

**UNIVERSITY OF ROCHESTER FACULTY SENATE  
MINUTES OF THE MEETING OF  
MAY 8, 2018**

**Members present:**

**Members absent:**

***Ex officio* Members present:**

**I. WELCOME FROM THE SENATE CHAIR**

**Curry:** Hello, everybody. It's 4 o'clock so we're going to get started. I think you all know me – I'm MJ Curry from the Warner School. My co-chair Kevin McFarland is in Japan; he has been known to zoom into these meetings so I don't know if he's online but he may be soon. He is? Hi, Kevin!

As you know, this is the last senate meeting of the year. For Kevin and me, it's the last senate meeting of two years of being co-chairs of the senate, so I just wanted to say a few words. These are my words – Kevin hasn't seen them since I just wrote them.

It has really been an honor for me to serve with Kevin as co-chair. We began our leadership with the shared goal of increasing democratic participation of the faculty in the life and especially the shared governance of the university. We've instituted policies and practices towards that end, such as calendar year elections for senate committees, reviving committees like the academic affairs and research policy committees, assured faculty representation on standing committees like the new public safety review board.

We've also overseen the creation of ad hoc committees like the sustainable transportation committee of the senate, the faculty club committee of the senate, the grievance committee of the senate, and the ethical investment committee, which is a new committee this year. Through these measures and a shift in the focus and content of these senate meetings themselves, we have been very proud to see an increase last year in participation in the senate and its committees and even more so this year.

It is an understatement to say this has been a busy year. This is a year that has rocked the foundations of this university, but I believe we are emerging from this crisis and from President Seligman's resignation stronger and more united and with a clear sense of the not inconsiderable work that lies ahead of us.

The ways that we strengthened the faculty senate last year have helped the senate and the faculty to play a crucial role during this past year and we anticipate the fact we will continue to play a key role in the future as the university responds to our challenges.

The senate leadership including our amazing colleagues on the executive committee, many of whom are here now, and the senate as a whole have really stepped up this year to participate in key moments like the formation of the commission on women and gender equity, and that commission itself has done incredible work, in interactions with the trustees and Mary Jo White's team, and now looking forward to faculty representation on Board of Trustees committees for the next foreseeable future – something that faculty have been pushing for, for decades I believe.

I think Kevin would agree with me that we leave our two years as co-chairs with the senate as a stronger, more visible, more powerful body than it was before, that is capable of making important contributions to the development of the university. I want to thank all of you who've served on the senate, its committees – standing, ad hoc and others – and other bodies that have been formed not only in response to the crisis but also for working on other initiatives; for the enormous amount of work we have all done this year, and I think we should all be proud of that as we figure out how to try and recover from this year.

Now I'm going to show you the list of next year's senate executive committee members and I think that we're going to feel very comfortable handing over the reins of the senate to as yet undetermined, but sure to be very capable, co-leaders. Thank you very much.

This is our agenda for today. I'm going to give our report and then we re-ordered things a bit so we can have the report from Provost Clark and Dean Waugh because of time constraints. This will not be the full drilled-down salary study for all units of the university, but we're going to get an overview from Provost Clark and then a more specific report on AS&E from Dean Waugh and then hopefully into the fall we'll be getting more reports from other units.

Then we're going to have our second, hopefully confirming vote, on the charter revisions, which you may remember are fairly minor and technical. Then we'll have a report from the Ethical Investment Advisory Committee who already has something they're working on and they wanted to present that to us today. Then we'll have an address from President Feldman. I don't think we're going to have much time at the end, but if we do, we'll open it up for any additional business.

These are the results of the elections to Senate Executive Committee next year. Kevin and I both become ex-officio members; the newly elected members are Chunkit Fung, Gerald Gamm and Scott Hartman and then we have a number of continuing – is that right, Louie? So it's still a pretty dynamic team here.

Then whoever's the new chair or leader or designate from faculty councils, they also serve ex-officio. Next Tuesday at this time the old and new SEC people will be meeting together and the new voting members of the senate will be selecting or electing or figuring out somehow who's going to be the chair

or co-chairs for the coming year. Kevin and I are no longer eligible.

Now, you may remember because this is an initiative we've been working on actively this year, to have representation on many of the Board of Trustees committees – not every single one – these representatives are selected by the Senate Executive Committee or specific committees they represent. These names have been submitted to the Board of Trustees and they will likely be confirmed – I think they've already seen them so there shouldn't be any big surprises.

