

### **MEETING OF FEBRUARY 24, 2017**

In the absence of the chairman, President Lee Bollinger, Executive Committee chair Sharyn O'Halloran (Ten., SIPA) called the Senate to order shortly after 1:15 pm in 103 Jerome Greene Hall. Fifty-five of 97 senators were present during the meeting.

**Minutes and agenda.** The agenda and the minutes of February 3 were adopted as proposed.

#### **Executive Committee chair's remarks.**

*Quality-of-life surveys.* The Student Affairs Committee will be sending out its quality-of-life survey later in the semester. There will also be a faculty quality-of-life survey in the fall, following up on the one carried out last year.

#### **Committee reports.**

*Student Affairs.* Sen. Joshua Schenk (Stu., CC) reminded senators that part of the current student focus on wellness and community-building is an initiative on student recreational and lounge space, which SAC has been working on for some time. He said Columbia is far behind peer institutions in this effort. Over the next month SAC leaders will be meeting with other senators, student groups, and administrators, with a view to developing a set of recommendations on places around campus that could be repurposed for recreational space. Sen. Schenk said SAC would make a full report on space at the March 31 plenary.

SAC chair Sean Ryan (CC) then offered a brief update on student proposals on mental health. He said it was important to maintain momentum on this critical issue. He also announced that there had been another student suicide since the previous plenary, this time in the School of Public Health.

Sen. Ryan said that on the whole the administration had been responsive to student concerns about mental health. In particular, he said, the Libraries, Columbia College, and the Office of the President had shown valuable support for these initiatives. He was confident that there would be a large-scale coordinated University-wide effort in the coming weeks, of the kind SAC had proposed. He renewed an earlier invitation to the entire community, particularly senators, to provide feedback on these initiatives.

Sen. O'Halloran urged Sen. Ryan to discuss these issues with other Senate groups, particularly the Diversity Commission.

*Faculty Affairs.* Faculty Affairs Committee co-chairs Letty Moss-Salentijn (Ten., CDM) and Robert Pollack (Ten., A&S/Natural Sciences) discussed some of the recent work of their committee. Sen. Moss-Salentijn focused on FAC's new statement on grievance procedures, which had been distributed for the present meeting. She said grievances take up a lot of the time

of the committee, but are also confidential. Generally the results are not reported to the full Senate, so most people hear nothing about the process. The committee hoped to publicize its new account extensively. It had been shared with the Offices of the Provost and the General Counsel to make sure that it doesn't diverge in any substantive way from the accounts of grievances in the Faculty Handbook (which is maintained by the provost and is also now under revision), the University Statutes, or the Senate By-laws.

Sen. Moss-Salentijn said the new statement is just a description of the customs and practices that the committee follows in investigating grievances. Why produce such a humdrum, unoriginal document? The short answer was that most, or at least many, of the faculty seem never to have heard of the FAC grievance function. She said a new statement, distributed to faculty across the University, would begin to rectify this problem, and also do something to raise the profile of the Faculty Affairs Committee.

Sen. Moss-Salentijn said the new statement offered a moderately expansive view of the grievance process, in mild contrast to the narrow and more restrictive tone of the Faculty Handbook section on grievances, which she said was focused entirely on detailed rules governing tenure and reappointment complaints. She said there was a bit more to say. The new document starts by listing the numerous facets of the faculty experience that are listed in the FAC mandate in the Senate By-laws, and notes that any of them can be the legitimate subject of a grievance. After this introduction, the FAC statement goes on to present the Faculty Handbook's guidelines for tenure grievances essentially verbatim.

Sen. Moss-Salentijn said the statement lists three options for faculty who have a complaint. The first is to seek an informal resolution through the academic chain of command, approaching first one's department chair, then one's dean, and finally seeking a preliminary consultation with the office of the provost. The second option is to go to the Ombuds Officer, who provides confidential counseling, and may, with the consent of both parties, try to mediate an informal solution to a disagreement.

