two is Cornell is broad, and you want to have a representative across the ten colleges. I can see the rationale there. I don't think this will change the recruiting behavior whatsoever. It will be two or more, and you'll go out there, trying to encourage people to run. I don't think it's going to change any behavior.

Good point, though. It's not like we're going to give high fives passing the thing. It does point to a very serious kind of problem, but the good news is we have two great candidates, and let's go for it.

Let's go to the -- we have to be a little bit formal here. Someone raised their hand, "do we have a motion, yeah. Second." Great.

UNIDENTIFIED SPEAKER: I'll second.

I'll second that also.

CHARLIE VAN LOAN: Go for it --

NEEMA KUDVA: There is stuff in the chat. I think David Zax might want to speak on this before the vote happens.

DAVID ZAX: Yeah. I'm on the N&E Committee. As you know, a third of the committee was quite uncomfortable with this idea. There's an issue, which is Cornell is really quite broad. The N&E Committee is a relatively small group that has the potential of providing very narrow
slates. It's very concerning to me the idea that we're actually just going to propose two people, based on a screening mechanism, which, while I'm part of it, is not perfect.

CHARLIE VAN LOAN: Those are very valid points, but I simply would say, again, the alternative -- we have a history in the last six weeks or so, trying to get people to run. The alternative is something that would just hand the thing over to the UFC to appoint an acting DOF. But those are good points. I think the take-away here, all these emergency things always speak to a larger issue that you have to follow up on, which is how do we put together slates and committees. Neema and I and others are working on this, but there's a short-term problem, and that's what the resolution tries to address.

NEEMA KUDVA: Could I just mention one other thing that came up in the conversation in the N&E Committee, which I actually think is an important piece? And if people have ideas for us, it would be really important for us to hear them or to surface them. The timing question is really quite central.

Faculty tend to plan out their lives between sabbatics and have long kind of range research plans, there's administrative roles that people are taking on, or they are going on sabbatical, coming off sabbatical, always like a five- or six-year plan, where people run their lives.

When we go out and request people to step up or whether they are interested in serving as dean of faculty, it's making a three-year commitment within six weeks. I know it's the pandemic and stuff, but I think because of the pandemic maybe, we had about four or five people who very seriously considered the question, and they either had to turn it down because they were in an alternate administrative position, they had a sabbatic coming up, which was halfway through the dean of faculty positioning or a sabbatic next year, so there was this timing
question. We've been trying to figure out how to deal with it, but that is also a real concern about having this be a robust process.

CHARLIE VAN LOAN: Okay. Please vote in chat. We do need a quorum here. We have 118 people here, and no visitors because of the earlier thing, so we need to get up to like 60-something. Please vote.

Let's get on to the next thing here, which is sort of we want to close business on two things we've talked about over the last two months. There are two resolutions out there. Let's talk about them. The plan is to do a Qualtrics vote on this over the next week, starting tomorrow. Let's talk about this, refresh your memory on these two resolutions

Arnika and Nick came, and other sponsors of this resolution. In a nutshell, it requests that the Cornell University Police Department no longer use racial descriptors in crime alerts. There was a concern raised, but I think Nick responded to it. There's been no sort of other issues raised. Does anyone want to bring something up to inform one of your colleagues about how you should vote on this or whatever? Any comment on this?

Harold.

HAROLD HODES: Well, I can certainly understand the reason not to include racial descriptives, when such descriptives couldn't play any role in identifying a particular perpetrator. But it must sometimes happen that a racial descriptor would aid in identification, so I wonder if the resolution could be more fine-tuned to basically say what's out there now is the default; but in special cases where a racial descriptor would be of identificatory value, it could be included.

CHARLIE VAN LOAN: Joanie, you want to speak to that? I think you're on the committee that's interfacing with the CUPD.
JOANIE MACKOWSKI: Right. The data shows the instance in which such a descriptor could be important just isn't there. The ways that people describe persons they suspect in difficult circumstances are often vague and general, and these sorts of vague generalities, mostly tinged by fear and preconception, are what go into these descriptors. And the cumulative effect of them is negative, and it affects people in our community.