Some of these are slightly random like me doing facilities, and many are pretty obvious in terms of people's expertise – benefits, health affairs, and you can see here in some cases we have 2 representatives, partly because of the importance of the work or the size of the units; academic affairs, research and innovation, strategic and financial planning, student life advancement and then the investment committee – basically we didn't create a new representative because we have this new Ethical Investment Advisory committee and we're going to have a report from Randy Stone on that later today.

This sustainable transportation committee has distributed a survey with a closing date of the 10<sup>th</sup> of May. If you haven't taken that, please do so. You may have seen the Rochester Transportation System just released a proposal which would really almost complete or reduce bus service to the university, so it's pretty serious. They're taking comments. They're going to be at Brighton Farmer's Market on Sunday and they have a website. Maybe we can link that when we have a minute to the senate website.

I know that Jim Chodak, our Director of Parking and Transportation Management is planning to meet with them and other reps from other colleges and universities around here, but it's exactly a backwards step; it's exactly what they should not be doing. The results of this survey will be useful for Jim as well as the senate Sustainable Transportation Committee to keep working on improving transportation options around here.

Human resources is working to set up new anti-harassment and discrimination training; there will be mandatory training. We had an email from Tony Kinslow today that it won't all necessarily be online, but there is a strong preference for online, individual time choice options for medical center folks – there may be two different approaches but they will be all aiming to meet the same objectives. It's a parallel activity to UDEC. This is in development at the moment.

Although we got a lot done this year and last year, there are still a number of ongoing issues that will be handed over to the next senate. One initiative that we talked about at our last meaning that many of us are continuing to explore is having the university get this Carnegie certification on community engagement.

We need to discuss that particularly in light of community engagement in the 3 broad areas that faculty are usually

evaluated on. So the goal, if possible, would be to complete this discussion and improve it so the board can have it by either Meliora weekend in October; we'll see if that's feasible or not.

We've also been talking with the provost and president about studying the growth of administrative staff at the institution across units and the growth of executive compensation, as you saw in last month's meeting where Kevin had created a whole bunch of slides on that.

One of the ad hoc committees that was formed this year was the senate's IT and Privacy committee which has delivered a report that's currently under consideration by the provost's IT Policy Committee.

The academic affairs committee is looking at the balance between tenure and non-tenure track teaching faculty, among other issues. The benefits committee has been working very diligently to make sure that the benefits survey that's been promised to us for a long, long time is finally going to happen and it looks like it will be undertaken as part of an agreement with Willis Towers Watson. And as I was just mentioning, the Sustainable Transportation committee, that work will definitely need to continue.

These are the ones we know about. I think we ended last year in our bicycle helmets, maybe Kevin was wearing shorts, and we were thinking transportation would be one of our big issues this year – that kind of didn't happen so much.

Okay, are there any questions or comments on any of these items? This is a very quick spin. Great. We can hand it over to Rob and Rick. You're going to start, Rob?

## II. REPORT ON FACULTY SALARY STUDY – ROB CLARK AND RICK WAUGH

**Clark:** We're going to do a quick overview of salary data and this would be consistent with what we've done in the past in looking more broadly; in Arts Sciences & Engineering for example, we used data from Audi. We have somewhat limited access – it doesn't go so granular.

I started looking at salaries and gender equity in particular; we don't have granular data for other institutions for a comparison, but on the other hand, if we do a detailed analysis internally, I think we want to set our own standards there to begin with. That's a piece – I've been discussing that with the deans and we've put a bit of work into it. I think Arts Sciences & Engineering has done a really comprehensive study on that and Rick Waugh is going to present that for AS&E.

We're going to use the statistical process that AS&E has used, and I have a commitment from the other deans to get that done throughout the summer, and when we come back in the fall that will be the first thing we bring back to the faculty senate as a whole – looking at salaries.

This really is a larger overview. We're going to have a number of charts and they're going to be year over year salary by faculty rank; you've seen these before. I think Ralph Kuncle and Joel had presented them in years past and I think Joel probably presented it last year. I can share the charts beyond what we have here.

We cast them in the percentile data; it does vary by source and we have to use different sources depending on the school, so this isn't growth at the university as a whole – these dive specifically into each school itself. For example, this is Arts Sciences & Engineering. If you look at the dark blue area in the center of the graphic, that's the peer 25<sup>th</sup> to 75<sup>th</sup> percentile of salaries - You'll see the comparison set are non-Ivy, privates, Case, Duke, Northwestern, Vanderbilt, Wash U.

