

FAS Senate

AN ELECTED BODY OF THE FACULTY OF ARTS AND
SCIENCES
YALE UNIVERSITY

FAS Senate Meeting
Thursday, October 28, 2021
3:30 PM – 5:30 PM via Zoom
APPROVED

Present: Valerie Horsley, Chair; Aimee Cox, Deputy Chair; Sybil Alexandrov, R. Howard Bloch, Elisa Celis, Nicholas Christakis, Marta Figlerowicz, Miki Havlickova, Matthew Jacobson, H el ene Landemore, Paul North, Maria Pi ango, Ruzica Piskac, Larry Samuelson, Kathryn Slanski, Jason Stanley, Rebecca Toseland, Meg Urry

Staff: Rose Rita Riccitelli

Guests: Julia Adams, Akhil Amar, Yoram Alhassid, Alexia Belperron, Beth Bennett, Adrianna Campbell-LaFleur, Marvin Chun, John Durham Peters, Eduardo Fernandez-Duque, Michael Faison, Michael Fischer, John Gaddis, Beverly Gage, John Geanakoplos, Marion Gehlker, Tamar Gendler, Shiri Goren, Judith Gundry, Erik Harms, Stavroula Hatzios, Yu He, Grant Herreid, Dionysius Kalogierias, Daniel Karell, Al Klevorick, Elka KristoNagy, Kathryn Miller-ensen, Yair Minsky, Feisal Mohamed, Hiroyo Nishimura, Kelly O'Donnell, Sharon Oster, Sally Promey, Ian Quinn, Dragomir Radev, Constance Sherak, Peter Shiffer, Mark Solomon, Mari Staver, Camille Thomasson, Emily Thornbury, Julia Tirado-Rives, Julia Titus, Katie Trumpener, Karen von Kunes, Arne Westad, Steven Wilkinson, Orit Yeret

Absent: David Bercovici, Alessandro Gomez, Gerald Jaynes, Paul VanTassel

Minutes from the Open Session of the FAS Senate meeting on Thursday, October 28, 2021

OPEN SESSION 4:00 – 5:30 PM

FAS Senate **Chair Valerie Horsley** began the open session of the Faculty of Arts and Sciences Senate (FASS) meeting at 4 PM. The first topic of discussion, she noted, is about academic freedom and the influence of donors and others, and how we can protect academic freedom at Yale. She said that the FASS heard from many different faculty and their concern about this issue based on the public announcement on the resignation of **Professor Beverly Gage** from the Grand Strategy Program. She said it was broad across all disciplines of the FAS, and it is very clear that this was concerning to our community. The FASS's Executive Committee asked to speak with **Professor Gage**, who was director of the Grand Strategy Program until recently, as well as the administration. Our goal, she noted, was to understand what went wrong, and how we can do better in the future. It is clear that Yale has many donor agreements and agreements that could

