

Senate of the Faculty of Arts and Sciences Meeting
Thursday, February 18, 2016
CT Hall – 4 PM – 6 PM
Minutes

Attending: Chair Beverly Gage, Deputy Chair/Secretary William Nordhaus, Jill Campbell, John Geanakoplos, Shiri Goren, Emily Greenwood, John Harris, Ruth Koizim, Christina Kraus, Katie Lofton, Mark Mooseker, William Rankin, Douglas Rogers, Charles Schmuttenmaer, Ian Shapiro, Vesla Weaver, Karen Wynn

Staff: Rose Rita Riccitelli

Non-Attending: Dave Bercovici, Matthew Jacobson, Reina Maruyama, Yair Minsky, and Katie Trumpener

Guests: Provost Ben Polak, Deputy Provost for Academic Resources Lloyd Suttle, FAS Dean Tamar Gendler, Pilar Asensio-Manrique (Spanish), Victor Bers (Classics), Sam (Henry) Chauncey (Former Secretary of the University), Stan Eisenstat (Computer Science), David Post (Ecology & Evolutionary Biology), Karen von Kunes (Slavic Languages and Literatures), Steven Wilkinson (Political Science), Joseph Wolenski (Molecular, Cellular & Developmental Biology), Bethany Zemba (FAS Dean's Office Chief of Staff)

FAS Senate Chair Ms. Beverly Gage called the meeting to order at 4:10 PM. She introduced guests to the meeting. She announced key dates for the rest of the year in addition to scheduled Senate meetings. On March 31 Tamar Gendler is holding a FAS Faculty meeting to discuss the tenure and promotion policies that have been in place since 2007/2008. On April 28th the Senate will host a "State of the FAS" event where Ms. Gage will report on Senate activities during this year, and Tamar Gendler will present a "State of the FAS" address. Both will be followed by a Q&A period and there will be a reception for all at the conclusion of the meeting.

Dean Tamar Gendler noted that she has already distributed a copy of the tenure and promotion policies (FASTAP) report to department chairs and will distribute to the FAS ladder faculty before spring break. Her goal is to have a vote on this in September 2016 so that the standards can be put into effect for faculty hired in the 2016/17 year.

Ms. Gage reported that the Senate Executive Committee has been talking with the President's office about setting up a regular process for communication. She noted that the committee is in the process of setting up regular monthly meetings with President Salovey and Dean Gendler, and they have made some progress in setting up a meeting with members of the Yale Corporation. Also, President Salovey has agreed to give an address at a meeting that is scheduled for September 22, 2016.

The Senate approved the minutes of the January 2016 minutes without objection.

Ms. Gage asked for committee updates.

Mark Mooseker noted that there was nothing to report from the Committee on Committees.

Ms. Gage deferred reporting on the Yale College Expansion Committee until later in the meeting.

Vesla Weaver noted that there was nothing to report on the Elections Committee.

Ms. Gage reminded the group that there will be no campus-wide elections this term because senators were elected for two or three years for this inaugural term. However, as discussed at the Senate retreat, there will be new internal elections for the Executive Committee, the Chair, and the Deputy Chair. She said that the group also would look into what happens when Senate junior faculty members become senior faculty members.

Emily Greenwood reported on the Peer Advisory Committee and the concern of the committee on gaining access to confidential information when a faculty member reports a concern. Yale College Dean Jonathan Holloway has agreed to meet with the committee to discuss this issue. Also, Ms. Greenwood reported that she finds it necessary to step down as chair of this committee because she is now chair of the newly formed Committee on Diversity and Inclusivity.

Ms. Greenwood then reported on the Committee on Diversity and Inclusivity and noted that this committee has already met twice and plans to present a preliminary report at the Senate April meeting, and hope to have their final report presented at the May meeting,

Mr. Nordhaus reported on the Budget Committee and noted that since the last Senate meeting, this committee has had an extensive meeting with FAS Dean Gendler. During the first part of the meeting, the Dean reviewed the budget. The second half of the meeting was a wide-ranging discussion on issues, including long-term trends in the faculty size and faculty compensation. He characterized it as a useful and lively discussion. He said that there is also the issue of getting more clarity and transparency of the University budget and he is hoping to be able to report some progress on this issue.

There was no report from the Faculty Advancement Committee. However Ms. Gage said that this committee plans to present an update on the Parental Leave report at the Senate March meeting.

Ms. Gage noted that there were no formal faculty commenters signed up so she moved on to the Yale College Expansion Report and Mr. Nordhaus took the floor as Chair of the meeting.