For cases in which these approaches are unsuccessful or do not apply, the faculty member may resort to the internal FAC grievance procedure described in the University Statutes. The new document describes this process in some detail.

Sen. Moss-Salentijn noted a few key points about grievance procedures. One was that some issues are off limits in a grievance investigation. For example, the committee does not question scholarly judgments by a review committee about the work of a candidate who has been denied promotion or reappointment. Sen. Moss-Salentijn said there are also limits on the participation of attorneys in grievance investigations. A faculty member may consult with a lawyer about a grievance before FAC, but if the faculty member decides to sue the university, FAC immediately withdraws from the case.

Sen. Moss-Salentijn said the new statement would be distributed to the administrations of Columbia schools, but she also hoped to have senators distribute the document to their constituents by email.

Benefits Subcommittee. Sen. Moss-Salentijn said FAC has also maintained a subcommittee that discusses officers' benefits with the Provost's Office. This group has recently been formally reorganized as a joint subcommittee of the Faculty Affairs and Budget Review committees. The group has gotten an earlier start this year than in recent years, so it is hoping to provide timelier advice, with a better chance that the administration will heed it before making final benefits decisions about the coming fiscal year.

Other subcommittees. Sen. Pollack followed his co-chair to the lectern, and began by touching briefly on three topics. The first was the work of a Faculty Affairs subcommittee that is studying the career path of non-tenure-track (NTT) faculty. The subcommittee was now monitoring the implementation of the Senate resolution of February 5, 2016, to strengthen appointments for NTT faculty by lengthening the notice of non-renewal for NTT faculty with long service to the University. In partnership with the provost's office, the subcommittee was also collecting guidelines and rules for NTT appointments from Columbia schools, with the goal of standardizing procedures across the University. He invited senators to contact this subcommittee with questions and issues through Faculty Affairs.

Sen. Pollack said another subcommittee is reviewing the new faculty titles that the Senate approved for the Medical Center in a resolution of March 30, 2012, with particular attention to the possible impact of the new titles on the tenure process. Some of the numbers have been hard to get, but the committee will report on this work when it is ready.

Sen. Pollack's third point was that, without objection from the Senate, the committee's statement on grievances just presented by his co-chair would now be placed on the Senate website. His own view was that the grievance procedure was not used often enough to require sending it to the whole University community.

Letter to the president. Sen. Pollack's main topic was the letter that he and Sen. Moss-Salentijn had written in response to President Bollinger's January 29 email to the Columbia community protesting President Trump's executive order restricting travel to the United States. He read at length from the letter, which had been distributed.

Sen. Pollack asked for the help of the president and the Senate in enabling faculty to express the sense of malaise that he said had taken hold since the election of Donald Trump, a condition that the letter likened to a fog enveloping the country. He said he wasn't sure how to present this issue, which he characterized as less a procedural than an emotional matter. He asked the Senate to consider three suggestions from the letter.

1. There should be a Columbia website with links to all sites that serve the purpose of protecting and sustaining our freedoms, and also sites that address the current "fog." Such a site might explain, for example, how any member of the Columbia community who carries education loans may lay off or smooth their repayment by public service, which might include employment at Columbia.
2. Faculty need places and times to acknowledge their own fears to each other. He said some may mock or flee this idea, but he was confident that many faculty would appreciate a chance to admit that they cannot see through the current fog. Faculty should

be allowed to admit their fears in the presence of the rest of the community, including students and administrators, without fear of negative consequences.

3. A space for these quiet, difficult conversations is hard to find on the Columbia campus. Sen. Pollack seconded the Student Affairs Committee in recommending the most visible public spaces on campus for such discussions, to be stocked with tables and chairs. As possible spaces he suggested the Rotunda or the Faculty Room in Low Library, the Lerner Auditorium, student lounges in Butler Library, or the lounges in every dormitory. He noted that the last set of spaces was now off limits to professors without a special pass—a sad state of affairs that could be easily rectified.

