

### MEETING OF NOVEMBER 16, 2018

In the absence of President Lee Bollinger, Executive Committee chair Sharyn O'Halloran (Ten., SIPA) called the Senate to order shortly after 1:15 pm in 104 Jerome Greene Hall. Sixty-five of 104 senators were present during the meeting.

**Minutes and agenda.** The agenda and the minutes of October 19 were adopted as proposed.

**Executive Committee chair's remarks.** Sen. O'Halloran said the president was unfortunately unable to attend, but she expressed satisfaction that Provost Coatsworth, Interim EVP of Arts and Sciences Maya Tolstoy, Senior EVP Jerry Rosberg, and Columbia College Dean James Valentini were all present. She invited questions for the provost, but there were none.

*Twelve new senators.* Sen. O'Halloran welcomed 10 new Arts and Sciences faculty senators. She thanked EVP Tolstoy for her work in recruiting them. Sen. O'Halloran also welcomed new student senators representing the College of Dental Medicine and the Graduate School of Arts and Sciences/Social Sciences.

*University Judicial Board.* Sen. O'Halloran announced one new appointment to the University Judicial Board, which hears cases of alleged violations of the Rules of University Conduct.

*Substitute parliamentarian.* Sen. O'Halloran thanked law librarian Dana Neacsu for substituting for Linda Eisner as parliamentarian for the present meeting.

**[Resolution to Approve a Certificate in Comparative Media \(GSAS\)](#).** Education Committee co-chair Letty Moss-Salentijn (Ten., CDM) said the proposed program emerged from the Center for Comparative Media, and would be co-directed by Profs. Stefan Andriopoulos (Germanic Languages) and Brian Larkin (Barnard, Anthropology). It was designed to offer graduate students, primarily Ph.D. candidates in GSAS, an opportunity to explore new approaches in media studies. Structured around historical, geographical and disciplinary comparisons, the certificate will include a two-semester core course taught jointly by two faculty members from different disciplines.

Sen. Moss-Salentijn said the certificate differs substantially from other Columbia programs, particularly the Ph.D. in communications based in the Journalism School, the Film Department and the Data Science Institutes. The major distinction is that none of these programs engages the students the certificate in Comparative Media seeks to teach. The Film Department and the Data Sciences Institute teach master's students by offering an M.A. and M.S.C., respectively. The Journalism School's Ph.D. program in communications teaches only students within that program. The proposed certificate now under discussion engages Ph.D. students currently enrolled in a series of departments in GSAS (*not* in Film or the Data Science Institute), to train them in media theory and history.

Sen. Moss-Salentijn invited discussion.

Sen. June Cross (Ten., Journalism) presented a [statement](#) from Journalism professor Andrea Tucher, director of the Journalism School's Ph.D. program in Communications, but Sen. Cross said the statement also represented the views of the other three professors in the program: Todd Gitlin, Michael Schudson, and Richard John.

Sen. Cross said the Journalism Ph.D. is squarely in the same categories as the proposed certificate. She said the Journalism professors see a significant degree of overlap between the programs. She knew of no impediment to having GSAS Ph.D. students take courses in the Journalism program. She said there was a promise that there would be more consultation between the two schools. But she was aware of only one meeting that had taken place, with no follow-up. The Journalism professors also felt that GSAS doctoral students have access to significant subsidies that the Journalism School can't offer, and that a GSAS certificate would therefore undermine the Journalism Ph.D. program. She said the Senate should not be approving programs that undermine programs in other schools in the University. She asked to have the proposed certificate remanded to Education for further discussion.

Sen. O'Halloran asked if Sen. Cross was making a motion or just asking for more discussion.

Sen. Cross said she was willing to make a motion.

Sen. O'Halloran said Sen. Cross's motion was now on the floor.

Sen. Cross said she'd just like to see more conversation between the schools about this.

Prof. Larkin said he was not a senator, but one of the authors of the certificate proposal. He was prepared to speak, if allowed under Senate procedure.

Sen. Cross said she also didn't understand the procedure.

Sen. O'Halloran asked unanimous consent to allow Prof. Larkin to speak. It was granted.