Mr. Nordhaus introduced Ms. Gage, Chair of the Yale College Expansion Committee. Ms. Gage noted that the Yale Expansion Committee was one of the first committees set up in the Senate and this is the second look at the College Expansion Report. The committee looked at information from the Office of Institutional Research and articles in the Yale Daily News and other sources, and surveyed faculty with 315 faculty responses. The survey is now available to anyone who wants to read it. She reported that the committee then met with key people from the administration –Tamar Gendler, Senior Associate Dean of the Graduate School Pam Schirmeister, Lloyd Suttle, Jonathan Holloway, and Dean of the Graduate School of Arts and Sciences Lynn Cooley about the current state of the expansion plans. They presented their report to the Senate in December and had an extensive conversation within the Senate and others outside of the University. The committee has met since then and revisited the report several times, receiving feedback from other members of the faculty.

Ms. Gage noted that while this report is similar to the report that the committee presented to the Senate in December, it contains substantial revisions. She reviewed the revised recommendations in detail. Since the report is available, the minutes will not report on the discussion.

Ms. Gage asked other committee members to comment on the report. There were no comments and she asked if there were any comments from the rest of the Senate.

Karen Wynn asked how in depth the committee looked at the issues of seminars and if they looked at the seminars that were not at full enrollment. Ms. Gage responded that the committee did not look at this question. They accepted early on in their review that they would be raising questions and offering some basic information and not doing a detailed analysis of the data. One of the things that the committee did was to look at the 2008 College Expansion Report. That report recommended that the expansion would only happen when departmental hiring needs and curriculum needs were reviewed, considered and took place. This did not happen at the time.

John Harris noted that the committee has been in touch with the registrar about the pre-registration process and preference selection to see if that can be improved.

Bill Rankin talked about the “magical 18” number on sections and wondered whether the 18 cap should vary by division, by department, by course; he also asked whether 18 is a maximum or a goal. Shiri Goren also remarked that she would like to see more flexibility in deciding the size of sections and mentioned that ACTFL - The American Council on the teaching of Foreign Languages, recommends that language class size would not exceed 15 students. Yale’s 18 student policy goes against that clear

recommendation.

The difference between 18 students and 15 may not appear vast, but having 18 students in one language section greatly affects class environment and negatively influences students' learning. Ms. Gage noted that these issues are discussed in the report.

Ms. Gage is concerned about holding all of these aspects of the University fixed while trying to add 800 more students. She noted that Yale College is the center of the University and it does not make sense to add to the student body and not invest resources to do it right.

Ms. Greenwood commented that she is concerned that thinking about the expansion is being done quantitatively rather than qualitatively.

John Geanakoplos noted that the report raises questions to consider before the change actually occurs, so the report is not necessarily making recommendations but it is posing questions to be answered. He also noted that the report does not address his observation that the colleges play a very important role in the undergraduate experience and especially in the social experience, and this is an issue that has not been considered and dealt with effectively. He noted that life for the undergraduate student has become hierarchical and students are constantly competing for status rather than enjoying the experience of being part of the college. He would like the report to consider the role of the college in equalizing the total experience of undergraduates.

Ms. Weaver suggested that the report could perhaps look at the classroom experience from the student's perspective. She noted that she has had students come to her with concerns about the expansion and how it will affect them getting into classes, what the expansion means, and what their senior essays are going to look like.

Karen Wynn noted that three years ago there was a committee that looked at shopping period and the committee made a number of recommendations that would greatly improve the shopping period experience. She does not know how these recommendations have been implemented.

Mark Mooseker commented on the qualitative and quantitative aspects in the sciences. The sciences are moving towards smaller classrooms and much more interactive formats, and he is concerned that adding more students will diminish these formats.

Mr. Nordhaus opened the discussion to guests.

Karen von Kunes from the Slavic Department commented that some non-ladder faculty can still contribute to the cultural component of the courses and the diversity.

Steven Wilkinson from Political Science said that he is thinking about how to deal with the capacity issues; increasing the size of the faculty is one way to deal with it, and this should be done. Another approach is to help faculty to teach better so that they fill up more of the empty seminar spots. Perhaps this can be accomplished by providing incentives for faculty to brush up on their teaching techniques and think about new ways to teach.

Lloyd Suttle noted that he is chairing the classroom planning committee and said that the discussion of the shopping period dominated their last meeting. The frustration is that we could design a better system if we only knew what the guidelines are in order to make it successful. It might be that Yale College may go to a pre-registration system. He is looking to the Senate report for recommendations that could help with this process. He noted that in 2008 the faculty voted a policy that put caps on the percentage of each department's courses that can meet in prime time – 10 a.m. to noon – but 60% of our undergraduates are now sitting in classes during this time.

