

**Emory University Faculty Council Meeting Minutes**

**October 18, 2016**

**3:15 p.m. – 5:00 p.m.**

**Jones Room, Woodruff Library**

Approved November 15, 2016

**Attended:** Angela Amar, Abdullahi A. An-Naim, Juliette Stapanian Apkarian, Kimberly Jacob Arriola, Henry Bayerle, Elizabeth Corrie, Erica Duncan, Christine Dunham, Jason Hockenberry, Jaffar Khan, Matthew Klopman, Anna Leo, Kristy Martyn, Judy Raggi Moore, Jim Nagy, Mimi Newell, Karen Scheib, Jason Schneider, Pamela Scully, Anand Swaminathan, Peter Topping, Kristin Wendland, Kimber Williams, Holly York, Lynn Zimmerman, Stuart Zola

**Excused Absences:** Sheryl Heron, Cynthia Wetmore, Karen Stolley, David Lynn, Tamara Caspary, Carla Berg, James Hughes, Nichole Powell

**Unexcused Absences:** Deborah Bruner, Astrid Prinz

**Ex Officio Absences:** Claire Sterk, Noel Erskine, Frank Wong, Carrie Cwiak, Cam Escoferry, Patrick Sullivan

**Guests/Visitors:** Dean Michael Elliot, Adriane Ivey (for Nichole Powell), Gray Crouse, Nadine Kaslow, Lynne Huffer

**I. Call to Order**

Emory University Faculty Council Chair Kristin Wendland called the meeting to order at 3:15 p.m.

**II. Approval of University Faculty Council Minutes**

The September 2016 minutes have been posted for review in the University Faculty Council (UFC) Box folder.

Chair Wendland informed the UFC members about two revisions Pamela Scully asked to be made on September 2016 meeting minutes. These two revisions are

1. Pamela Scully's objection to the establishment of a Faculty-Peer Mediation Task Force was not around the capacity to implement, but it was about its necessity given no demands for mediation
2. On the Title IX session, she would like to add, "Faculty members raised substantial concerns around implementation, including the issue of the inclusion of faculty as responsible parties; student privacy; and academic freedom."

**UFC motion:** Wendland requested to hear a motion to approve September 2016 meeting minutes after the addition of the two amendments above. Erica Duncan made the motion, and Judy Raggi Moore seconded it. The motion passed with no oppositions.

### **III. Chair of the Board of Trustees Presentation – John F. Morgan**

Mr. Morgan started his speech by emphasizing how the role of trustees is to support faculty. Trustees understand this as a privilege, and as an honor and a duty.

Mr. Morgan, who also served as the Chair of Presidential Search Committee (PSC), spoke about last year's presidential search process, which resulted in the selection of Claire Sterk as the new University President. Mr. Morgan underlined how the presidential search was a well-researched and organized process, and he acknowledged the contributions of Allison Dykes and Peter Barnes to the process. The PSC was composed of fifteen (15) members representing trustees, faculty and students, and thus exhibited the variety of voices of Emory University. Mr. Morgan said the PSC and presidential search process should serve as a prototype for Emory, which is a place for freedom of speech, to include all different voices towards a common purpose. The PSC met with fifty (50) different groups in about eight (8) months, listened to their opinions, and received feedback. The PSC and presidential search process mainly focused on inclusiveness, leadership, building resources, and facilitating collaboration between different units of the University, as well as with other institutions. Mr. Morgan indicated that as a result of their work, the PSC charged Claire Sterk to promote Emory and think about ways that Emory can ambitiously achieve even greater potential. Mr. Morgan stated that the top priority of the Board of Trustees for this year would be to support President Sterk. Mr. Morgan concluded by stating that he was convinced President Sterk will assert the will to lead; she is a great listener; she will preserve Emory's deep commitment to its values; build on the strengths of the University; and advance Emory in the rankings.