Prof. Larkin offered some context for the statement from the Journalism professors, which he had just seen moments before. He said it was responding to a proposal that was now four years old, and that was changed at least two years earlier. He said the issues raised in the statement no longer exist, and the points made are no longer relevant. He said there was a fundamental misunderstanding of the certificate program. There was at one point a proposal for a Ph.D. in film, and some of the language comes from that. His first impression of the statement was that the people in Communications seemed to think the certificate proposal was really for a Ph.D. program with five-year fellowships for Ph.D. students, a program better funded than the Communications Ph.D. But that was not the purpose of the proposal; it emerged organically when 18 faculty members from 10 different A&S departments came together as part of the Center for Comparative Media. The students come from History, Anthropology, Art History and other departments, and are mostly not focused on media. But a few from these many departments are interested. The certificate program allows these students to come together to take a series of courses and form a group whose members understand each other. Communications students

could enroll in the program as well. This effort is not in competition with the Communications program because its goal is not the Ph.D.

Prof. Larkin said the certificate proposal went before the GSAS executive committee a year ago and was approved 15 to 1, with the only dissent coming from Journalism. After that vote Prof. Larkin heard from Prof. Tucher, director of the Journalism program. Prof. Larkin offered to meet to discuss the programs. But he had not heard back from her until he read the statement a few minutes earlier. He said the proponents of the certificate program were being accused of refusing to consult, but they had changed the language of the proposal in response to some of the objections that had been raised earlier. Prof. Larkin also repeated that other objections were based on a proposal that didn't exist anymore.

Prof. Larkin said he was therefore puzzled by the statement. He thought the Ph.D. in Communications was an excellent program, with four faculty doing fantastic work. For the past year his co-director has been Prof. Noam Elcott of Art History, who had replaced the colleague Sen. Moss-Salentijn had mentioned--Stefan Andriopoulos. He said faculty from various departments see the certificate program as an aid in recruiting both PhD students and also faculty. But it is not competing with Journalism, and does not offer fellowships of any kind.

Sen. James Applegate (Ten., A&S/Pure Sciences), co-chair of Education, said the certificate is a 20-point program for students who are already in A&S Ph.D. programs. The certificate is significantly smaller than a master's degree, which requires 30 points at a minimum, so it would not compete with a PhD program, which is a several-year, full-time undertaking leading to the institution's highest academic degree. The Ph.D. and the certificate programs are attracting different groups of students and doing very different things.

Sen. Robert Pollack (Ten., A&S/Pure Sciences) said that if the certificate program had a few more courses, it could be one of many already existing A&S master's degrees and wouldn't even require the Senate's attention as does the more unusual credential of a certificate.

Prof. Larkin said a master's degree is a different order of commitment from a certificate. A master's program *would* be competing with other programs. But that is not the purpose of the proposed certificate. Its aim is to offer something to students already here, not to attract new students to Columbia.

Sen. Weiping Wu (Ten., GSAPP) asked whether A&S and Journalism, as different types of schools, would have a different approach to a certificate program. She understood Prof. Larkin to be saying that the certificate program might be competitive in the future.

Sen. Cross said the concerns of the Journalism Ph.D. program faculty are focused on the present proposal, not a two-year-old version of it. She said that unfortunately none of the Journalism faculty in the Ph.D. program could attend the Senate meeting because they were all teaching on this day. She said they represent an intellectually rigorous interdisciplinary program. She said there are faculty senators who are on Ph.D. subcommittees for the Journalism program. If students are already in a Ph.D. program at Columbia, she asked, why do they need a certificate to show someone that they have competency in media?

Prof. Larkin agreed about the rigor and excellence of the Journalism Ph.D. program, which he said is not somehow different because it's based in a professional school. But the point is that the certificate program is not trying to compete with Journalism. It's not a matter of a student applying to the both programs and choosing the GSAS certificate because it provides better fellowships.

Sen. Daniel Savin (Research Officers) said the Education Committee has a long history of bringing well vetted resolutions to the floor, which have achieved consensus among a range of constituencies. He said he couldn't recall a discussion like the present one on the Senate floor, involving significant disagreement about a program proposal. The very fact of such a discussion suggests a need for more discussion before the Senate is ready to vote. Sen. Savin said he saw the lack of consensus as a warning sign. He supported taking the proposal back to the committee to achieve a consensus.