Mr. Rankin made a motion to adopt the report.

Ms. Gage said that the committee could incorporate changes, however noted that this will be an ongoing process so we should at some point adopt the report knowing that it will continue to develop and change over time.

Ian Shapiro asked if the committee could take the comments expressed at this meeting and incorporate them into the report. He moved that the committee make adjustments to the Yale College Expansion report and bring it to the next meeting for acceptance on an up or down vote. The motion was approved 13 to 1. The report is therefore on the agenda of the March Senate meeting.

Ms. Gage opened the discussion on the conduct standards and procedures and introduced Katie Lofton, chair of the Senate committee on conduct standards. She also mentioned that there were invited guests who will also speak on this issue – Provost Ben Polak, FAS Dean Tamar Gendler, and David Post who represents the Faculty Committee on standards and procedures.

Ms. Lofton noted that two things took place in 2015 that were unusual in the history of this institution. The first is the definition of conduct standards, and the second was the formation of the Senate, which is now considering the standards for the FAS. Her committee questions the need to develop standards so that faculty behavior is consistent, and also questions the need to develop a body of faculty to speak for the entire faculty on behalf of them. Her committee has determined that these standards and procedures are not operable for the FAS and the Senate. She noted that the committee believes that the FAS faculty were not included in their production, and also that there are specific elements in them that we found untenable. The report addresses specific concerns on the standards and procedures. She noted that the Senate needs to

think about what its best function is addressing an issue that is important to the faculty, and making revisions to this document and identifying what role the Senate can play in this process.

Ms. Gage noted that there are two documents that are relevant to this topic: one is the full report from the Lofton committee that speaks to the process and how the standards and procedures could be significantly changed and the second is a condensed resolution.

Karen Wynn, a member of the Senate Committee on standards and procedures, noted that the major problem is that the standards and procedures went through a partial and not full process – they need to have full faculty input and then full faculty endorsement. She noted that the university committee made a good faith effort on creating their document, but it should be considered as a first pass and not a final document.

Ms. Gage invited Ben Polak, Tamar Gendler and David Post to speak.

Mr. Polak thanked the Senate Committee for their work. He noted that there is a concern among the FAS faculty, not with the procedures but with the standards themselves. He shares the views, expressed by Ms. Lofton and Ms. Wynn, that for standards to work effectively, the faculty must own them. He believes as we move forward that there needs to be much more discussion on the standards as well as the procedures. He noted that that the reason that this process started is that there was some bullying by faculty of postdocs, graduate students, students, and junior faculty. There were also very rare cases of someone not showing up for work.

David Post spoke representing Margaret Clark, the chair of the committee, who was not able to attend. He noted that there are many members of the Yale community who are looking to the FAS Faculty Senate to see how the Senate responds to these standards. He asked the Senate to consider the postdocs and graduate students who have been adversely affected by misconduct. He noted that his committee understands that the Senate agrees that there should be standards, and his committee did reach out to the faculty last spring (2015), and they listened to a large number of graduate students, a large number of postdocs, and a large number of junior and senior faculty, as they pulled these standards together.

Ms. Gage opened the floor to the Senate for their questions.

Ian Shapiro asked Ben Polak for clarification as to whether, when a group is charged with reviewing the procedures, it would include rejecting certain standards.

Ben Polak replied that there would be a revisiting of the standards and that some would be accepted and some rejected. So he doesn't feel that they should be removed now from the Faculty Handbook, but whatever process is put forward to examine the

procedures would then reexamine the standards. And, if this leads to a major revision of the standards, then so be it. He feels that it is very difficult to separate the procedures from the standards.

Ms. Gage opened the floor to the Senate.

Mr. Nordhaus noted that one of the disappointments in the report of the Clark Committee is that there was no background to the standards, there was just a list of standards. There was no attempt to explain to the faculty what the exact issues were and how pervasive they were. He also pointed out that it was reported that there were many comments from the faculty to the draft standards in the spring of 2015, but there is no record of what these comments were and there is no discussion of those comments. He noted that it is disturbing that something of such importance and magnitude would be put in the faculty handbook without any discussion with the faculties. He noted that according to the by-laws of the University, the FAS are responsible for its governance and there was no opportunity for the FAS to engage in this piece of governance. He said that he realizes that there are cases of serious and egregious misconduct and these cases need to be dealt with, however these are not what are covered in the report or the standards.