influence curriculum and research strategies, and noted, that some of these agreements go back decades and even hundreds of years. **Ms. Horsley** said that it is clear that the New York Times article is an accurate reflection of how **Professor Gage** remembers the events that led to her resignation. She explained that the gift agreement that was structured around the Grand Strategy Program was set up 15 years ago, and it included an advisory board that was supposed to advise on practitioners to include in the Program, and this board was never established when the Program was established. Under **Professor Gage's** leadership, the Grand Strategy Program expanded its curriculum to include modern influences of social movements and other factors that impact current political events, and after the 2020 Presidential Election and a publication of an op ed by one of the practitioners, one of the donors began pressuring the director and the University to establish this advisory board to get the curriculum back to what they had initially foreseen. The director was clear in her desire to have a diverse board that should be able to reflect the curriculum, and our conversations with the University leadership revealed that they did not fully appreciate the concerns regarding the donor influence, and did not appoint a diverse board, but rather included what the donor requested. **Ms. Horsley** said that **President Salovey** acknowledged that this did not go as it should have and said that he should have been involved earlier when the donor was pressuring **Professor Gage**. He said that the advisory board should have been set up when the Program started to avoid changes due to political events. **Ms. Horsley** pointed out that the issue of the Grand Strategy Program is one specific case, however it is clear that donor influence and influence of other factors of academic freedom and research directions, which is our mission as faculty at Yale to distill and advance knowledge, has been an issue for many universities in the past few years, and many universities have responded to this in various ways. **Ms. Horsley** turned the floor over to **Professor Akhil Amar**, Sterling Professor of Political Science with his main appointment in the Law school. He has expertise in academic freedom and will give us the history of academic freedom at Yale and what he sees as a way forward. **Professor Amar** said that although he is in the Law School, he does not practice law, and he will offer comments about the cognate idea of academic freedom. He said people often talk about “the First Amendment” in conversations about academic freedom, strictly speaking, the First Amendment limits the government and state and locality to cities, counties, and the like, whenever they try to abridge or suppress political, religious, artistic, or other central forms of speech and expression. So, he noted, that this speaks to our constitutional tradition, however it does not apply to Yale, which is a private institution, as a faculty and as a university, look to a higher authority - “Lux et Veritas.” **Professor Amar** gave a brief history of the “Woodward Report” composed a half century ago, which was named for **C. Vann Woodward** who was the chair of a committee summoned by then **President Kingman Brewster** and was about certain issues of academic freedom. He gave a review of the report and said it was about issues that arose in the late 1960's involving controversial and sometimes offensive persons who were invited to speak on campus, and then either disinvited and/or obstructed or interfered with or protested. The Woodward Report tried to generate some principles about what is legitimate protest and what is impermissible and improper given Yale's values on academic freedom as the Woodward Commission understood improper interference between a willing speaker and a willing audience. He said it begins in a very stirring and relevant way and he read the opening:

“The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary

not only within its walls but with the world beyond as well. It follows that the university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable.”

He said it goes on to say that there are other values but they are ultimately subordinate to those that I just summarized and again quoted from the report:

“For if a university is a place for knowledge, it is also a special kind of small society. Yet it is not primarily a fellowship, a club, a circle of friends, a replica of the civil society outside it. Without sacrificing its central purpose, it cannot make its primary and dominant value the fostering of friendship, solidarity, harmony, civility, or mutual respect. To be sure, these are important values; other institutions may properly assign them the highest, and not merely a subordinate priority; and a good university will seek and may in some significant measure attain these ends. But it will never let these values, important as they are, override its central purpose. We value freedom of expression precisely because it provides a forum for the new, the provocative, the disturbing, and the unorthodox. Free speech is a barrier to the tyranny of authoritarian or even majority opinion as to the rightness or wrongness of particular doctrines or thoughts.”

Professor Amar noted that the commission had a very distinguished membership, and all subscribed to this on the commission. He said there was an important dissent by one person – a Yale law student at the time – said the following: “I agree that free expression is an important value, which we must cherish and protect, but it is not the only value which we uphold, either in our society or in our universities. In certain circumstances, free expression is outweighed by more pressing issues including liberation of all oppressed people and equal opportunities for all minority groups.”

Professor Amar noted that the issues today are different, but his recommendation is to follow the example of the Woodward Report by having a distinguished group of academics, led by tenured members of the FAS to think about free speech in our generation on the basis of controversies in recent months and years and try to see if we can extend and revise the insights of the Woodward Report. The issues include issues about donors and their relationship to the ecosystem, and also to think about **Bandy Lee** who has brought a lawsuit against Yale, and what the standards are for non-renewal of different educators in the system. He said he thinks rules are and should be different for tenured faculty and tenure-track faculty, and for those who are educators but have not achieved the highest levels of scholarly distinction. His view is that scholars must be guardians of the academic project going forward. So, he said, in the ecosystem of the university, there are many different constituencies, and he personally thinks that the best custodians of academic freedom are not the donors, not the alums, not the administrators who should work for us rather than vice versa, not the students, not the larger New Haven community or the National community, the core constituency for this issue, he would argue, needs to be the faculty. He said he recommends that this generation replicate the example of the Woodward Commission by

doing a deep inquiry into the relevant controversies that have arisen lately. He noted that academic freedom is not individual, it is collective, it is our freedom as an intellectual community to decide who else will join this community and under what terms. He strongly feels that the best way forward, once commission generates some guidelines and principles, to have as one of them that these will be administered, interpreted, and adjudicated by a faculty body itself, and not by judges and juries outside our community. He also mentioned that there is one other outstanding report about academic freedom that he recommends reviewing that came out of the University of Chicago and is called the Kalven Report by **Harry Kalven**, and preeminent scholar of the First Amendment and freedom of speech. In this report, **Kalven** said “the university as such is merely a platform and should not take positions on most issues, faculty members should and individuals should, but the university should be a neutral platform. Professor Amar said that Kalven would have cautioned against departments taking positions on controversial issues.