Sen. Alfredo Dominguez (Stu., CC) spoke in support of remanding the proposal. His impression was that a certificate and a Ph.D. program would not be in competition, just as an undergraduate major and various minors or special concentrations are not in competition.

He said he didn't know enough to judge the issues in the current debate, but his sense was that the type of certificate being presented was legitimate, if there are students who want to do a certain kind of work that is not in their regular program. But he also favored remanding the proposal idea if that would bring the Senate closer to unanimity. He suggested inviting a critic of the proposed inviting a critic of certificate program from the Journalism School to the next Education Committee meeting.

Sen. Moss-Salentijn felt obliged to say that she was listening with a degree of wonder to what she considered to be a "turf" issue. She said Education has been sensitive about such issues in the past. She said the committee had looked at this proposal for more than six months, as well as over the summer, and was convinced that it was addressing a different body from the one the Journalism program is serving. She said remanding the proposal will mean delay, but with an unchanged result. But that choice was up to the Senate.

Sen. William Duggan (NT, Bus.) said he was impartial in the present discussion. He noted that the situation might not be competitive for present students, but that could change for future students. A future applicant to a Ph.D. program would weigh a GSAS program that includes a five-year fellowship plus a certificate against a Journalism Ph.D. program offering less money. He thought *that* was the problem Journalism was raising, and that it should be worked out. He said it's not the fault of the Education Committee that a problem remains, but it should still be worked out.

Sen. Jacqueline de Vegvar (Stu., P&S) asked whether the certificate program would be available to students in joint programs, such as the M.D./Ph.D. Sen. Moss-Salentijn said the certificate would only be available to GSAS students.

Prof. Larkin said that that was the planning so far. He said the certificate would be a small program. On the question of choices for future students, he said committing to a Ph.D. program is a major decision. The certificate offers only additional recognition. The goal of the certificate

is to create a home in which students who are already taking classes but don't know each other can have a way to get to know each other.

Prof. Larkin agreed that consensus is a valuable goal. But he recalled that before the proposal went to the GSAS executive committee a year ago, he met with people from Journalism who asked for changes in the language. Those changes are in the present proposal. He said there was some confusion at the time about the actual vote. He received an email from the Journalism people on November 3, 2017, and responded saying he was happy to meet and talk. It was now a year later. He had responded to many queries from the Education Committee, but he had no inkling that there were still reservations until the present meeting.

Sen. Cross said she would have reached out if she had known where things stood in the Senate.

Sen. Susan Bernofsky (Ten., Arts) said that as a professor in the School of the Arts she faces a problem similar to that of the Journalism School—insufficient school funds to support students. This problem has serious consequences. Every year her school loses talented graduate students to better funded programs. And if Columbia were to establish another program allowing students to enter into a Ph.D. program and *also* pursue a course of study overlapping with a program in the School of the Arts, that would be a grave concern. Sen. Bernofsky supported remanding the proposal. She understood the frustration of colleagues struggling to achieve agreement on this issue, but she said it can't serve Columbia's institutional interests to have programs that are seen to be competing with one another. She could see the attraction for future students of a fully funded Ph.D. program in which they can take an additional short program in comparative media, as opposed to going deeply into debt to take the Journalism Ph.D.

Sen. Moss-Salentijn expressed skepticism that somebody would undertake the effort and time commitment of a Ph.D. program *in order to* get a certificate.

Sen. Bernofsky pointed out that the alternative in this case is really another Ph.D. program.

Sen. Moss-Salentijn doubted that someone contemplating a Ph.D. in Communications would choose a different GSAS doctoral program.

A female senator agreed with Sen. Salentijn. She said no one would choose to take on a Ph.D. program in, say, French simply in order to get a certificate in media.

Sen. Regina Martuscello (Postdoc Research Officers), speaking as someone who had been through a Ph.D. program, said a certificate like the one under consideration can provide a valuable addition to a doctoral student's resume. She said students are not going to base their choice of one department over another on a certificate, but on their basic intellectual interests.

Sen. Michael Ford (Stu., GSAS/Humanities) said his constituents were probably the group most affected by the present proposal, and they would see it as something that could make them more competitive on the job market. It would also give them access to students in other departments, and thereby advance the interdisciplinary goals of GSAS and the University as a whole. Speaking as a recent applicant to various Ph.D. programs, he said something like the proposed certificate would not influence his decision about which Ph.D. program to undertake. Much more

important is the core of a particular Ph.D. program, not add-ons like a certificate. Students are applying to programs for the wonderful faculty they can work with, not for bonus features that only marginally improve one's prospects on the job market.