CHARLIE VAN LOAN: I think Nick is on the call. Nick, you want to respond?

NICK: Yeah. I'll just say Joanie's totally right. We haven't seen a case in which that -- they have been doing this for now many, many years; but in addition, CUPD has a wide variety of communicative strategies at their disposal.

And I think in a special case that was really special, they would do what they do now, which is to put out a media alert to circulate a sketch or a drawing or a photograph, all of which they do under other channels, other than email blast crime alerts, which are always generated in the first few hours after a crime and which rarely have any sort of intentional, real strategic -- they are done in a statutory way instead of a crime-fighting way. If they do want to chase a subject, they do have a lot of other ways to do that, and they use those. And those aren't under discussion, I guess. But it's a reasonable question.

CHARLIE VAN LOAN: I encourage you to take Harold's concern, take it to heart, maybe read the nice background statement that was provided on the resolution page, and vote however you feel is best.

Okay, let's go to the second. Back in February, we presented a revision of Policy 1.2, which the old title was sort of academic misconduct. Bad stuff happens. There are procedures that were laid out; but by and large, the policy was kind of a mess and needed revision.

A very serious revision took place. I was involved. That's part of the old DOF job description, was to handle these cases, so I was involved, University Counsel and the Research
Office. Together, we came up with this final draft. You can look at it, you can compare it to the old one.

Here are the key features. First, it is much clearer. Each step is really laid out, who's involved at what step. It aligns our policy with federal agencies and also with Weil Cornell. The latter is kind of important, because the collaborations increase between the two campuses.

This gets back to our discussion about the slates. This subtracts off a gigantic and very unpleasant part of the DOF job. The DOF is still involved at the key decision points in the process. The DOF is in the room and consulted and so on, so there's no loss of oversight of the process, but I would say a third of the job is subtracted off by this, and the very unpleasant third. That's it in a nutshell.

There were some concerns about the language, that it was too science-based. The individuals who expressed those concerns worked with Mark Hurwitz in the Research Office, and the revisions have been to their satisfaction, so the language doesn't look like it's targeting STEM folks. That's been cleaned up as well. You will be asked, then, to weigh in on this, and I hope you do, because it really takes us to an improved place.

Are there any questions here? Any concerns you would like to share, before we close this down and turn it over to Qualtrics?

Thanks for moving on these three things. It is nice to actually wrap things up.

Let me say here, there's a quorum thing here. You'll get the email from us tomorrow, and we'll remind you, but it's so easy. There will be a two-question Qualtrics, and let's get on with it.

We're on this topic, very important topic again. Just a little heads up; we have four things, going to relay an idea to you for an approval sequence the UFC is sponsoring. This is not
a resolution. This is just let's talk about this, so we can figure out what the process should be, and then package it up as a resolution.

Then we have two resolutions that came out of discussions over the last four meetings, and those will be part of the discussion today. We'll also vote on the original SOS resolution that concerns the Hotel Peking University dual-degree program. Those are the four things we want to do. Let's get on with these slides here, and I'll try to go slow and economical, make sure everyone follows along.

Here's what it looks like. It's a chain. That's just what goes on inside Cornell. After we're all done with it, it goes to New York State, and so on. That's what the recommended chain looks like. Not too different from what we have now, only we want to put more clarity on those steps.

We want to distinguish between two things, which is the directly affected unit, a/k/a School of Hotel Administration, and the proposal unit, the Johnson College of Business. The other example, we have the Food Science and CALS. Whether or not it's a graduate or an undergraduate degree program depends. If you have a Ph.D. level, then instead of the Department, the directly affected unit is the field, and the proposer would be the graduate school. So some terminology there about things. Most of the work, the form-filling-out, is in the DAU corner.