Ms. Horsley opened the floor to FASS Executive Council members to reflect and ask questions.

Matthew Jacobson noted that one of the words used in the Woodward Report that he feels is crucial is the word “knowledge” and he feels that Shockley tested those boundaries back then, and his Nobel Prize gave him incredible authority but the Nobel Prize didn’t have anything to do with what he was speaking on. He said that boundary has become a problem for our generation in the age of misinformation, disinformation, fake news, and if the university is going to be committed to knowledge, how do we navigate what is in bounds and what is out-of-bounds? Professor Amar responded that this is where disciplinary communities come in – it is a guild system of sort. He said that our rituals and procedures – some of them are positively medieval and have been reinvented, and the senior people within a given discipline (defined by ways of learning and acquiring knowledge) develop disciplinary rules about what are central issues and central ways of advancing knowledge and how does the scientific method actually operate in chemistry, in physics, in law, in American Studies – this is why he said academic freedom is not solely individual and is a collective idea defined by communities and led by people who were credited by previous generations as having achieved an advanced level of knowledge.

Ms. Horsely opened the floor to anyone who would like to ask **Professor Beverly Gage** about academic freedom and the Grand Strategy Program. Nicholas Christakis talked about **Mr. Jacobson’s** comment about knowledge and said that if a person has knowledge in one domain, what does that mean in terms of their expertise in another domain, and how can we regulate knowledge. He said **Professor Amar’s** response was that this is done at the time of tenure when the guild specifies that you are knowledgeable in this area, and thereafter, you can say or do whatever you want, let’s say. The problem might arise, as it did in several cases, when a person has expertise in one area, and then the question is should the university prevent them from speaking on other topics. **Mr. Christakis** said his own personal belief would be “no” but there is also the question of whether the university can specify what is and is not specific boundaries of knowledge that someone might opine about. He said another example that is given is would we allow someone to talk about flat earth theory – if a professor wanted to make outrageous claims, would we not regulate that? The point is, he said, that we regulate that prior to tenure, and one is tenured, if someone wants to talk about flat earth theory, then we would have to allow them to do that.

Ms. Horsley called on **Jason Stanley** who pointed out two different situations that we recently faced in the culture at large. One is **Milo Yiannopoulos** bombarding a university coming from not being an academic and being invited precisely in order to deal with the culture wars and such. He said that it seems as if some of the Woodward Report was in a pre-moment to that dealing with sort of “**Milo**” situations. He noted that he is not in favor of having Milo on campus, however we should be able to have people who are not tenured and who have something to add to a conversation come to campus. And, he said, that was what the Woodward Report was about. Now, he noted, now we face these issues of having the administration handing off our academic freedom to donors for cash and we need to absolutely protect the academic freedom of the faculty from such interference, which is a very different structural situation, and if the Woodward Report does not address it, we need to as soon as possible.

Mr. Jacobson noted **Mr. Christakis’s** comment, and he understands that anything that excludes **Shockley**, also basically excludes **Noam Chomsky**, and this is difficult for him to navigate although he does understand the principle. He said that this opens a set of complex questions - we have our guild, and we kind of understand that, but what if a student group wants to invite someone, then how do we police that, and what does it mean if we intervene or not? He said these get to be deeply philosophical questions in a hurry and not simple ones at all if our north star is supposed to be academic freedom. **Mr. Jacobson** asked **Professor Amar** for his thoughts.