Sen. Oren Ross (Stu., TC) said funding is a key factor in choosing Ph.D. programs. For someone choosing between a Ph.D. in Journalism and one in GSAS that's fully funded, the certificate could influence their decision in the end. He said that one of the key arguments of the Journalism program is, Why wouldn't another program add more certificates, a situation that would lead to schools fighting each other for the same students, making it still harder for the schools that don't offer full funding?

Sen. Neslihan Senocak (Ten., A&S/SS) said she did not see a problem of competition between the two programs, because the student populations are different. But she worried that certificate programs might put too much pressure on students, in two ways. Taking the four additional courses for the certificate program would likely delay their progress in their research toward the Ph.D. Would that lost time be made up with additional funding for the students? The second problem is that while a certificate may give students an edge in the job market, it will also increase the psychological pressure on students to add certificates, which might proliferate in the graduate curriculum. She said the trend might be analogous to one in History, where it was once sufficient to have the B.A. to qualify for the Ph.D. program. It has now become common to expect the M.A. as a prerequisite.

Sen. Martuscello said there is nothing more psychologically pressing than obtaining a Ph.D.

Prof. Larkin said he had addressed this issue carefully in the application. The origin of that effort, and indeed of his earlier discussion with Communications, was the proponents' initial request to have courses double-counted. There are some outside courses required, but the bulk of the 20 points for the certificate are within students' departments. So there will be double-counting for certain courses.

Sen. Pollack said he was becoming convinced that he could support a rewrite of the proposal offered in a constructive spirit, reflecting the present discussion. Could this be done without appearing to kill the proposal?

Sen. O'Halloran said a remand would not function as a veto. It would enable Education to look over the proposal's language and consider revisions. But a remand is no guarantee of consensus. However, if the language of the proposal does not need to be changed, a remand would delay the lengthy process of getting New York State to approve the program.

Sen. Ellen Morris (Fac., Barnard) began to discuss the idea that if there's not funding for a program in Journalism, then people will choose another program.

In response to a question from Sen. O'Halloran, Sen. Cross said Journalism offers three years of funding, and GSAS offers five.

Sen. Nicole Wallack (NT, A&S/Humanities), noting the division of opinion, suggested shortening the time to the required program review from the five-year interval specified in the resolution. She offered this suggestion as an amendment to the resolution.

Sen. O'Halloran said Sen. Cross's motion to remand the resolution was privileged, and had to be addressed before the Senate could take up Sen. Wallack's amendment.

Sen. Jonathan Criswell (Stu., General Studies) took up Sen. Wallack's point, asking whether a regular five-year review typically addresses the question of the effect an academic program may have had on other Columbia schools.

Sen. Moss-Salentijn said Education used to review programs three years after their launch, but found that by that time there was too little in the way of results (including too few graduates) to conduct an adequate review. So the review period was extended to five years. She added that the committee does consider the program's impact on other schools.

*Vote on the motion to remand the resolution.* Sen. O'Halloran said she wanted to bring the motion to remand to a vote. She asked for and received a motion and a second to call the question. By a show of hands (or of senators' name tents), the Senate approved the motion to remand by a vote of 36-21, with no abstentions.

[Annual report for 2017-18 from the Ombuds Office.](#) Joan Waters, the Ombuds Officer, presented her report, referring to slides on the screen.

At the end of the report, Sen. Andrew Hsu (Stu., GSAS/Pure Sciences) asked about the distinction between graduate students and Ph.D. students in the report, and he asked what the main issues are with these two groups.

Ms. Waters said she and her staff do ask if a student is in a Ph.D. program, a terminal master's program, or a professional school. The last two groups were called "graduate students." She said all of these students have similar issues, but they tend to be more acute for the Ph.D. students. Over the six years of a doctoral program, a non-responsive advisor hurts a lot more than over a one- or two- or three-year program.

Sen. Ian Beilin (Libraries) asked for a rough breakdown of student and faculty input on issues about Columbia housing, and asked what kinds of problems have come up.