Before we get into it, here are some attributes that we gleaned from all the senate discussions. What do we want out of this process? First of all, the ethical questions have to show up. Right now, they don't, formally. I am sure they are discussed or whatever, but they don't show up in the documentation. Why is that important? Because as we have seen, we have to reconcile the proposal with Cornell's core values.
Then there’s transparency. Nothing causes angst as much as a black box process. You also get resentful; we aren't seeing all the information, and so on. As you'll see, every stop has total visibility at what happened before. The assessments and whatever actions are taken, votes are all transparent and seen by everybody. Again, this inspires confidence and squares with the idea that you can learn from one another. We might learn something from the directly affected unit that you never thought of, some slant on this that you want to see, and vice versa.

Efficient. We cannot spend inordinate amounts of time on this. The senate has other business, so there has to be kind of a strictly enforced timeline. We staged an extra meeting, you can have faculty forums, you can load up the conversations; but in the end, you have to have some kind of reasonable timeline so these things can get out the door, or don't get out the door, whatever.

Let’s go to this main form that the directly affected unit fills out, called the academic program registration form. Has all kind of details, very graphical things like sample student schedules. Nowhere inside is anything about ethics. The proposal here now -- and you will see three questions that we propose be added to this form, and they are derived from the six guidelines that the provost's office produced in December of 2019. Those guidelines were pretty much written for individual researchers or faculty who are going off on their own to engage overseas.

Here's the first question, which is alignment with core values. These are paraphrases of those six values. We want you to explain how the proposed program squares with our core values.

Being realistic, that's not going to square perfectly, but you have to come out and produce for us some greater good argument. Again, we aren't saying that you solve the moral
dilemmas. We’re saying that we make sure you are aware of them and you have thought about them and you are sharing how you think about them.

There’s the partner institution. I just want to pause here and say how very useful all our discussions were over these last four meetings. We have learned an awful lot. The behavior of the partner institution is kind of important, so please describe the history of prior collaborations with that partner institution and explain why it inspires confidence that, going forward, they will be a good, ethical partner.

Again, it’s not like solve the problems of the world, but just pay attention; this is an important part of the collaboration. What do you know about it? And tell us what you know about it.

Compliance. We all know these are just words. You can have a two-sentence free speech clause in there. It has impact and calls attention to things; but in the end, it’s just words. You have to somehow have a mechanism or channel where, if you spot something, maybe you’re participating in this collaboration and something happens that you’re nervous about or you don’t like, is there a way for you to express that and how will these concerns be expressed or handled. That’s a sampling of three questions that we propose be added to this form. We want written answers, brief proof the proposing unit has thought about these things.

There’s another thing that just has to do with faculty expertise. This is not an ethical question. This is something we want to put on this form, to make sure that the DAU has sought out campus expertise that may inform the decision to go with this program. We have a great faculty that is more than willing to share their expertise, and we want evidence that that expertise was sought out. Again, low overhead. We aren’t asking for a ten-page this is okay document, but some evidence that the experts on campus, whatever that means, somehow identified and consulted.
Internal support is really important, and it's most often expressed in the form of a vote. There's the line from the current report, basically saying hey, tell us the vote. Maybe a few words about the negative votes. We proposed something more stronger and more detailed.

RTE faculty are incredibly important in these venues. The Hotel School talks about hiring three teaching faculty. Off the top of my head, I know the Food Science thing, professors of the practice, these things live off of RTE faculty. And that's fine, but we all know RTE faculty are a little more exposed when it comes to free speech and so on.

Bottom line, we want to know how the RTE faculty think about this. We have lots of RTE titles. These are the teaching titles. You have lecturers, professors of practice and clinical professors. We have to know how that group thinks about this. And then you have the university faculty. Separate tallies, and it's a four-numbered tally: Yes, no, abstain and did not vote.

I must say, we've had a lot of important stuff come our way in the senate over the years, and kind of shocking the size of the did not vote. That can signal two things. It can signal apathy or it can signal I'm afraid to express myself in my unit. Regardless, we want those four numbers.

The College is going to weigh in on this. It doesn't mean you have a vote across the college. There will be some committee in there that looks at academic programs, and they typically vote, so please tell us how that vote went and summarize briefly the thinking that went on in that venue.