### **IV. Communication Infrastructure I Presentation- Karen Scheib (Candler School of Theology UFC representative); Judy Raggi Moore and Juliette Stapanian Apkarian (Emory College of Arts and Sciences UFC representatives)**

Kristin Wendland introduced this session by reminding the UFC members how one of the major goals she outlined for the UFC this year was to strengthen the communication channels between UFC representatives and their constituents, and also to engage more faculty in shared governance. With that in mind, Wendland had asked some of the faculty representing different schools of the University to present what communication infrastructure they use, to serve as a basis to discuss what is working and what is not working.

Karen Scheib, representing Candler School of Theology (CST), spoke first. Scheib said they have a simple structure, as they are a relatively small school composed of about five hundred (500) students and forty five (45) faculty, which is roughly the size of some departments in the University.

After schematically describing the CST governance infrastructure, Scheib described how the CST faculty meets monthly, and, since attendance is required, there is a high level of involvement. CST faculty meetings consist of a discussion hour followed by a business meeting. The discussion hour could be used to discuss any issue that arises, such as tenure-and-promotion issues. In business meetings, the UFC and Senate members representing CST report back what happens at those respective meetings. These representatives are appointed by the Dean of the CST, then confirmed by the CST faculty, which is considered to be an election process.

Next, Judy Raggi Moore and Juliette Stapanian Apkarian spoke on behalf of the Emory College of Arts and Sciences (ECAS). Moore first stated that communication is fundamental. Since ECAS is large and diverse body, it has a rather complicated governance structure that spans a number of different departments and programs. Moore summarized the ECAS governance structure, which includes an elected Faculty Senate and several elected Standing Committees charged with negotiating different aspects of faculty life. Election of College Senators is designed to include representatives of each division (humanities, social science, natural sciences) as well as senators at-large. These committees report to the ECAS Faculty Senate, and the ECAS Faculty Senate reports to the Dean of ECAS. The ECAS Faculty Senate includes one member from the UFC that connects the ECAS faculty to the University faculty at large, and one member from Laney Graduate School who serves ex officio. Faculty Senate meetings are always open. There is a general ECAS faculty meeting once a semester. Senators act as liaisons to departments to share information back and forth.

One of the Faculty council representatives main goals is to move from a “silo” communication structure to a “culture” of efficient dissemination and communication flow. Unfortunately, recent evidence suggests that the ECAS faculty are not efficiently connected to Faculty Council deliberations. To address this limitation, ECAS representatives suggested two approaches:

- 1) Provide the representative from the UFC to the ECAS Faculty Senate with a clearer mandate regarding content reporting and accountability. Perhaps this could be achieved through a permanent spot on ECAS Faculty Senate monthly meeting agendas in order to give updates
- 2) Have the four ECAS representatives systematically report and attain feedback at the ECAS Dean’s monthly meeting with chairs and directors.

Moore presented a number of ideas for improved communication, including a reporting and feedback information sharing structure that becomes a part of regular department faculty meetings and creating pathways for the immediate involvement of new hires in the culture of accountable faculty governance through new faculty orientation programs. Moore concluded by emphasizing the importance of communication between the faculty and administration in the diverse ECAS.

Next, Juliette Stapanian Apkarian described that because ECAS Faculty Senate is a new structure, its role is still evolving, and so implementation—understandably--does not yet fully realize aspirations to foster and serve a systemic culture of communication at this time. Yet, the ECAS Faculty Senate reflects a really important and shared commitment to unite in decision-making as a whole school, rather than as separate departments and programs. Wendland remarked how it could be a good starting point for the representative from the UFC to the ECAS Faculty Senate to have a fixed spot on the monthly Faculty Senate ECAS to report and attain feedback.

#### **V. Class & Labor II Report and Discussion – Nadine Kaslow and Gray Crouse (Class & Labor Phase II Committee)**

The Class & Labor II report has been posted for review in the University Faculty Council (UFC) Box folder.

Wendland introduced this session by reminding the UFC members about the history of the Class and Labor Initiative, which started with Phase I concerning the staff, and now Phase II is for the faculty. Wendland said this (Class and Labor Initiative) was commissioned by the Provost, the Executive Vice President for Academic Affairs and the Executive Vice President for Business and Administration, and it will go back there for review and implementation. Since Class & Labor II is focused on faculty, Wendland emphasized

how UFC members could give feedback and recommendations. Wendland stated the next step perhaps would be to let the Faculty Life Course Committee help shape and frame future UFC discussion on Class & Labor II.