Professor Amar replied that he feels that there is a reason why we are called a university and not a multiversity, and we cannot prevent people from jumping from one field to another to discover things in fields other than their “expertise.” He feels that we cannot stop people from talking, and he would show up on a panel with someone outside their field and push them for hard and fast answers that would prove or disprove their expertise in that field.

Larry Samuelson said he would want to be very expansive in allowing people to speak outside their areas of expertise. He said we are surrounded by calls for and praises of interdisciplinary areas and multi-disciplinary, cross-disciplinary, trans-disciplinary work, and we want to embrace that. He said sometimes people will invite what we might regard as crackpots to perhaps raise a reaction for both outrage, and our response is not to prohibit that but to shine the light of reason upon them to the extent that we can embarrass them, and we’re going to sort out how to do that - this is a hard task. But, he said, the immediate issue before us is whether others can perform that task for us by prohibiting various things that we might want to do, and he thinks we need a strong stand there.

Meg Urry said she more or less agrees with what people have been saying. She said that we have various forms of speech that are honors - a named lecturer, honorary degrees, things that confer upon the recipient, some sense that the university thinks that this person has something very important to say to the world, and some of the free speech cases that have occurred, occur in this context where someone has been honored by the university and they turn out to be like **Shockley**, and have really distasteful views about race and intelligence, or like **Milo Yiannopoulos**, has some very negative qualities. She asked **Professor Amar**, how does this expansive Woodward openness to all ideas interplay with the idea of the university’s conferring honor on a recipient of honors? **Professor Amar** said it tended not to focus on that because these

were mere invitees by others (student organizations and the like). He said that then we go back to the guild idea and these infinite gradations of honor in universities that is very old-fashioned and those raise different issues. He mentioned that the immediate prompt for this (discussion) is the issues of donors and their influence, which we seem to be getting away from. **John Gaddis** was called on and wanted to get back to the Grand Strategy issue. He said that he was involved in it from the very beginning as one of the three co-founders of the program and was in on the negotiations that led to the donation in 2006. He said that he witnessed the discussions between then **President Richard Levin** and the two donors, in which the principle of faculty autonomy was highly regarded and agreed on by all – the donors pay for the program and the faculty run the program. He said that the advisory committee that was set up was set up for a very narrow purpose – we were worried that we would have difficulty attracting external practitioners to come to Yale once a week to participate in our seminars and thought we needed help to recruit these people. He noted that as it turned out, we did not need help in this area and had people clamoring to participate in the program, and this is why the committee was never put into effect. He said that the donors were fully aware that this committee was not necessary and they were fully aware that we were recruiting and practitioners were themselves asking to participate, and there was no controversy whatever about that. He noted that the issue about the committee is something that has been dredged up recently and has been characterized as a larger purpose advisory committee, which was never its purpose in the first place. Also, he said, that the donors themselves, while they often had advice to us, respected the boundaries. He said we did have conversations from time-to-time, on what general direction the program should take, and with one particular donor, who is the one who contacted **Ms. Gage**, eight years ago he was urging him to see that the program considered social inequality issues so that it did not just concern itself with military and diplomatic issues and had to address these issues that Ms. Gage brought the into the program. So, he noted, **Ms. Gage's** direction was exactly in accord with the recommendations from the donor at that time. He said that he has changed his view, which is a mystery to him as to why that changed so dramatically, but it is not as though the donors were unaware of where this program was going, and it was all done with the knowledge and approval of the donors (at that time). This, he said, is the background that has not adequately been discussed. **Mr. Gaddis** asked **Ms. Gage** to add her comments. **Ms. Gage** thanked **Mr. Gaddis** for taking this issue seriously and taking time to talk about it. She said that she does not have too much to add, except that she thinks that the kind of situation she found herself in was quite distinctive from the sorts of situations that the Woodward Report was engaged with and is distinctive from a whole variety of pretty controversial free speech issues that are roiling lots of campuses today. She said that she thinks this one is important, and the key question in this situation is not so much the behavior of donors (donors will do what they want to do and say what they want to say), but the real issue is what do we expect the administration to adhere to, what do we expect out of our university leadership, what are the principles that the university leadership ought to be adhering to in situations like this (they would seem to be quite obvious, however in this situation, it turned out to not be.) She said that moving forward, if you want to move forward with some sort of committee, the question of what sorts of standards the faculty expects our university and our administration to uphold in terms of faculty autonomy and academic freedom in the classroom and outside the classroom – these seem to be at the heart of the issues and is what I would like to see the FAS Senate address. She noted that we do have