This is now us. In that box, there are three players: There's UFC, senate and CAPP. UFC might weigh in on something, but in the end, things go to CAPP that reviews the proposal. But now here's the stipulation: The proposal is reviewed simply on academic merits. It's as if, say, the Hotel School was collaborating with the Berkeley Hotel School, some kind of assessment of the academic merits of it. Look, we can't disentangle that from the other stuff, but by and large,
CAPP does the homework for the senate in looking at the academic merits. Yes, the quality will be enforced and, yes, it should work out, and so on.

Then, that is presented to the senate. We vote on the academic part and probably, in all likelihood, then a separate vote that basically says whether or not we should go forward with this. It's like reporting two trains of thought: Yes, this is academically sound; however, all things considered, we don't recommend or we do recommend going forward. And the usual thing, there's some discussion, and then you vote at the next meeting.

The International Council sits in the Vice Provost For International Affairs Office. They, before this, have not been involved in the approval of these kinds of programs. But now they're going to be, and we're working with the vice provost on this, as we speak. In this new regime, they will have access to all the documentation that was upstream, then they deliberate and vote. Again, tell us the vote and explain the negative vote, and so on.

A little bit about the current makeup of the council. It brings up a question. It's basically the vice provost and some associate vice provost, and executive assistant, and basically one associate dean from each college, plus the director of the Mario Center. That's the lineup in the International Council.

Here are some talking points about that stop. It's the last stop before it goes to the provost. Here are some things that have been talked about and we should talk about. This is a new activity, and a reasonable question to ask whenever the charge to a committee is expanded is hey, can we cover it with the existing membership. That's something that should be discussed, but now here are some things to keep in mind as you are discussing this, or as we discuss this.

First of all, recall what is on their table. All these assessments, evaluations and votes, that's all there. In cloning the synopsis by the expert faculty viewpoint, I mean, one possibility,
you could say well, you have to expand the International Council so it has resident experts. But is that efficient? If you create an expectation in the IC that they take these things into consideration, is that enough?

I think that's it. Okay, let's step through this. We're going to learn from you today. Post things in the chat, and this will be online. We'll get feedback, we'll interact with the provost's office. They have their own discussions going on. It would be nice to come up with a one-pager, a very straightforward process that we all agree on. Remember, sort of like the tenure process, this is joint ownership, and we have to collaborate with the provost's office. I'm confident that we can do that, but package it up and somehow reach some conclusion in the April 21st meeting.

That's it. Let's talk about your thoughts on this. Any thoughts on the ethical questions? Do they span the space? Are there some ethical concerns that are not covered by this? Do you go along with the idea -- we aren't looking for ten-page answers here, but basic evidence these considerations have been taken seriously and are documented.

I see Risa.

RISA LIEBERWITZ: Thanks. I think it's really good that UFC is working on this, and I think certain parts of this are particularly good, but what I want to raise are two points where I said oh, I'm with you until. That is the point about CAPP's job. It seems to me what's happening in the draft you have given us is separating out from CAPP's job the merits of the program from the ethical principles.

As you said, Charlie, really can't separate them. I don't think you have a program that has academic merit if there are serious principled issues on the ethics. That disturbs me, to somehow say the academic merits are separate. I think CAPP should have a very explicit role there. Since CAPP's report will go to the senate, the senate should also have the role of judging
the academic merits, in line with all the factors, including the ethical principles. That's one point.

The other one is the International Council is all administrators, so it isn't simply the numbers of who's on there; it's that it ceases to be a faculty joint kind of program, joint stage with the administration. It becomes all the administration deciding what they want to do, so that concerns me as well.

CHARLIE VAN LOAN: Good points. I know the separation of the big picture from maybe a narrower academic thing is difficult. I know this has been a very special case. We devoted more time to this particular issue than any other that I can remember in the last five years. There has to be some efficient -- I'm talking too much. Laurent.