Nadine Kaslow spoke first. She described how the Class and Labor II Committee was composed of faculty, staff and students. After looking at the issues brought out at Emory, she indicated that the findings from the report showed that faculty is a privileged class and she hopes the UFC will include the entire Emory, not only the faculty, in this process of resolving class issue. The Committee's charge was to look at the following four class issues: 1) the role of class, 2) the role of Emory as an employer in the academic labor market, 3) recruitment, promotion, advancement, and professional development, and 4) the role of non-tenure-track (NTT) faculty. Kaslow summarized the committee's key findings. Regarding the role of class, they found class distinctions among faculty with respect to gender, rank, seniority, and ethnicity; and they also found class distinctions emerged between the faculty and staff as well. In terms of Emory as an employer, Kaslow reported overall faculty salaries were found to rank in the bottom quartile compared to peer institutions, and most recent data show that Emory is not improving its relative salaries. Of note, comparative data for NTT faculty were not available for the reasons detailed in the report, and Kaslow said it is an important omission (or problem) they had in the report. On recruitment, promotion, advancement, professional development, Kaslow reported they found (1) significant gender difference in the salaries, and these differences are inequitable and negatively impact recruitment and retention efforts at Emory; (2) percentage of offers going to women and underrepresented minors are low, and this also negatively impacts recruitment and retention; and (3) many faculty (not all) members do not feel they have the resources, support, or opportunities for advancement; they are unaware of expectations; and/or they do not have adequate access to mentoring. Kaslow pointed out the role of NTT faculty is a national hot topic right now. There is high variability between different schools and colleges in terms of what the expectations and duties are from NTT, because their role is quite heterogeneous across the University. Finally, Kaslow listed seven (7) guiding themes the Committee recommends to resolve the class and labor issues as (1) community and culture, (2) diversity, inclusivity, and equity, (3) workplace expectations, (4) recruitment and retention, (5) professional development and advancement, (6) workplace satisfaction, and (7) NTT faculty. She also underscored the committee's recommendation that there be a committee of the Senate formed to oversee the implementation of the report's recommendations.

Next Gray Crouse outlined some take home messages and key recommendations of the Class and Labor II Committee and its report. They recommend formation of an oversight committee composed of faculty, staff, students, and administrators. Under the auspices of the University Senate, it would work with the Provost and the EVP/BA toward monitoring the implementation of the recommendations and addressing campus culture issues related to class and labor more generally. This Class and Labor Senate Oversight Committee should focus on concerns related to both staff and faculty matters and should be a standing committee of the University Senate. In terms of the community and culture, Crouse said one major cultural problem is implicit bias. A related and prevalent bias throughout the university is that faculty diversity may stand in contrast to faculty excellence, as if they are opposing ideas. Dealing with implicit bias may be more difficult within faculty, relative to other groups. Because faculty know themselves to be highly educated and intelligent, they assume they would not have implicit bias. In terms of diversity, inclusivity, and equity, sociodemographic factors can inappropriately affect a faculty member's standing. Of such sociodemographic factors, gender and race/ethnicity are dominant. Crouse next reported that salaries of women faculty are found to be lower than men across the University, and those differences were not equitable. Faculty diversity in race/ethnicity is low in all school/colleges, and it is increasing at unacceptably low rates, especially given the changes in the student body. Class and Labor II Committee recommends the formation of salary equity committees, changes in faculty recruitment and retention processes, and that deans must be held accountable for increasing the diversity of their faculty. Track (tenure track versus NTT) is a significant class issue in some schools and colleges within Emory. The percentage of NTT faculty relative to tenure track (TT) faculty has been increasing, following the national trends. Thus, it is essential that NTT faculty be paid competitive and appropriate salaries that reflect their education and abilities. Therefore, the Class and Labor II Committee recommends investigation of salary differences between NTT-regular and TT faculty within schools and colleges, and to make salary adjustments when these differences are inconsistent with those at peer and neighboring institutions and/or

value placed on the labor performed.