Ms. Waters said there are not many responses expressing satisfaction or dissatisfaction with Columbia housing. Most Columbia tenants evidently have a mechanism for complaints, whether they're satisfied or not. People complain to her about not getting Columbia housing, or about having lost their housing and now struggling to get to work or to class, or about being scammed over a sublet. But she does not see many day-to-day tenant complaints.

Sen. David Cheng (Stu., SW) asked whether the ombuds office functions as a third party in handling complaints involving power dynamics between students and their professors or supervisors. Can the office function as a third party when it is part of Columbia University?

Ms. Waters said she likes to say she is independent and neutral, but her salary is paid by Columbia University. She said her office is independent to the extent that it can be. Some people are unwilling to use her office because of doubts about her independence. She does her best.

Sen. Cheng asked whether Ms. Waters was saying that she cannot serve as a third party in some situations, such as when a student is complaining about a Columbia employee and the student is not sure whether to trust Ms. Waters.

Ms. Waters said the answer would have to depend. Sometimes people decide they are not comfortable with her process, and go in a different direction, for example hiring an advocate. But Ms. Waters always tries to lay out the range of available options.

In response to a question from Sen. O'Halloran, Ms. Waters said any discussion in her office is confidential.

Sen. O'Halloran understood Ms. Waters to be saying that she could not be an independent third-party advocate on all issues.

Sen. Dominguez asked whether, if students don't feel that the ombuds office is a sufficient resource for them or they think it's too much part of the University, there should be a third party that could really address student complaints. Are there changes that could be made in the ombuds office itself that could solve this problem?

Ms. Waters said the structure of her office, which is like ombuds offices across the country and internationally, is sufficient for its purpose. Some people have a different notion of what can be done, and she believed it is important to manage expectations. Her office is confidential. It does not function as an advocate. There are advocacy groups and organizations that people can go to. She did not see the need for a structural change in her office.

Sen. Andreas Hielscher (Ten., SEAS) asked whether Ms. Waters is required to report any illegal activity, including Title IX violations or harassment.

Ms. Waters said she is not authorized to accept notice on behalf of the University and, unless there is a risk of serious harm, does not have obligations as a mandatory reporter. People can visit her and speak about a situation in which they are being discriminated against without triggering an obligation to report.

Sen. Morris asked for the gender breakdown of the people who come to speak to her.

Ms. Waters said there is a roughly even gender balance among students who come to see her. She didn't know the breakdown between students and employees. She said Barnard has its own ombuds officer for students.

**Other business.**

Sen. Cheng asked if there was time to ask questions of the provost.

Sen. O'Halloran said that item came up earlier on the agenda. She had invited questions then, but no one had any. She invited Sen. Cheng to ask his question.

He said he had not asked his question earlier because he had misunderstood the agenda. He said the policy on consensual relationships between undergraduates and faculty that was sent to students earlier in the present week included language that was not in the resolution that the Senate approved on April 27, 2018. He said students had not been informed about the changes. Some things were removed from the April 27 policy, and some things were added. He noted that the policy also allows a professor to ask the Office of Equal Opportunity and Affirmative Action for permission to have a relationship with an undergraduate student; with EOAA approval the professor can proceed.

Sen. O'Halloran said a provision for permission to have such relationships was always part of the policy.

Sen. Cheng returned to the issue of language in the policy that had been changed since April 27.

Sen. O'Halloran said the Student Affairs Committee had actually requested some of the changes, including one involving the procedure for seeking permission for exceptions to the ban on consensual relationships. She said the revised policy was circulated to SAC, Faculty Affairs, the Commission on the Status of Women, and External Relations, and then it went back to the Executive Committee, which ratified it under summer powers. In addition, she said, the April 27 resolution said the General Counsel would have to make edits to the Senate's resolution.

Sen. Cheng asked about the fate of the following sentence in the version of the resolution approved on April 27: "At all times the institutional response shall keep the students' educational aims and needs foremost." That sentence was missing from the version of the policy that was sent out by the Provost earlier in the present week.

Sen. Cheng said his concern was that the policy is about students and there was a mechanism to involve the Student Affairs Committee in the deliberations, but SAC did not get a chance to review the changes that were made.