You'll see the lighter blue bands being 75<sup>th</sup> percentile to max or minimum to the 25<sup>th</sup> percentile and the dashed lines in gold are 25<sup>th</sup> and 75<sup>th</sup> percentile bands. What the graph really shows is compared to that particular peer set, at the assistant professor level we're very competitive in terms of the offers that we brought in new faculty and we lag behind our peer set at both the associate and the full professor level. That's the data.

We've seen that – this isn't a new conclusion; we've seen that in the past representation of this data. This is for Warner, and you'll notice that the full professor levels we had too few in this particular year to make a calculation that would have had any significance statistically but we were able to look at the assistant level. We had historically statistically significant numbers to make an analysis; in the more recent year, there were too few assistant professors. But then at the associate level you can see that the salaries lagged behind our peer set that are in this group as well.

Again, these are things to discuss with the deans in review and with respect to the budget. We are decentralized in that each unit manages their resources across the units for salary recommendations.

The peer set for the Eastman School of Music – and this came from the NASM annual report for a comparison base; you can see here that the assistants, we have a pretty tight band around everything from the 25<sup>th</sup> to 75<sup>th</sup> percentile. Assistant and associates – we lag a little behind on the associates, not by much. You can see in the more recent year it's much closer to the average than the others. Then at the full professor level at Eastman, it tends to be ahead of its peer group in terms of salary, on average.

If we look at the Simon School, again, there's some fluctuation there and these can vary depending on 1 or 2 changes – depending on the salaries behind higher or lower. Because they aren't tremendously large sets, there can be fluctuations from that. Assistant and associate level are tracking on about the median, but you'll see at the full professor level the Simon faculty are paid, on average, more than the peer group.

And I'm sure you will notice, as I did, there are salary differences across the schools.

School of Medicine and Dentistry, from what we have as a comparison set, 2500 Northeastern private institutions, we tend to be below average in terms of our assistant and associate. In terms of our payout, coming close to that and lagging behind a bit are the full professors. So we're lagging behind, a bit less so on the full professor than we are at the assistant and associate. As I said, the data we have here we'll – is available; you can pull the graphs.

For nursing, smaller numbers – I want to say 18 or 19 faculty total so there are too few to calculate an average as the assistant level. At the associate level, we pay ahead of our peers in terms of the median and the same is true at the full professor level.

Then we also did the same thing for the clinical track because we have a clinical track that's pretty significant there and important to the school. We tend to be around the median for that end – the 50<sup>th</sup> percentile.

That's the gross summary of the salaries at each of the particular schools. When I come back in the fall, I will have a deeper dive on gender equity and the salaries associated with that and it will be more consistent but I think it will be a good time for Rick to come up, talk about the analysis in Arts Sciences & Engineering and the approach we'd like to use.

If you have questions, I'm happy to answer them, but we would let Rick do his part, then the two of us could field them together. Would that be okay? Okay.

**Waugh:** Right. This is a study that was commissioned by Peter Lennie and done by Rob Strawderman, who's the chair of Biostatistics in SMD. Rob spend quite a lot of time on this. Peter reported it out in preliminary form last year and we've taken another look at it to see if we can understand more about what some of the differences are and the source of some of the differences.

The way this was done was Dale (Hass) who's in the AS&E institutional research group, gave Rob a set of data that was anonymized – the departments were anonymized, faculty names were anonymized and there were roughly 350 faculty in the group and roughly 25 percent of them were female. This was across 25 departments and programs.

What he considered as potentially confounding factors in trying to understand the role that gender plays in salary determination included academic rank, whether the individual had ever held a chair position or endowed professorship, and whether they'd ever been director of a program.

It was divided by field and when possible, data about departments was used but because some of the departments are quite small, you can't reach statistical significance so some of the analyses were done by field – humanities, social

sciences, natural sciences, and engineering. He also looked at time since PhD and he looked at time, relative time in rank.

Okay, so if you do the simple minded, brute force analysis and do the basic two sample regression, male faculty versus female faculty, there is an indication that there's a pretty strong difference across genders in terms of salary level. Now for those of you who don't remember your statistics, a P value gives you an idea of the strength of the conclusions that you can draw, so a P value of .05 is the limit of statistical significance.

