

MEETING OF SEPTEMBER 23, 2016

In President Bollinger's absence, Executive Committee chair Sharyn O'Halloran (Ten., SIPA) called the Senate to order shortly after 1:15 pm in 1501 International Affairs. Fifty-six of 95 senators were present during the meeting.

Minutes and agenda. The minutes of April 29, 2016 and the agenda were adopted as proposed.

Executive Committee chair's remarks.

Welcome to new senators. The new Elections Commission chair, Anu Akinbamidele, a second-year Columbia law student, read aloud the names of 17 new senators; at the end of the reading there was applause.

Addition of one Noninstructional Officer to the Diversity Commission.

Sen. O'Halloran said the Executive Committee, responding to requests at plenaries last year from Sen. Daniel Savin (Research Officers), had approved the addition of a seat for a noninstructional officer, to be rotated among librarians, researchers and administrative officers.

Unionization of teaching and research assistants; election timetable.

Sen. O'Halloran did not address this agenda item.

October plenary presentations. Sen. O'Halloran mentioned two reports to be presented at the October 21 plenary:

- Annual report from the Presidential Advisory Committee on Sexual Assault (Sen. Suzanne Goldberg, EVP, University Life)
- Presentation from Human Resources on officers' benefits for 2017

Discussion.

Smoking policy. Sen. Savin asked about the smoking policy for the Morningside campus that the Senate approved in May 2013. Since then, he said, there has been a dramatic decrease in the signage applying and explaining the policy. There's only a minimal effort to indicate that people are allowed to smoke only in certain designated areas. As a result people often congregate and smoke near the entrances to buildings, despite a rule that people have to move at least 20 feet away. Sen. Savin asked what plans there were for enhancing the visibility of the signage, and whether there had been any changes in the number and location of smoking areas designated by the 2013 Senate resolution.

To address Sen. Savin's questions, Sen. O'Halloran introduced Michael McNeil, Chief of Administration, Columbia Health, who had participated in the earlier deliberations of Senate committees on smoking policy.

Mr. McNeil said there had been no intentional effort to change the signs. Any signs that are missing were taken down (or not replaced) by building managers. In the early days of the new policy, there were many signs. It would certainly be possible to identify locations where there are fewer signs, or to follow up on locations others have identified. There is still a template sign available online for building managers, and at the request of the Senate the administration could send out an email to building managers reminding them about that and encouraging them to post signs.

Mr. McNeil said there had been no change in the number of designated areas. A few may have moved slightly because of feedback from occupants of nearby buildings.

Sen. Savin asked Mr. McNeil's office to go to all the buildings and restore the signs. Mr. McNeil said that work was the responsibility of building managers, but his office could facilitate the effort.

Mr. McNeil added that the model for implementation of the current policy, as reflected in the Senate resolution in 2013, is voluntary compliance. When there are lapses, the community takes on responsibility for enforcement. So any community member should feel empowered to ask people smoking outside a designated area if they know about the policy. Some people may be unaware of it, or may have forgotten about it, or they may be new visitors to campus. For example, Lerner Hall has an overhang near the campus entrance side which for a time was a problem area. There was a concerted effort to make clear that this was not a designated area and to direct people to the two closest areas, one between Furnald and Journalism, the other down the steps in front of Butler. After that, there was no more smoking near the overhang. Mr. McNeil said that with a general willingness to make such efforts, along with a restoration of signs, it may be possible to achieve the policy's goals.

Sen. Savin supposed that with the high turnover in the student population from year to year, many students are unaware of the policy, and need to see the signage on the buildings in order to understand their role in helping to enforce the policy. Mr. McNeil acknowledged this point.

Sen. Savin said the current policy was seen as a compromise between a total ban and some need to account for the needs of smoking addicts. He argued that the priority should not now be putting the band-aid back on the wound, but addressing the wound itself. He urged a reconsideration of the campus smoking policy, with to adopting a comprehensive ban. Such a change would solve enforcement problems in a stroke.

Sen. O'Halloran said the 2013 resolution offers a timetable for review.

Resolution to establish the Department of Emergency Medicine. Sen. Ian Lipkin (Ten., Public Health) asked to move on to this resolution, which required a super-

majority of senators in the room; he had attended the plenary specifically to help supply that three-fifths majority.