LAURENT DUBREUIL: First, I have a question of clarification to you, Charlie. I understand this is a chain, but I don't get the impression that if at stage 3, for instance, the vote is no massively, then the initiative is being shut down. Is it the case that a no vote at one point is just killing the proposal, or is it the case that the no vote will be transmitted to the next step?

CHARLIE VAN LOAN: I think it kind of depends. For example, if it was a Ph.D. program, I think if the general committee in the gradual school votes no, I think that really kills it off. Your question is good. It has to do with the advisory status and so on. I'll just leave that as something to work out. Are there other ways you would shut the whole thing down? Certainly, if the DAU or the PU don't want it, it's going to end right there; there's no question about that.

LAURENT DUBREUIL: The danger I would see is that, for instance, we believe the first stages are really crucial, and a no coming from the graduate school is killing the proposal for a Ph.D., but we believe that if we have a no vote at the faculty level, at the senate, then it's less important. There's a question there.
And the last thing I would say is the bylaws give University Faculty the ability to recommend a degree to the board of trustees, but then in the chain we have now, we have two other steps, so the senate is no longer recommending directly to the board of trustees, especially the International Council could be perceived as part of the higher level of the administration.

CHARLIE VAN LOAN: I know in the bylaws there are these obscure lines that say we can get on the trustees' agenda. I haven't been aware of that ever happening in a direct fashion, but these are very good points to consider.

Ken.

KEN BIRMAN: I don't know if anyone remembers -- I certainly do -- I kicked all this up. I asked the first question about the Hotel School program. I was rewarded by an avalanche of emails from the press. That's what happens when you speak up at the senate these days. I feel the discussion's been very healthy over the last few meetings. It certainly has given me visibility into things I originally was asking about back then. In my case, has been reassuring.

I simply want to say that I like this proposal, I like the clarity that the UFC process brings to us and, personally, I don't believe that the senate should have a veto right. I think we should have a right to comment, a chance to provide input, and hopefully that will sometimes lead to clarifying or improving proposals, as I believe happened here. I believe you've shown us a good response to the question I originally raised, although I really do understand that others have raised other questions.

NEEMA KUDVA: Charlie, I think Thomas has a comment in the chat. Thomas, if you want to introduce that comment?

THOMAS BJORKMAN: At the last meeting, there was a whole slew of potential ethical problems with the Peking University proposal that were brought up in the discussion. They
weren’t addressed in the proposal, and that was kind of the problem. We couldn’t tell whether they would actually be problems or not. Some of them seemed pretty tough to overcome, some of them might have been relatively straightforward to overcome.

Having the proposing unit actually discover what all of those potential problems are, so they know what they’re working with -- I imagine it would be an iterative thing -- but so by the time it comes to the senate, all of the things we might think of have already been addressed. Then we can judge whether we believe those approaches are likely to be successful.

CHARLIE VAN LOAN: In a curious way, transparency will help with efficiency. In other words, it will all be in front of you. Then you can make an informed decision in a reasonable amount of time.

Please, we’re going to think about this stuff. It will be online and it will show up probably -- we’ll take it to the next level, and we’ll act on it. Look forward to lots of feedback on this.

I wanted to make sure we get to the SOS votes. I’m just going to set that up very briefly, so you can vote while Joanie and Richard present a pair of resolutions.

Let’s go back to this. You saw this six or seven weeks ago, and these are the attributes. I assume you are familiar with these things, the key points in the proposal from the Hotel School. Professor Susskind came back and addressed these concerns that were voiced at the first meeting.

That’s the background. This has either been talked about explicitly or as a trigger for the larger things. Does anyone want to say anything, before we turn on the SOS?

JOANIE MACKOWSKI: Point of order. I thought we were going to do these two proposals, and then have the SOS voting. I think it would be good to hear these proposals before people start their voting.
CHARLIE VAN LOAN: We're just turning it on. Originally, I put this at the end, after the two proposals, but then I saw you have a 17-slide thing there, so I was sort of worried --

JOANIE MACKOWSKI: 30 seconds a slide, Charlie. Come on, let's stick with the agenda.