things like the Woodward Report to engage some of these broader free speech questions, and she does not think we have a lot of history in thinking through those other sets of questions, and she also thinks it's an area where the faculty do not have access to information about what is in agreements, about how the university goes about making those kinds of agreements, and it seems that if we are a faculty run university, and even if the Grand Strategy Program had a specific and unique structure and will not be replicated, it seems that there are still big issues to address and should get their own time and attention. **Ms. Horsley** thanked **Mr. Gaddis** and **Ms. Gage** for addressing this specific case and the broader issue of what we hope to address in the next agenda item. She noted that as a Senate, we appreciate the curricular changes and effort that **Ms. Gage** gave to the Grand Strategy Program and acknowledge that she is a valued member of our community.

Ms. Horsley said that the FASS Executive Committee thought through what we would like to see the university do in response to this and protect academic freedom and give transparency to the mechanisms by which those could be protected and reduce the impacts of these types of outside forces on academic programs and our research in the hopes that knowledge can be formed by the experts and not influenced by outside forces. And, that these mechanisms should allow, as **Professor Amar** mentioned, the faculty, who are the experts in this knowledge, to protect academic freedom. **Ms. Horsley** said that the Executive Council developed a resolution to establish a university policy that respects academic freedom, and **Ms. Horsley** called for a motion to consider this resolution. **Mr. Christakis** seconded the motion. **Ms. Horsely** read the resolution:

October 17, 2021

Senate of the Yale Faculty of Arts and Sciences

Resolution to Establish a University Policy that Respects Academic Freedom

WHEREAS, the Senate of the Faculty of Arts and Sciences of Yale University (FASS) was established as an elected representative body by a vote of the Faculty of Arts and Sciences;

WHEREAS, academic freedom is defined by the American Association of University Professors as “the freedom of a teacher or researcher in higher education to investigate and discuss the issues in his or her academic field, and to teach or publish findings without interference from political figures, boards of trustees, donors, or other entities”;

WHEREAS, the 1975 Woodward report established principles that promote freedom of expression at Yale;

WHEREAS, the influence of political figures, boards of trustees, donors, or other entities on specific curriculum, faculty hiring, and the direction of research may pose threats to academic freedom;

WHEREAS, the Yale Faculty Handbook lacks specific policies to protect academic freedom from the influence of political figures, boards of trustees, donors, or other entities;

WHEREAS, events in recent years have highlighted concerns regarding adverse influences on faculty activities, for example by financial donors;

THEREFORE, the FAS Senate of Yale University resolves as follows:

RESOLVED, that the University establish an ad hoc committee of faculty with wide representation and advised by staff with expertise in gift agreements and other areas relating to academic freedom, to survey existing University commitments that may restrict academic freedom (such as donor agreements), to recommend policies that protect academic freedom, and to establish an appeals process with faculty representation, all to be incorporated into the Faculty Handbook.

Ms. Horsley asked if there was any discussion on the Resolution. There was none, and she noted that if the university is not prone to accept this as a committee, and she feels that faculty trust and confidence is needed, and extra steps from the administration to make sure we understand the words that academic freedom is important and we need additional actions from them to show that this is true. She is hoping that they will go ahead and form this committee to allow us to establish principles, but if that is not possible, the FASS will take up this work and we will offer the principles to the administration to consider. There were no other comments or questions, and **Ms. Horsley** called for a vote from the Senators present on the call by raising their hand if they approved of the resolution. The vote was taken and it was unanimous to accept the resolution. **Ms. Horsley** said that she will send this resolution, and the thought behind it, to the administration for consideration, and will update the faculty and the FASS going forward.