Prompted by Sen. O'Halloran, the staff member announced that the Senate was five votes short of a three-fifths majority of all incumbent senators.

Sen. O'Halloran proceeded with the agenda, but appealed to senators to text colleagues to get them into the room. [The Senate did not achieve a super-majority at this meeting.]

Resolution to Establish an M.S. in Human Capital Management (School of Professional Studies). Education Committee co-chair James Applegate (Ten., A&S/NS) said this degree was not a new type of program at SPS and therefore did not have to be written into the Statutes, and so did not need a super-majority for approval. He said the 36-point Master of Science from SPS is a niche program for a very specific target audience—people already working in corporate HR departments who need specialized training. It was reviewed and supported by the Education Committee.

Without further discussion, the Senate unanimously approved the program.

Resolution to adopt sustainability principles for Columbia University (Student Affairs). SAC co-chairs Sean Ryan (CC) and Grace Kelley (Nursing) presented the resolution. Sen. Ryan said the president supported these principles, and SAC believed they would only be strengthened by Senate backing. He said there had been extensive student involvement in the development of these principles and valuable interaction with the Office of Environmental Stewardship. He particularly thanked former senator Alex Beecher (Stu., GSAS/NS) for his contribution to this effort.

Sen. Ron Breslow (A&S/NS), chair of Campus Planning, pointed out that his committee had co-sponsored the present resolution, at a hastily called meeting with himself as the only member present. The whole committee later affirmed the resolution.

Sen. Greg Freyer (NT, Public Health) said, on the subject of sustainability, that there was a serious attempt to reduce paper at the uptown campus. He noted that senators received thick paper packets every month from the Senate office. Could these documents be distributed electronically, and read on laptops?

Sen. O'Halloran welcomed the suggestion, and promised to look into it, perhaps with a survey of senators. Her only concern would be to make sure every senator has access to all the material.

The Senate then approved the resolution unanimously.

Resolution to Affirm the University of Chicago report on Freedom of Expression (Faculty Affairs). Sen. O'Halloran explained that the resolution was for discussion only at the present meeting—the start of a conversation about freedom of speech in the

classroom. She said the start of the year was the right time to take a hard look at this question. She thanked Faculty Affairs for its work.

Sen. Letty Moss-Salentijn, co-chair of Faculty Affairs, said the committee's work on issues related to Title IX in recent years has also raised questions of academic freedom. She said the committee has sought solutions to the problem of anonymous comments, and has made significant progress in discussions with the administration. The committee has not reached its destination in this journey, but members are feeling more comfortable. Linked to this initiative has been a need to reaffirm the broader principle of freedom of expression in the academic environment.

Sen. Moss-Salentijn praised the preamble to the new Rules of Conduct (adopted by the Senate in May 2015), a strong statement about freedom of expression in a campus setting that President Bollinger revised that summer. Unfortunately this statement is somewhat buried in the Rules, and is largely unknown in the larger academic community. But the better-known 2015 statement on freedom of expression by a committee of distinguished University of Chicago faculty impressed Faculty Affairs and seemed worth a formal endorsement. She had heard the objection that a Columbia group should write its own statement on freedom of expression, a point that she said deserved more attention. The committee wanted to start a discussion on this topic.

Sen. James Applegate (Ten., A&S/NS) added that the Chicago statement had been endorsed by a number of universities, including Wisconsin and Princeton. He emphasized two ideas in the statement that he believes in strongly—the right to express one's opinions and the obligation to extend that right to others and to listen respectfully, to engage in respectful debate about ideas. The statement affirms that these rights are essential to a university. The committee, in addition to its narrower work on anonymous comments, wanted to take a position on the broader principles involved. Columbia has done that already in the sense that there is an enormous amount of DNA in common between the Chicago statement and the Affirmative Statement introducing the Rules of University Conduct. He said the main authors of the two statements, Jeffrey Stone of the University of Chicago and Lee Bollinger, are longtime colleagues and have written together on First Amendment issues. But the Chicago statement is not buried in another document, and can be supported as a stand-alone statement.

Sen. O'Halloran invited discussion.