Sen. Pollack invited comment on his proposals.

Sen. O'Halloran invited EVP for University Life Suzanne Goldberg to comment.

Sen. Goldberg appreciated Sen. Pollack's remarks. Her own sense was that there was actually quite a diversity of views about the current political situation. But she appreciated the idea of having physical as well as digital spaces for conversation.

Sen. Goldberg said her office had done further research on the issue of the recent withdrawal of Obama administration protections for transgender students. She was happy to share the results of this research with anyone interested.

Sen. Pollack said he did not disagree with Sen. Goldberg about the diversity of views. He added that as a faculty member from a science department, he was shaken to see a bill before Congress that calls for all government support for basic research to be awarded to grants that explain why their research is in the national interest. He considered this development threatening to the idea of a free university regardless of one's political opinions.

In response to a question from Sen. O'Halloran, Sen. Goldberg said Columbia could continue its own policies on transgender students regardless of the withdrawal of protections for the LGBTQ population. She said anyone could continue to use the bathroom most consistent with their gender identity, and Facilities was now putting temporary signs to this effect on the doors of all Columbia bathrooms.

Sen. Ian Lipkin (Ten., Public Health) asked for a written copy of Sen. Pollack's letter. He also underscored Sen. Goldberg's point about the diversity of views. He said he shared Sen. Pollack's viewpoint, but said it was important to uphold the reputation of the University and the acknowledgement of the full diversity of views here, and not to be perceived as pushing one vantage point over another. He said the truth will out ultimately, and he wanted to think he was on the side of virtue, but the University must always entertain a wide variety of views.

Sen. Pollack expressed qualified agreement. He said he understood differences of opinion, but not differences of permission to express opinion. He said the argument of a nationalist America—that some opinions are American and others are implanted from outside—ends discourse, but is now heard all over the country. We must protect ourselves from the emergence of official opinions as opposed to other opinions.

Sen. Lipkin said he agreed with Sen. Pollack on the national context. But he said that what makes the Columbia campus special is the ability to say that we can entertain any opinion.

Sen. Pollack said President Bollinger's letter had brilliantly said that the University has the obligation not only to entertain any opinion but also to protect everyone from the consequences of doing so. He said his letter spoke to the consequences to faculty of holding such positions. He said faculty are human beings and so may feel intimidated. There's now no setting for the expression of that anxiety.

Sen. Lipkin said he still hadn't read the document, but wanted to stress the importance of making sure that people with different opinions feel comfortable in these conversations. Sen. Pollack said this was a fair point. He would look at the letter again.

Sen. Nancy LoIacono (Research Officers) noted that faculty have protections that research officers and administrative officers don't have. She appealed for these groups not to be forgotten in this conversation, which had so far been all about faculty and students.

Sen. Pollack appreciated the reminder. He said he was talking about anyone who teaches. He acknowledged that research officers who don't see students are members of the community as well and should be included. But he said there are many research people who teach and deal with students and who watch the University reach out to students, but have no place to go themselves, whether or not they have tenure, or are on tenure track. These people have a place in this community as the grownups talking to students, and they need this protection. Sen. Pollack said he would be the last person to say that someone else could not have this special help.

Sen. Lipkin said he had now read the letter, and he offered two significant objections. First, he doubted the implication in the letter that the recent cluster of student suicides was linked to the election. His own view was that people commit suicide for a wide range of reasons, most of them biologically based. He also objected to the statement that "we know of no one at Columbia who is not upset, chronically and deeply, since the election..." Sen. Lipkin said he happened to be one of the upset people, but a number of his colleagues were not, and considered the election of Donald Trump a great step forward.

Sen. Pollack said he did not want to argue these points in front of the Senate. He invited Sen. Lipkin and other senators to comment on the letter's recommendations, which he hoped would lead to Senate action, instead of on the rhetoric leading up to them, which was clearly not unanimously shared.