Ms. Horsley moved to the topic of Covid 19 and how the university is preparing for it for the next semester and turned the conversation over to **FASS Deputy Chair Aimee Cox** to introduce our guests. **Ms. Cox** noted that following the responses to the FASS Issue Survey that that the FASS issued earlier in this semester on Covid concerns, the conversation in and out of the FASS focused primarily on the response to accommodations and what these accommodations or lack of accommodations for in-person teaching, mean for faculty of different ranks, for grad students, for instructional faculty, also considering what an appeals process might look like for those who were seeking accommodations and were not granted accommodations. She said with that, there was the larger question of what the proper mechanism is for those seeking accommodations but were not granted accommodations. She said that with Covid, we are still very much concerned with the current status of Covid in New Haven, at Yale, and in the broader global community, and thinking about what the plans will be in the spring semester given what is happening right now and what potentially might happen in the future. We're also thinking about the changing nature of protocols on campus. So, she said, the conversation around accommodations for in-person teaching is important and necessary, but there is also the broader context with which we want to have this conversations. **Ms. Cox** turned the floor over to **Stephanie Spangler**, Vice

Provost for Health Affairs & Academic Integrity; University Title IX Coordinator, and **Madeline Wilson**, Chief Quality Officer, Yale Health. **Ms. Spangler** talked about where Yale is today in terms of infection rates and the experience with infections on and off campus, vaccinations rates, clarifying some information on boosters, and she said she is happy to talk about the accommodation process, which part is involved with the Office of Accessibility and if someone has a medical disability. Then, she said, the question is that if they do, what is the accommodation that will support them? And, she said, part of that determination is based upon where we are in terms of our health and safety measures on our campus, and that she and **Ms. Wilson** are helping this process by monitoring the infection and transmission rates on campus and how we work with our Public Health Committee and others to put in measures to keep those rates as low as possible. **Ms. Spangler** said that vaccination made a huge difference in what we are experiencing this semester in comparison to last year. Here is the information she shared:

- Vaccination rate is at 99.1% for students (undergraduate, graduate, and professional)
- Vaccination rate is at 97.2% for faculty
- Vaccination rate is at 93% for staff
- 99.6% of those remaining are compliant with the program (testing 2x per week for unvaccinated individuals)

Regarding booster, **Ms. Spangler** said boosters have now been approved for all three US vaccines (Pfizer, Moderna and J&J), and right now the CDC advice is that everyone 65 and over should get a booster 6 months after their last dose; those with medical conditions between 50 and 64 who are compromised should get a booster; anyone who received J&J should get a booster from 2 months after their initial dose. She noted that there are many categories that the CDC lists as “may get the booster.” **Ms. Spangler** noted that many at Yale are eligible for the booster shots and there is a good supply so she urged people to call and make an appointment for their booster shot. She also mentioned that at the end of September, the Biden Administration issued an Executive Order that requires that all Federal contractors, which Yale University is considered a Federal contractor, must assure that all of their employees (this is staff and faculty) are fully vaccinated or have received a legally approved exemption, and for Federal these are medical and religious exemptions, by December 8. **Ms. Spangler** said that Yale allowed those who wanted to receive exemptions on a strongly held personal belief, however unfortunately this Executive Order will not allow us to allow people to work who have a personal belief objection. She said that we have reached out to those people individually to help them identify an alternative exemption, and perhaps some of them may want to reconsider vaccination. She said that the other requirement of this Executive Order is that Federal Contractors, and Yale is one, abide by CDC guidance with regard to indoor masking, and CDC guidance is that we continue with indoor masking as long as our county is in high or substantial transmission county-wise, and New Haven is still in a substantial transmission rate. We will continue to monitor these rates, and if they go down, we will consider relaxing masking for vaccinated individuals, however, still require masking for unvaccinated individuals. **Mr. Christakis** asked what the process is for checking the legitimacy for religious exemptions. **Ms. Spangler** explained that we ask people to apply for an exemption by completing a form and we do not validate what is stated on the form as their religious beliefs and therefore request for exemption, however it does have to be based on