Sen. Daniella Urbina (Stu., SIPA), vice chair of the Student Affairs Committee, thanked Faculty Affairs for starting an important conversation. But she said students were wondering why faculty feel the need to make this statement. The present resolution assumes that freedom of expression is under threat at Columbia, a danger that student senators don't see. Freedom of expression is already protected by the Constitution, and if people believe it is threatened here, perhaps they should reflect on how this right is exercised on campus. Students were puzzled that Columbia would want to adopt the principles of another institution, particularly one that recently has lost the trust of so many of its members when a dean of students sent out a "welcome letter" letter last

summer that bluntly rejected the use of trigger warnings, “safe spaces,” and attempts to silence controversial guest speakers, thereby misconstruing the efforts of students to create an inclusive campus environment.

Sen. Urbina said freedom of expression and an inclusive campus environment are not mutually exclusive. They can coexist. And it doesn’t make sense to endorse another institution’s statement when Columbia has its own unique history as a leader in exercising the right to free speech, both by faculty and by students, allowing for important debates and protests on this campus.

Sen. Applegate said his committee proposed to adopt a statement from another university because it believes in those principles. He did not regard them as being imposed on Columbia by a foreign entity. He added that he believed in them long before there was a Chicago statement.

Student Affairs co-chair Grace Kelley said student concern was not mainly about the statement itself (though there were some reservations), but about implications of that statement that emerged in the welcome letter of this past summer, particularly the severe treatment of safe spaces and trigger warnings. She said student senators worry about the impact of these implications on their constituents in the future.

Sen. Applegate said the welcome letter is a completely different statement from the 2015 statement, though he suspected that the letter writer would have strongly approved of the 2015 statement. But he added that Columbia is a large and cosmopolitan community, and issues that emerge off campus—such as trigger warnings and safe spaces—also come up here. He said Faculty Affairs got involved in these issues precisely because the sort of mentality underlying trigger warnings and safe spaces underlies the problems caused by anonymous complaints in course evaluations.

Sen. Applegate said that the issue of trigger warnings is subsidiary to the overall principles in the Chicago statement.

Sen. Peter Platt (Fac., Barnard), a member of Faculty Affairs, said the timing of the welcome letter was troubling, and he understood student unease about the linkage between the statements. He said FAC endorsed the Chicago statement not to divide faculty from students, as the welcome letter threatened to do. He said the earlier statement finds common ground, speaking to a belief that faculty and students share in the importance of debate, freedom of expression, being comfortable with uncomfortable ideas, but being in a place where you can have that conversation. He said FAC had been working on this issue for a long time. He took the point that the University of Chicago is connected to both statements, but he asked students to read the original statement by itself and see if they can’t support it, because it makes a powerful point that links students with faculty.

Sen. Greg Freyer (NT, Public Health), another FAC member, agreed with Sen. Platt about the linkage between the welcome letter and the 2015 statement. He also recognized

that there hadn't been any student input into the FAC resolution. He said FAC would welcome that conversation. He said there was agreement at a meeting of the faculty caucuses just before the plenary that a Senate statement should be one that both faculty and students can support. He suggested forming a subcommittee to put such a statement together. He said he recognized the issue students had raised, particularly as someone who does a great deal of teaching. At the same time, he stressed the need to make a significant statement about academic freedom, which he said is critical. Without it a university loses what it has.

Sen. Andrew Boyd (Stu., Arts) said he didn't understand why anonymous comments were part of this discussion. His understanding was that anonymous course evaluations provide an opportunity for students to speak out about how they've been taught and to offer feedback to professors about how to do their job more effectively. How does an anonymous student comment infringe upon the freedom of speech of a faculty member?

Sen. Moss-Salentijn said anonymous comments are extremely useful in evaluating what is happening in the classroom. But sometimes these comments can trigger a Title IX investigation, which, for the lack of an identified accuser or further details, must be broad-based and may unjustifiably damage a professor's career. That's why Faculty Affairs wants to make sure that Title IX investigations are based on a particular complaint from an identified complainant.

Sen. Logan Wright (Stu., Law) asked if the resolution under consideration would have an impact on procedures in Title IX investigations.

Sen. Applegate said the answer to that question was probably no. He distinguished two issues. One is the use of anonymous comments triggering Title IX investigations. For example, somebody writes on Courseworks, "Professor Applegate is a sexist and a racist." Nobody knows who wrote this, but it prompts a Title IX investigation of Applegate. Faculty Affairs was working on this issue at about the time of the 2015 Chicago statement. The main point is the need for respectful debate about controversial issues of the kind that can sometimes get people in classrooms upset.