CHARLIE VAN LOAN: Okay. Then I'm just going to play hardball at 4:55, okay? So skip over these. Let's go to Joanie, then Richard. I mean it; we have to get this vote done. Otherwise, we're --

JOANIE MACKOWSKI: Good. It's exciting that this work to revise the IDDP approval process is underway. This resolution, we're talking about this because it's important that we all understand why it's so important to revise this process. It's got a lot of support. This is our resolution.

First off, collaboration is a good thing. There's no debating this. A program is not the same thing as scholarly collaboration. A program is a business structure. These structures can be helpful, but they're not the same thing as scholarly collaboration.

With our current process of reviewing and approving IDDPs, as Charlie's just helped us understand, there's a memorandum currently, a memorandum of understanding, an MOU, a form, and this is where potential international partners say yes, they will uphold academic freedom and nondiscrimination. But there is no step in the process now about making sure that we should be able to take these potential collaborators at their word.

Right now, we have new risks. It's not just a bunch of faculty suddenly getting up in arms about this for our own reasons. It is about the changes happening in the world, so violations of ethical human rights are occurring in increasing rates accord the world and have been over the past 15 years. 2019, the 14th consecutive year decline in global freedom. These powers -- ethical decay, combining to make the world increasingly hostile to fresh demands for better governance.
"The Washington Post," 2017, 3.97 billion people currently controlled by tyrants, absolute monarchs, military, 53% of the world's population. Authoritarianism is one of the largest, if not the largest, challenges facing humanity. The share of electoral democracies has recently fallen to less than half of populations, first time since the very early days of the post-Cold War.

Additionally, it's not like authoritarian governments are coming in with tanks. The recent transitions toward authoritarian or repressive governance, it occurs gradually, subtly, and the line between democratic and authoritarian regimes grows increasingly blurry.

Antidemocratic and authoritarian regimes worldwide increase in number and power. They are currently doing this without cutting ties with democratic countries and without fearing the influence of such countries.

And the line is blurry here, too, that human rights violations are happening here. If you have been looking at the news lately, Kenneth Meyer, an expert of voting and elections at the University of Wisconsin, Madison said here the response is to try to keep people from voting; dangerously undemocratic.

Authoritarianism, it's a continuum, and it can be blurry. It's not a toggle between democracy and authoritarianism. Recently here, the University's embarking on new measures to address, encounter racist injustice and violence that's been ongoing for centuries. Remember the president's statement last summer: We will do all we can as a university to address the scourge of racism. We will address it directly in our educational programs, in our research, and in our engagement and related activities, doing our best to push for a world that is equitable and kind.

The final report from Working Group C pointed out that our ability to understand and challenge racisms depends on recognizing both their respective specificities in our local context
and the ways in which they become articulated across time and space. If we're working on racism, we're not just doing it here in the U.S. We have to think about it globally.

Given President Pollack's commitment to address the scourge of racism, given the importance of our mission as an educational institution, we must take action to ensure that academic freedom and nondiscrimination cannot be empty phrases and cannot be equivocated. The future of this institution depends on these words to mean what they say.

This is the resolution. I hope you have read it: Whereas, the University has developed, continues to develop degree-granting programs with universities and countries around the world; whereas, we've got these guidelines on ethical international engagement; and whereas, the guidelines assert that we should avoid partnering with colleagues, organizations, agencies or companies that are under credible direct suspicion of malfeasance or serious legal or human rights violations; whereas, democratic governance is in decline across the world; whereas, the transition toward authoritarian and repressive regimes does not result from armed takeover, but occurs incrementally and subtly, and the line between democratic and not is increasingly porous and ill-defined.

There's increased opportunity and fewer barriers to collaboration with authoritarian regimes. If we collaborate in degree-granting partnerships with organizations and universities under the sway of authoritarian regimes, we risk degrading and compromising the University's mission, function, reputation, and we also risk lending legitimacy to authoritarian and repressive regimes and allowing them to further their antidemocratic games.