Sen. Sonah Lee (Stu., Journalism) asked whether the questions about faculty morale that Sen. Pollack had raised might be included in the faculty quality-of-life survey that would be going out in the fall.

Sen. Pollack expressed confidence that Sen. O'Halloran and her colleagues could produce a survey that could collect useful data about these matters.

Sen. Kainen Bell (Stu., Social Work) asked why Sen. Pollack wanted to gain access to the residence halls.

Sen. Pollack said that when he was a Columbia College student in the 1950s, faculty could visit students in the lounge and have conversations. In the 1980s, as dean of the College, he decided that with the advent of coeducation, it would be better to close faculty out of the lounges without special passes. He was now wondering prepared to reconsider that question in the light of the availability of those spaces and the history of faculty members being faculty associates in dorms, and because of the general notion that a professor who's really a good teacher learns from students as well as teaching them, and why not have more places for that to take place?

Sen. Jeanine D'Armiento (Ten., P&S) said that space is an important theme for students as well as faculty. There is generally insufficient space for conversations and social interactions. The situation is so extreme that her research group cannot eat in a space down the hall where another research group eats, because the other group pays for that space. It's a huge space with a sign warning away anyone who is not in the paying group. She said the problem is that people have to pay for every bit of space.

Sen. Pollack inferred that Sen. D'Armiento was talking about the Medical School. She said she was.

Sen. D'Armiento said that even on Morningside there's not enough space for interaction. There used to be dining clubs. This is a problem for every group. Sen. Pollack suggested that it might be time to socialize some of Columbia's privatized space.

Sen. O'Halloran thanked the Faculty Affairs Committee for the report. She encouraged creative efforts to forge social connections, such as "Pizza and Politics" sessions with faculty in dorms or student lounges, or other low-cost ideas that might help reduce a sense of isolation among students.

Sen. Sonya Nanda (Stu., Bus.) asked if Sen. Goldberg would send out a University-wide email about the withdrawal of Title IX protections for transgender students. She said many students don't go to the University Life website, so an email might make a difference.

Sen. Goldberg agreed that most people will not magically grasp this news on the University Life website. The first point of the distribution plan is to send the information to the SAC leadership for distribution to all students. That had already been done. The second step, as in other cases of this kind, was to send it out to all deans of students, again for distribution to students. The other step was a large list of administrators and faculty at all of the schools. But the most important step on the bathrooms, she said, was the signage going up.

Sen. O'Halloran agreed that the signage would make a difference.

Sen. Nanda asked if there could be a statement on this subject from President Bollinger himself. She thought it was important to show that this issue was no less important than other issues of concern to the University.

Sen. Goldberg said she hadn't spoken to the president on this subject. Her own view was different policies affect the University community in different ways. Some policies, like the executive order restricting travel, have a direct impact on the Columbia community. Others, like the one on LGBT issues, don't tell Columbia what to do, and have no impact on Columbia's own bathroom policies. She said there's a spectrum of impacts. She noted that New York City already has a nondiscrimination policy with respect to bathrooms. The Obama administration's action only affected educational settings, but New York City policy is that all people should use the bathroom most consistent with their gender identity. She added that gender-non-binary students may use whatever bathroom they feel most comfortable using. Sen. Goldberg added that she was now preparing an amicus brief in *G. G. v. Gloucester County School Board*, a case now before the Supreme Court about bathroom access for transgender people, which she offered to share on her faculty page.

Sen. Lisa Northrop (Fac., Barn.) thanked Sens. Pollack and Moss-Salentijn for their letter. She thought it was important for the different groups to be able to discuss difficult current issues among themselves, but also to be able to interact with other groups as well. She said that at her school, Barnard, there are occasional faculty forums, with no administrators or students present, where the group can express anxiety, and to talk about issues particularly related to faculty. She said such gatherings may be easier to organize for a small faculty like Barnard's.

Sen. O'Halloran adjourned the meeting shortly after 2 pm.

Respectfully submitted,

Tom Mathewson, Senate staff