Sen. O'Halloran said she thought Sen. Cheng's statement was incorrect. She said SAC members sit on the Executive Committee, and the revised policy would have gone out to SAC.

A senator said students were not informed.

Sen. James Piacentini (Stu., GSAPP), the current vice-chair of SAC, asked if Sen. O'Halloran was saying that the revised version of the policy was sent to SAC before it was disseminated earlier in the present week.

Sen. Jeanine D'Armiento (Ten., P&S), a member of the Executive Committee, said that that committee had read a revised version of the policy. She later brought the revised version to the Commission on the Status of Women, which she chairs, and which had helped to draft the April 27 version of the policy. The Commission discussed the revised version, did not vote on it, but

did not object to the changes. She didn't know whether SAC had also discussed the changes after the Executive Committee meeting.

Sen. O'Halloran said that Executive Committee meeting was early in the summer, perhaps June.

Sen. D'Armiento said she had thought that students had also reviewed the revised document, as the Commission had. Sen. O'Halloran agreed.

Sen. Piacentini said he was asking his co-chairs now. He did not think the revised version was ever distributed to SAC.

Sen. D'Armiento said this was important information. The committees were all working together. If someone had told her there was a problem, she would have addressed that in the Commission, but she wasn't aware of that.

Sen. Piacentini said he and his co-chairs never knew to bring up the issue because they were still waiting to see the revised version.

Sen. O'Halloran understood that students had wanted clarifying language from the General Counsel on relationships between students and student Teaching Assistants. Was that language clarified?

Sen. O'Halloran said the resolution went to the committees she had mentioned. She did not know why it hadn't been circulated to SAC or its members, but she had thought it went to the committee chairs. In case it did not, she offered an apology.

Sen. Hielscher asked whether the issue at hand was a process concern, or whether there was a substantive issue in the language of the final document.

Sen. O'Halloran said that the Senate had followed process, as it always does. She invited anyone with a substantive issue to come to her and speak about it.

Sen. Cheng said students could meet with Sen. O'Halloran after the plenary and figure it out.

Sen. O'Halloran said there was no attempt to exclude SAC from the deliberations. She said the changes made were ones that SAC had asked for.

Sen. Piacentini declared that SAC did not have an opportunity to review the revised policy before it was sent out.

Sen. O'Halloran said SAC has representatives on the Executive Committee.

There was uncertainty over whether SAC representatives had attended an Executive Committee discussion of the changes in the document over the summer.

Sen. O'Halloran said it was important to get the timing of the deliberations straightened out.

Sen. D'Armiento said it was possible that with the turnover in Senate seats and with school not in session for most students over the summer, there might have been a missed connection. She said it was important to find out what happened and make sure the process works in the future. She said any substantive issues can still be addressed, and it should be clear that any action the Senate takes must include the students.

Sen. Cheng appreciated this statement.

Sen. Michael Sutton (Stu., SEAS/Grad) said he had thought that once the Senate passes a resolution, its exact language is what becomes policy. He was hearing now that that's not correct.

Sen. O'Halloran said that's not always the case. There can be a difference between the intent of a resolution and its execution. But there was a specific understanding that there remained a need after the adoption of the resolution for General Counsel to clarify some of the language.

Sen. Sutton asked whether significant changes to the language of a resolution require a revote.

Sen. O'Halloran said there would only have to be a revote for substantive changes.

Sen. Sutton said the student perception was that any change would require another vote.

Sen. O'Halloran said that perception was not correct.

Sen. Richard Smiley (Ten., P&S), a member of the Faculty Affairs Committee, said FAC had discussed this issue at its last meeting. He asked who decides whether the General Counsel's changes are not substantive. He said he was somewhat disturbed by this situation, which concerned an important University policy. When General Counsel changes the wording it does seem that someone—perhaps the Executive Committee—has to say, This is not substantive, we're not going to have a revote. Otherwise, the default solution would seem to be a revote on words that are changed.

Sen. O'Halloran said this was why the policy was sent back to the committees; there were no comments.

Sen. Smiley said that in the Faculty Affairs discussion in the fall, there was no sense that there was a process still in progress. The revised version was presented to FAC as a fait accompli. He remained unclear on what the process was for a document that was debated at length, rewritten, discussed back and forth with students, and agreed to by the Senate, though it was not perfect.