John Geanakoplos said that he was very moved by testimony he has heard on several occasions about faculty misconduct suffered by weaker members of our community who are not in a position to defend themselves. He understands why the administration needed to address these issues. However, he noted that if the standards and procedures are intertwined, and one doesn't make sense without the other, then nobody should have produced standards without the procedures – that they should be considered both together. However while thinking about all of this, it occurred to him that we already have a system in place that is supposed to deal with these situations – namely the deans and the chairs of schools and departments. However, he noted, it seems that deans and chairs are not doing this part of their jobs very well. He suggested that perhaps the university needs an administrative review committee to see why the deans and chairs are not handling this part of their job.

Charles Schmuttenmaer commented that he does not know if a chair or dean should be responsible for resolving these types of situations. He also agrees that the standards and procedures should have been developed simultaneously and put in the handbook simultaneously, however this did not happen. It would look really bad to say we reject the standards that are already in the handbook. However he feels that they need to be revisited and reworked in a very significant ways.

Doug Rogers remarked that having a good set of standards and procedures will empower the deans and chairs to be able to deal with misbehavior. He pointed out something that David Post noted that having a set of standards and procedures can actually enable informal resolution when misbehavior occurs.

Dean Gendler spoke about why the President and Provost created the original panel to look at this. She feels that the reason was to deal with the two problems that have been identified – the problem of bullying of the weak by the strong, and the problem of dereliction of duty. The Clark Committee tried to give voice and address issues for individuals who felt that they had no place to have their needs heard and recognized.

Ms. Gage noted that there appears to be a view in the Senate that, if the standards had been developed in a different manner, the Senate would not be in the position of considering rejecting them. However, it appeared to her that the Senate is not yet ready to adopt the draft report. She noted that there was a resolution that had been circulated and asked whether the Senate wanted to deal with that. The draft resolution is as follows:

Draft Resolution:

The Ad Hoc Committee on Faculty Conduct Standards and Procedures of the FAS Senate has reviewed both the substance and the processes involved in the adoption of the current Standards of Faculty Conduct and the draft Review Procedures for Complaints about Violations of the Standards of Faculty Conduct. On the basis of the Committee’s review, the Senate determines that the current standards and proposed procedures do not meet the intellectual or ethical conventions of our community, and that they were implemented with processes that do not adequately involve the faculty in their design and approval. Moreover, on the basis of the publicly available comments, we determine that there is significant and widespread dissatisfaction with both the standards and the procedures among the FAS faculty. These determinations are made with a recognition that there have been significant harms caused by instances of faculty misconduct, but the extent to which misconduct cannot be handled in existing channels has not been demonstrated.

Therefore, the FAS Senate resolves: That the existing standards and proposed procedures are not acceptable to the FAS faculty; that any revised proposal for conduct standards must entail a significant rethinking of both the standards and the disciplinary procedures; that the Faculty of Arts and Sciences should discuss and vote as a body to approve or reject the revised standards and procedures as they apply to the FAS; and that the Senate Ad Hoc Committee on Faculty Conduct Standards and Procedures shall monitor the implementation of this resolution and present a report to the FAS Senate at its meeting on March 10, 2016.

Ms. Gage read the second paragraph (beginning “*Therefore, ...*”) and asked for comments.

Ms. Lofton asked what the value of this resolution would be before there is a final report. Ms. Gage said that it provides a moment to formalize the sense that we are going to rethink this and we do not have all the details sorted out yet. Ms. Greenwood said that we are accountable to the faculty who elected us as members of the Senate who represents them, and that they are dissatisfied and has no confidence in the standards and procedures as they have been articulated.

Mr. Schmuttenmaer said that we need to make it clear that we are not rejecting standards, but that we need to have them well written before we can accept them. Ms. Gage pointed to the last two sentences in the first paragraph of the resolution as stating that the Senate clearly recognizes the need for standards. Jill Campbell said that she is in favor of taking a vote on the resolution and that it is very clear in saying that standards are important to have and that the creation and content of the standards need to be taken very seriously. Therefore we need to come up with a process that we can support and the language in the resolution does not indicate that we reject the need for standards.

Ms. Wynn expressed her concern about the function of the resolution at this point without a complete report. Ms. Gage pointed out that the committee on standards and procedures already agreed to go back and work on their report and bring it to the March 10, 2016 Senate meeting. So the question is do we also want to approve of the resolution.

Noting that there appears to be concerns about whether the motion is premature, Mr. Nordhaus moved to table this resolution until the March 10 meeting. Shiri Goren seconded the motion. The motion to table the resolution passed unanimously.

Ms. Gage noted that the Committee for Faculty standards and procedures will work on revising their report and bring it to the Senate meeting on March 10.

The meeting was adjourned at 6:10 PM.

Respectfully submitted,

Rose Rita Riccitelli