Whereas, the University's code of conduct states the University, as an educational institution, has a special set of interests and purposes, the protection and promotion of which are essential to its effective functions. Be it resolved the Faculty Senate calls on university
administration to recognize the grave present risk of entangling our institution with antidemocratic forces.

And be it further resolved that the Faculty Senate calls for an immediate revision of the vetting and approval process for IDDPs, greater transparency, everything that Charlie just talked about, which is great, but it really does matter that these words mean what they say. Can't be fudged.

Thanks. I'm done with my presentation.

CHARLIE VAN LOAN: Okay. Thanks, Joanie. Let's turn off the slides for a second.

Questions for Joanie?

I have one, which is what about student exchange programs? That's a notch below degrees, but it's also a notch above me going over to China or some other place, doing my own thing with my grad students or whatever. I'd like to hear from people about that. In other words, if it's a student exchange program, should that require a similar level of vetting, or is there just a real hard line and the only thing on this side of the line are the IDDPs? How much do we get involved in all these different collaborations?

KEN BIRMAN: I made a comment in opposition to Joanie's motion in the chat, but a few years ago, there was actually a concrete proposal to not teach students who came from certain countries, if they showed up on campus, if they were somehow forced into a class, to give them an F, to refuse to review their work or to reject it from conferences. I felt deeply -- I'm glad it never went anywhere.

My view is the fundamental rule should be that Cornell embrace anyone from anywhere, for any subject, and that we should be welcoming and engaged. I believe we need visibility into these processes and transparency, but erecting firewalls and saying any dialogue
with, in this case, China is supporting the Chinese regime, no, it is harming our Chinese colleagues or the Chinese students.

It's not the case that the random Chinese student who shows up at Cornell is somehow an agent of the Chinese government and believes in the government's policies. It's very unfair to harm those people in the mistaken belief that we're somehow harming China as a government, which, of course, we're not.

JOANIE MACKOWSKI: Who has the floor? I mean, who does this now? Usually, it's the person who does the presentation.

Risa.

RISA LIEBERWITZ: Yeah, I think we should vote on what the resolution is calling for. It's calling for a vote on the process for dealing with dual-degree programs. It's not raising the issues that Charlie raised. If those should be raised, they should be raised at another time.

Seems to me, it would make sense to deal with what is on the table. It doesn't deal with people coming and doing research here or faculty going, doing research elsewhere. It doesn't deal with exchange programs of the kind that I think Charlie's pointing to. If there's a need to discuss those, we can do that at an appropriate time. It seems to me, we should be clear on what we're addressing and address it.

JOANIE MACKOWSKI: Yeah. Thank you. Likewise, to Ken's point, Chinese students coming here, well, if you are out of ice cream, and you're going to run to Wegmans to get more, people say hey, there's a tornado. Why go through the tornado? Then you say well, people are interfering with my basic human needs to get food.

Basically, this is about recognizing the context and that we need to pay attention to what's happening in our international context right now and use all of the data available to us to help us make the decision.
CHARLIE VAN LOAN: Thank you. We'll now hear from Richard. People can start voting on this. People are going to start leaving at 5:00, so starting now, simply do your yes, no, abstain on the SOS.

Richard, you can now speak, and we can be a little bit relaxed about ending at 5:00.

Richard?

RICHARD BENSEL: I was voting, Charlie.

You see the resolution. We discussed some of the issues sounding it. It's short. It wipes the responsibilities of the Faculty Senate over dual-degrees programs. There are three reasons why this resolution should be asked by the Faculty Senate. The first is we have had some difficulty in the past -- that's sort of understating it -- some difficulty in the past with respect to rights of the responsibilities of the Faculty Senate over questions of education policy. This resolution simply clarifies some of those rights and responsibilities with respect to joint and dual-degree programs. It is not redundant, because those rights and responsibilities have been violated in the past.

Second, since our last meeting with the vice provost and provost, we have uncovered several programs that have already been created without discussion in the Faculty Senate. A restatement of the Faculty Senate's rights and responsibilities would help remind the Central Administration and other Cornell units that such programs must come before the Faculty Senate.