Sen. Cheng asked if there was a member of the General Counsel's office on the Executive Committee who could review the proposed policy before the Senate adopted it.

Sen. O'Halloran said the General Counsel is not represented on the Executive Committee.

Sen. Jacqueline de Vegvar (Stu., P&S) said the minutes of the April 27 plenary specifically said that General Counsel had already vetted the document. So she was surprised to learn when she met afterwards to work on the policy for graduate students that the policy adopted by the Senate

had not even been posted, and was in fact then being rewritten. She then asked for a redline version of the policy so SAC could see it, but got no response.

Sen. O'Halloran asked Sen. de Vegvar to identify a substantive issue of particular concern to her.

Sen. de Vegvar said she was mostly concerned about the process. But she was also concerned about the deletion from the policy of the sentence "At all times the institutional response shall keep the students' educational aims and needs foremost."

Sen. O'Halloran asked Senate office director Geraldine Mc Allister to find out how that sentence got dropped.

Sen. Sutton asked about the role of summer powers in this situation. He supposed that if the resolution had been adopted in February the revised version would have come up at the March plenary. He asked whether the Senate could have voted on the revision in September instead of just deciding under summer powers during the summer.

Sen. O'Halloran said there was some pressure to finish this policy because there was state and city legislation on related issues coming down. She said it's important to have workable policies on the books, even if imperfect.

Sen. Moss-Salentijn said Faculty Affairs was finally able to talk about the redline version of the policy at its last meeting, with a member of the General Counsel staff. Sen. Moss-Salentijn was struck by the realization that that person was not aware that this already had been voted on and that this was supposed to be posted. She said there had been a disconnect, and it is important to find out what it is. Faculty Affairs agreed that the latest version was not the one the Senate had voted on.

Sen. O'Halloran said she understood that the Office of the General Counsel had addressed FAC's concerns. Sen. Moss-Salentijn said OGC had addressed *some* of those concerns.

Sen. O'Halloran suggested moving on to the task of revising the policy on consensual relationships between faculty and graduate students.

Sen. Cheng said he did not feel comfortable working on a policy for graduate students, given the way the policy for undergraduates had been handled.

Sen. O'Halloran suggested that the Senate, in developing the policy for graduate students, could also make any needed amendments to the undergraduate policy.

Sen. D'Armiento asked whether the Senate could simply amend the undergraduate policy by restoring the sentence whose deletion the student senators had protested.

Sen. O'Halloran said that sentence could be considered.

Sen. D'Armiento asked if the Senate could take action on that sentence. Her sense was that no one was opposed to it.

Sen. O'Halloran said she would deal with this. The pressing question now, she said, is to address the graduate policy because there's more legislation to account for.

As for the process concerns that had been raised, Sen. O'Halloran said the Senate had to act promptly. SAC had to meet with FAC and the Commission on the Status of Women, and a small group was needed to organize that effort. And General Counsel should be involved at the outset.

Sen. Cheng agreed with this approach.

Sen. Smiley said there seemed to be general incomprehension about where the sentence about students' educational needs went. For all he knew, the deletion might have resulted from a General Counsel decision that the sentence implied too much liability for the University because it was too high a bar to always put the students' education first.

Sen. Smiley said perhaps the conclusion should be that General Counsel should not be treating a Senate resolution that has been adopted the same way they would treat a proposed Senate resolution. He said this is an important distinction to maintain. If the Senate were to pass a resolution that is manifestly dangerous for the University's legal liability, he would expect General Counsel to then notify the Senate as bluntly as necessary. He expected that the Senate would respond seriously to such a warning.

But if General Counsel simply decided to get rid of some language after a resolution had passed, because there was a risk of a lawsuit, that would not be okay.

Sen. O'Halloran said she would need to find out some more facts before agreeing with Sen. Smiley's assessment.

Sen. de Vegvar said the very sentence that got dropped (and that might have been a legal liability) is actually in the university policy that now covers consensual relationships between faculty and graduate students. Why would the sentence be dropped from one policy but left in another?

Sen. O'Halloran said that if the same sentence remains in the current policy for graduate students, then its deletion from the policy on undergraduates may have just been a mistake in the editing process.