So, P 0.008 is a pretty significant result, but then the question gets to be, are there confounding factors? One way you can test confounding factors is to look at them individually. So if you classify by rank, looking at professors only, associate professors only, and assistant professors only, what we find for these P values is .055, that's right on the margin for professors. For associate professors that number says there is no correlation at that level, and at the assistant professor level we're at the margin of statistical significance, so there's a possible weak association for full and assistant professors, but nothing significant for associate.

Another way to do it is to classify by field. If we just looked at humanities or social sciences or natural sciences or engineering, the P values range from 0.9 to 0.058 so none of them really are in the statistically significant range. Now the problem is you really like to account for all of these different variables at the same time – this is why we had a statistician do this analysis – because the problem is there are too many confounding variables in order to draw conclusions from this simple minded approach.

This is where Rob took over; he basically used very sophisticated statistical techniques called regression models – the one that's his favorite is called linear multiple effect model. He tried it a couple of different ways using slightly different variables to characterize the different confounding influences he might find, but regardless of the details, the conclusions he came up with were pretty much the same, no matter what the details of the modeling were.

The main determinants of salary – the ones that have the most effect – are academic rank, field or department, and whether you've had a chair, director or endowed status in the past or currently. Variables with smaller effects were years in rank, years since the doctorate and gender.

When you look at gender specifically the average effect of gender on salary is about -4.6 percent, so the P value is about 0.1. It's barely significant at the 90 percent confidence level and not significant at the 75 percent level. This was the basis for Peter's report last year that there was about a 4 percent difference between men and women's salaries, but it was not statistically significant.

Now that doesn't mean it's not significant in the actual world, so the question gets to be, why do we see this difference? We've started to take a look at a couple of things. One of the

things we asked was, do women have different starting values than men? Obviously if that's the case then that will propagate over time and you'll see consistent differences across gender. Much to our surprise, over the past – since 1970 – women's starting salaries have been slightly higher than men's salaries. Now, not statistically significant – I apologize for this slide.

If you look at the orange curve, that's the curve for starting salaries for women and the blue curve is for men's and in fact, women tend to have about a 1 percent higher starting salary than men, so that's not the reason.

The other question we tried to address was, could a few departments have a significant effect on the outcome? What we postulated was there are a few departments that have salaries that, as you saw, are market driven but significantly different from salaries across the university. So we ranked all the departments anonymously by the total average salary by department.

The one with the highest salary, if we took that one out of the analysis and did the same analysis on all 24 other departments and programs, the effect of gender dropped to 3.7 percent – 3.7 percent lower.

If you take out the two highest paid departments, that difference drops to 1.2 percent. If you take out the three highest paid departments, it drops to less than 1 percent. It's still not zero but it suggests that one of the main reasons we're seeing this difference in salaries between men and women is that women are disproportionately under-represented in fields that pay the most.

So, we did a little thought experiment: suppose we took these 3 highly paid departments and switched the genders, so that it was majority women instead of majority men? In that case, your conclusion is that women actually would have average salaries that are 2.3 percent higher than men. This is why, when we say it's not statistically significant, that it's not statistically significant. There are other influences that have a bigger effect, where gender is not equally represented, that are accounting for these results.

Now there are a lot of other things we haven't looked at that probably deserve looking at. Some of these outcomes all depend on previous promotion and hiring decisions – that could have an influence on the outcome, the frequency and size of retention efforts – we've started to look at this; we're still early in our examination of this, but so far it looks like the number of retention offers to women compared to men is in the same proportion as the representation of women on the faculty, so there isn't any higher probability that men are likely to see retention than women, or get retention offers.

The other thing that we'll probably never be able to include in this is faculty productivity because of the wide range of measures departments use to measure productivity. This – we'll never solve that one. If you look at funding, it's going to

work for engineering but it's not going to work for English, just as an example.

That's where we are. We are seeing differences, and the conclusion right now is that the best thing we can do to try to eliminate salary differences between men and women is to try to recruit more women into high paying fields, and to keep them so they become full professors in those high paying fields. That's where I think the focus should be, and certainly where it has been, particularly under Gloria and Wendy's leadership over the past year. I think when the dust settles on the current recruiting season, I think we'll find that we've made some significant inroads, at least in the current year, in trying to bring in higher numbers of women faculty to our ranks.

I'm happy to take some questions if you have them.