Lastly, the resolution affirms the proposed dual-degree program involving the Hotel School and Peking University concerning education policy, and thus falls under the purview of the Faculty Senate.

We have to do these things formally, I think. It creates an historical record, creates a record of precedent, understanding. It's a problem for us. In carrying this out, for all these kind
of technicality and all these things we need to pay attention to, but some of them are really important.

This shouldn't have come to us as a sense of the senate resolution. This isn't a trivial issue. This should have come to us as a straightforward resolution, in all other ways we have considered these in the past. To water it down, the Hotel School-Peking University program, by calling it a sense of the senate resolution and sort of just kind of go through, this is wrong. We need to do these things in the right order. We need to have a sense of the senate, as a body that corrects, understands, discusses. We're going to disagree sometimes, and sometimes we'll agree, but we need this discussion.

Out of that discussion -- I was teaching in New York at the graduate faculty -- once had a really bitter fight over tenure. The dean came in, and he was a good friend of mine, he talked to me about it. He said, you know, that was really awful. Had this horrible fight.

I said, it's not horrible at all because it was a good discussion on merits, a good discussion on ethics and so forth, and people felt passionately. I said, it goes into the laws. It makes us a moral institution, it makes us an ethical institution. To have things just swept under the rug so we don't pay attention to them, that is really damaging to us. That's it.

CHARLIE VAN LOAN: Thank you. Let's shut down the slides. Comments for Richard?

I messed up on numerous occasions here. My role, the dimension of this -- I did not look very carefully at the proposal. I sent it to CAPP, it came back, CAPP approved it. I basically said okay, kind of a no-brainer. That was my mentality then. I am now, I feel, not as educated as a lot of you, but I feel I understand this much more, but it was kind of a screw-up on my end.

Also, we're going to have a vote. We'll count up the stuff this evening. It is a vote. I don't think it's a devalued product. I think it is a communication. It is the sense of the senate. I
don't think it's a downer that we're doing SOS on this. Chris Schaffer thought of this idea two years ago, just to get feedback in a timely fashion.

I see Ken's hand up again.

KEN BIRMAN: I want to say I think Richard spoke very eloquently. I liked his resolution. I didn't anticipate that before it was presented to us. I was wondering where it would go, but I think he comes very close to expressing the sense of the senate. Certainly, he expresses my sense, and I want to thank you, Richard, for doing that.

CHARLIE VAN LOAN: Further comments here?

RICHARD BENSEL: Could we have the totals before we close, the votes?

CHARLIE VAN LOAN: Thank you for the reminder. This would be my recommendation, since we talked about this a lot, but I would tack on these two resolutions into the Qualtrics thing. There would be a four-question Qualtrics. Voting on these two resolutions would be part of that. Is that acceptable to everybody?

NEEMA KUDVA: Richard, are you asking about the vote, the tallies on the SOS? It's taking longer because there's so much -- it's harder. Hang on.

CHARLIE VAN LOAN: I'm sorry. I thought you were asking about voting on these resolutions.

RICHARD BENSEL: No. The vote on this, the sense of the senate resolution, can it be totaled now?

CHARLIE VAN LOAN: We'll send it to you soon after the meeting. My question, Joanie and Richard, are you okay with putting these things in the Qualtrics ballot, so we can act on these in the next week, or do you prefer at some future meeting to have a regular vote?
RICHARD BENSEL: Speaking for myself, Charlie, that's not a decision for me to make.
We put together the resolution, we have 16 cosponsors. I can't decide for them what the
proper procedure would be.

JOANIE MACKOWSKI: Qualtrics is okay with me.

CHARLIE VAN LOAN: Does anyone object to putting these two resolutions on the
Qualtrics ballot?

Okay, we'll do that. That's it. Thank you for coming. And we'll hang around, as we
usually do, in the hallway for chitchat. I think we made a lot of progress today. It is very easy to
get overwhelmed with all this stuff. If we can take a couple of steps, it feels good. Thanks a lot.