Sen. Zoha Qamar (Stu., SEAS/Undergrad) saw no need to wait to finish the policy for graduate students before repairing the undergraduate policy.

Sen. O'Halloran said that if the task of fixing the undergraduate policy consisted of simple fixes like restoring the one lost sentence, then there might be no need to wait. But she repeated that she needed to know the facts first. She did not think something insidious was going on.

Sen. Qamar said there was concern among undergraduates about why the sentence was dropped, and if there is no communication about how that it happened it feels like something insidious.

Sen. Danielle Resheff (Stu., CC) said the sentence the Senate had been discussing was not the only one that had been changed. She thought she could speak for a lot of senators who were frustrated with the lack of clarity in the transition from the Senate's April 27 document to the one recently posted. She said there should be more conversation before proceeding with the editing of the document.

Sen. O'Halloran suggested having General Counsel come to a SAC meeting to discuss the editing process. She repeated that restoring the missing sentence in the policy for undergraduates was a simple, non-substantive edit.

Sen. O'Halloran appealed again for a chance to assemble the facts, but repeated her recommendation for a meeting between SAC and General Counsel.

Sen. Andrew Hsu (Stu., GSAS/Pure Sciences) suggested that the use of summer powers by the Executive Committee should be curtailed, or at least more clearly defined, so that the present problems don't arise again.

Sen. O'Halloran said summer powers are in the Statutes and they're not used often.

Sen. Regina Martuscello (Postdoc Research Officers) said the problems identified in the present discussion may reflect the speed with which the policy document was rushed through the Senate. As a member of the Commission on the Status of Women, she raised a number of concerns about the place of postdocs and other research officers in the policy, but they were ignored because of the group's focus on the needs of students. She said she was repeatedly told that the students want the policy passed, so the Senate pushed the policy through quite quickly. It was discussed at only two plenaries, the second of which was the last meeting of the academic year, at a time when many could not attend, including herself. Clearly the document needed more care in the drafting and editing.

Sen. O'Halloran said there is a policy in place now, and the Senate will do more policymaking on consensual relationships. She appreciated the point that there was a lot of back and forth on the undergraduate policy.

Sen. Martuscello said a number of relevant issues were not discussed in the Senate.

Sen. D'Armiento said the issues Sen. Martuscello had raised in the Commission on the Status of Women were brought up on the Senate floor.

Sen. Martuscello said the postdocs have been attempting to organize a unionization vote, in which Columbia University has argued that postdocs are trainees and not employees. The language that Columbia is now using to define postdocs is contradictory to the way they're treated in the language used in the document on consensual relationships with undergraduates. Sen. Martuscello said she had called attention to this problem last spring.

Sen. Smiley said the present discussion was about undergraduates, not graduate students.

Sen. Martuscello said there is extensive interaction at Columbia between undergraduates and postdocs. Are there no romantic relationships?

Sen. O'Halloran explained that post-docs serve as supervisors of undergraduates, in labs and similar settings.

Sen. O'Halloran outlined her own to-do list.

1. Find out how that sentence got lost.
2. Find out why the chairs and committee members did not all receive the revised policy.
3. Students should invite General Counsel to a meeting.
4. The Senate should get started on revising the policy for graduate students.

A male senator asked Sen. O'Halloran to propose an expedited timeline for accomplishing these tasks, preferably in time for the next plenary in early December.

Sen. O'Halloran said the Senate should get to work on these tasks soon.

Sen. D'Armiento asked student senators to send any substantive complaints to the committees that are working on the policy documents.

A female senator said one substantive issue had to do with the exclusions and special situations listed at the end of the policy. This section provides a way for a professor to come forward and seek an exception from the policy, but it doesn't include the student in that process. So if there is a nonconsensual situation or a power imbalance, the exclusions section is not addressing it.

Sen. O'Halloran said EOAA is in charge of the exceptions process. He urged students to speak to the associate provost for EOAA, Heather Parlier.

A female senator said students worry that their concerns have not all been addressed. Sen. O'Halloran suggested putting all concerns in an email. She said many of them were discussed at length last year.

Sen. D'Armiento said there are committees in place, and students should send their concerns, and everyone could discuss them together.

Sen. O'Halloran adjourned the meeting shortly before 3 pm.

Respectfully submitted,

Tom Mathewson, Senate staff