Wendland added there are issues, for instance “culture of civility”, in this report that UFC can certainly take up and discuss. Wendland concluded stating that she would like to turn some of the digestion of this report over to Angela Amar, chair of Faculty Life Course Committee, to evaluate and bring back to the UFC, and to recommend if the UFC should draft a statement from the point of faculty leadership at Emory.

**VI. Title IX/VII/Open Expression Discussion** – Lynell Cadray (Office of Equity and Inclusion, OEI)\*

\*Title IX and Title VII compliance officers from the OEI, Judith Pannell and Maurice Middleton, respectively, were also present.

Wendland introduced this session as a continuation of the discussion initiated by Lynell Cadray and Title IX and Title VII compliance officers from the OEI, Judith Pannell and Maurice Middleton, respectively, from the September 2016 UFC meeting. Wendland stated there are points that the UFC would like to talk about, especially including faculty as a responsible party, issues of academic freedom, and student privacy.

Following Wendland’s introduction Judith Pannell defined Title IX as a sexual misconduct policy that applies to student misconduct, not staff and faculty. All employees, except for those who are in a confidential role, are considered to be mandated reporters of sexual misconduct involving any student brought to their attention. Students have several options in terms of resources and support, and how they would like to proceed in terms of Title IX. In response to a question, Ms. Pannell confirmed that Emory makes all faculty responsible parties under Title IX.

Maurice Middleton summarized the description and key points of the Title VII: discriminatory harassment policy. Title VII pertains to faculty, staff, and students only if students are also in an employee position in the University. Anybody serving in a leadership position is required to report within Title VII policy. UFC members raised their questions and concerns regarding the definition of leadership and its legal room. In response, Mr. Middleton restated that all faculty are considered to be in leadership position.

Pamela Scully acknowledged that Title IX issue is incredibly challenging and that being a Title IX officer is a difficult task. She recognized the Title IX officers’ responsibility around compliance, and stated that faculty have their own duty to the mission of the university. Her concern is primarily around Emory’s decision to make faculty responsible parties in terms of Title IX reporting. She listed her concerns about Emory’s interpretation of Title IX reporting as follows: it compromises academic freedom in the classroom, and the relationship between faculty and student. Scully summarized the key findings in the 2016 AAUP report on *The History, Uses, and Abuses of Title IX*, which are that universities are overinterpreting the Title IX in terms of making faculty responsible parties, and that there should be a separation of speech and conduct in the description of harassment and discrimination. Scully proposed that Faculty Council host a series of talks about the interpretation of Title IX to stimulate some discussions, and also the formation of a small working group to look at how other institutions are approaching this issue.

**UFC motion:** Wendland requested to hear a motion for UFC to continue the discussion of Title IX and Title VII policies. Pamela Scully made the motion, Karen Scheib seconded it, and the motion passed with no opposition.

Next, UFC members were asked to vote on whether they would like to keep this as a faculty group conversation or open it up to the other members of the University. All members voted in favor of keeping this discussion as a UFC conversation. Adriane Ivey, Pamela Scully, Karen Scheib, Angela Amar, Anand Swaminathan, Anna Leo and Jason Schneider volunteered to serve in a small faculty working group pertaining to the further discussion of Title IX and Title VII policies.

#### **VII. Emory University Interim Provost Remarks**

Interim Provost Zola contributed to Title IX/VI/Open Expression discussion. He remarked that the challenge is to understand how close to impossible this is to actually have a decision on whether an action constitutes a sexual misconduct, whether there was consent, etc. Dr. Zola suggested consideration of a case study, where Lynell (Cadray) would structure a scenario and include all potential challenges. UFC members in a working group could sort it through to make a decision to experience the level of uncertainty in the decision making process of responsible parties according to Title IX and Title VII policies.

#### **VIII. Adjournment**

The meeting was adjourned at 5:03 p.m.