Sen. Applegate said he teaches astronomy, a subject not likely to produce Title IX investigations, although colleagues in the sciences who teach about life in the universe and evolution sometimes face controversy. But Sen. Applegate said he had been involved in controversial issues in the Senate and other governance settings, and had heard nasty comments about his views and about himself. But if he were to take on controversial issues in a classroom, and be subjected to Title IX investigation because of a complaint that he had somehow created a hostile environment, his career could be damaged. Sen. Applegate said this risk for him was not so great because he has tenure, but a nontenured professor coming up for tenure or a periodic review would be vulnerable, and might decide just to avoid controversial issues. The result is a major suppression of classroom discussion.

Sen. Freyer agreed about the danger of suppressing controversial issues—as opposed to offensive issues—in classrooms, and said this was the fundamental concern being addressed in the FAC resolution.

Sen. Sonah Lee (Stu., Journalism) asked how much time senators have to discuss the present resolution with their constituents. Will there be a vote at the next plenary, or will there be more time?

Sen. Moss-Salentijn said FAC had not set a timeline. She said it was more important to get this statement right than to rush it through.

Sen. Applegate said he would be happy with a vote in October. He said he had been a Columbia faculty member for more than 30 years, and he had supported these principles throughout his adult life. He said he would rather wait for a vote with broad (if not unanimous) support. He did not want to delay the issue or, least of all, to duck it. He called for starting the conversation and proceeding with all prudent speed.

Sen. William Duggan (NT, Business) said it sounded as if the Senate was now talking about a Columbia statement, not a Chicago statement. Was that a correct impression?

Sen. Applegate asked Sen. Duggan if he was volunteering to draft a statement. Sen. Duggan said he was. He added that he thought the welcome letter from the Chicago dean killed the 2015 Chicago statement as a vehicle for endorsement by the Columbia Senate.

Sen. Applegate said he completely disagreed with Sen. Duggan's statement, but did not want to pursue the matter here.

Sen. O'Halloran saw the outlines of a deliberative process including members of the Faculty Affairs and Student Affairs committees, with the help of the volunteer drafter. She said the present issue is important because it concerns the kind of community Columbia wants. She said there is nothing more important for a university and scholarship and learning than academic freedom. She welcomed the students' participation, noting the impact on students if faculty were not discussing hard issues with them.

Sen. Applegate said he was happy to follow the Senate custom of preliminary discussion in the plenary, followed by further discussion in smaller groups. But he was not prepared to withdraw the resolution as presented at the present meeting.

Sen. O'Halloran recognized Sen. Applegate's point that the content of the resolution was now open for discussion, but the resolution in its present form is one of the options that remains alive.

2015-16 annual committee reports.

Education. Co-chair Letty Moss-Salentijn said the report was fresh when she wrote it in April. Now it had been sitting around for a summer, was available for reading, but didn't need additional elaboration from her.

Alumni Relations. Co-chair Sharon Liebowitz (Alumni, GSAPP) presented the report.

External Relations. Sen. Howard Worman (Ten., P&S) presented the written report.

Campus Planning and Physical Development. Sen. Ronald Breslow presented the written report.

Research Officers. Sen. Savin, the chair, presented the report, which was in writing and also on the screen.

Sen. Breslow commented on the situation of postdocs. Once there were jobs aplenty for this group, so it seemed inappropriate for Columbia to hold on to them longer than the two years they were here for training. But getting a job has gotten tougher, and many postdocs have to stay for three or even four years. So it's past time for Columbia to change the automatic two-year limit on appointments, with the elaborate maneuvers needed to arrange extensions. Otherwise, postdocs are sent out into a world in which they are unemployed.

Sen. Savin said Sen. Breslow had touched on a fundamental issue affecting students even as undergraduates: most people seeking Ph.D.s will never become faculty members. Students have to understand from the outset that they have to consider multiple career routes because their chances at regular faculty positions are less than one in five. Sen. Savin says he has this conversation with every postdoc he hires, and every undergraduate he mentors.

Adjournment. There being no further business, Sen. O'Halloran adjourned the meeting shortly before 2:30 pm.

Respectfully submitted,

Tom Mathewson, Senate staff