religious belief and not personal belief. **Madeline Wilson** further explained that we ask people to put together a statement and to be available for a conversation which is designed to keep the conversation ongoing should there be a need for additional information. **Ms. Wilson** read another question that asks what happens if a person refuses vaccination based on personal belief. **Ms. Spangler** noted that Yale is expected to follow the guidelines of the Executive Order to not grant exemptions on the basis of personal belief, so Yale is working with individuals to find a path that works for them to be compliant. **Ms. Horsley** said that she has had experience on the state level regarding exemptions, and she discovered that there is no registered religious organization that says vaccines are wrong. She said religious exemptions seem to be used inappropriately and are not based on religion but on false information and fear. She said that it seems that by Yale allowing this, we are allowing that kind of motivation, which concerns her and many faculty members. **Ms. Spangler** explained that, for employees, we have a legal requirement to offer both medical and religious belief considerations. She said that we have gotten to a very high rate of vaccination, and when we first started, our goal was how to bring the community along to vaccination, and we were among the earliest adopters of the mandate – and there were very few universities that were requiring vaccination employees and staff and it was a different time than we are in now. At that time, she noted, we consulted with scientists and public health experts, people who do work on vaccine resistance, advising on how we could move our community to vaccination in the most effective way. Regarding the reasons for exemptions, we are requiring that interview, and some people after the interview have changed their minds and in some cases because they had heard something that was not scientifically true. She said we have had very good partners with the unions who have been able to dispel misinformation. Right now, she noted, we have very few exemptions for our faculty, extremely few among students, some among staff, and they are diminishing as we are working down the list of personal belief exemption requests. Our group, she said, is very good at dispelling misinformation, and there is a lot of bad information out there! **Ms. Wilson** noted that she feels things will continue to evolve, and she noted that the State has removed the religious exemption from mandated childhood and higher education vaccines, and Connecticut follows the way of Los Angeles, California, and requires Covid vaccination for students, she presumes that removal of religious exemption would have applied for Covid as well. She thinks this will continue to evolve, and we've chosen to try to be as minimally confrontational as we can, and she thinks that the yield has been quite high overall. Percentages of the exemptions are changing as people are changing from one type of exemption to another, and we are keeping close watch and are listening to attorneys who are making sure that we observe established law as feasible. **Ms. Wilson** talked about large gatherings, and she said that no one is in favor of large crowds and we are trying our best to prevent that, but that it does happen. She said that the good news is that our cases are under control and she shared numbers on a document of cases. She said that she is in charge of the testing program, and all undergraduates and most graduate students (but not all) are in a required weekly testing pattern even if they are fully vaccinated, and unvaccinated and exempted individuals test twice a week. Ms. Wilson shared charts with information on what the numbers have been. Ms. Spangler noted that the charts show that there has not been evidence of classroom transmissions, and that there have been one or two transmissions shown among staff. She also gave information on testing compliance. **Miki Havlickova** asked about the masking requirements and she hears from many instructors that some students are not complying with

masking. She said she realizes that instructors can ask students to leave the class, however most instructors are not comfortable with policing students and also not comfortable to have to repeatedly remind students about masking and feel that it gets in the way of trust and support that we try to build with our students and feels like a confrontational situation especially if it repeats. **Ms. Havlickova** asked if there are any suggestions on what to do in these types of situations. **Ms. Spangler** said that an instructor can certainly ask a student to mask, and she believes that in larger classrooms there are masks supplied. And, she said, you can ask them to leave because they can be a risk to other people in the class. She also said that if you do not want to confront them directly, you can tell the Health and Safety Leader, who for undergraduates is **Melanie Boyd**, and she can deal with the situation without the instructor having to deal with it directly. **Ms. Wilson** suggested making a general announcement to the entire class that is not targeting one person. Ms. Wilson talked about plans for next semester. She noted that the period of time between when people leave campus and return to campus in January will be an increased risk zone because of travel and because of people spending much more time indoors and also attending holiday gatherings, and this was when our big surge was last year. She said we will certainly be continuing our testing policies and perhaps beefing them up to encourage people to test after returning, and she said our current testing policies give us a ground that will allow us to take steps toward loosening up other kinds of activity on campus, and by continuing testing, it helps us to feel safe while we explore expanding gathering sizes, having more visitors on campus, and this is our general thinking right now and not specific.

Mr. Horsley thanked all who participated in the meeting and adjourned the FASS meeting at 5:30 PM.