**Unidentified speaker:** My understanding is those higher paying fields are based on what we call market forces, right? So I think there's another way of thinking about equitable salaries and that is – I'm a Spanish professor and when I got my PhD, number one I wanted to go into teaching, university teaching, and there weren't industry jobs out there. I did not have much market value in the economy. However, we are a university first and foremost, so how can universities start to think about my value – and I'll use myself as an example – to the university, and how that should be rewarded, versus my value if I try to go to corporate America and get a job? Is that something we could or should be asking? What is my value to what I bring to the university to retain students or overall value? It's difficult to measure but maybe that's one thing we should be thinking about.

**Clark:** Certainly.

**Unidentified speaker:** Because just the market forces aren't even –

**Clark:** If you – is there anybody from the business school? I'm not trying to make light of this, but the point is if you change salary structures inside the university compared to what happens in the rest of the world, it's going to have some significant, unintended consequences. If we decided that we pay all associate professors the same and all assistant professors the same and all full professors the same, one of two things is going to happen: the university's going to go broke in about a year, or our highly paid departments are going to disappear from the university – and neither one of those is a happy outcome.

I agree with you that people's performance and people's contributions to the university need to be rewarded, but I don't think it's realistic to expect that we can completely equalize salaries across all disciplines.

**Unidentified speaker:** And I guess I wasn't even suggesting that, but at the same time, I think there perhaps needs to be a better balance between what we like to call market forces and certain highly paid departments use that very much to their

advantage, and this value to the university. Because, if the work I do has no value to the university, why don't we just get rid of all the low value departments and have a university that's just high value department? Why, because our university wouldn't be worth very much then. You know what I mean? If there are high value departments and low value departments and if you cut them out, you wouldn't have a very high value university.

**Clark:** So I don't want to confuse the value of departments with average salaries in those departments. My point is that our departments compete with other departments, and clearly we're not doing a very good job in many cases in competing with peer institutions in terms of salary level, we can make some improvements in that area if we have the resources. But I don't – what I'm saying is that just because the salary levels are different doesn't mean that we don't value the contributions that you make to the institution.

**Curry:** There are a lot of hands up. I didn't see who went up first... Camille, do you want to identify yourself?

**Martina:** Camille Martina, Public Health Sciences. So in working off of that sentence, there are two things I want to mention. In public universities, they have the same kind of pay line across everything and it's public. You can see what other associate professors or assistant professors are making, or full professors. I'm wondering how they do it. And secondly, to Beth's point, it seems like – looking at our students as markets, it seems that the neo-liberal policies that have been infecting the world have now come to higher education, which in some ways is rather sad when we are considered non-profit but yet we really are. I don't know. It's an interesting thought that I need to wrap my head around. Getting back to the public universities, do you have any comment on that?

**Clark:** Well, the public institutions have, typically the states will require that they disclose the salaries as far as public disclosure; Florida has the (sunshine) ( ) in terms of the way they do recruitment, and privates, they've done that differently because they're not under the same requirements as public institutions. But it doesn't mean the salaries are normalized across the institutions; it just means you can look within your own department and you can look up your colleagues and figure out what they're getting paid and you can compare it to your own salary. They know what their colleagues are making but it's not standardized in any way across the institution.

**Curry:** Ann?

**Nofziger:** I have two questions from Kevin. For Rick, is there a statistically significant sample to evaluate whether or not there is a gender bias in faculty who are chosen as chairs, program heads or who are holding down professorships? If we can filter out the salary differences but there is bias in the selection for those positions, this could ( ) gender equity.

**Waugh:** Yeah, that's actually – if you compare across fields – there are half a dozen other analyses I thought of asking Rob to do, but if you try to look at chairs and that status, changing the gender distribution across that, how big an effect that would have on our conclusion, we haven't done that experiment yet. It would be an interesting one to do – not an easy one because they're across all different disciplines, which we've seen has a big effect on the outcome. I don't know – it was something that was included, it was something that was found to have influence. There was a separate question, are women well-represented in those ranks? I would venture to say maybe not because we come from a place where there are even fewer women among the faculty and we're trying to get to a place where there are more of them and that's going to take time.

**Nofziger:** And then for Rob, has an analysis ever been done to understand the tracking of the salary lag over time in your graphs? For example, are more recently promoted assistant and associate professors closer to the peer sets in AS&E and Warner where there's a significant difference, or is the effect uniform across years of service?

**Clark:** That's a word problem from my old math professor. So the question is going back further in time?

**Nofziger:** Right, tracking the salary lag over time.

**Clark:** From what I've seen, it's been fairly consistent. I've been here – this is my 10<sup>th</sup> year and I remember looking at the data when it was presented when I first joined the faculty and I remember seeing the bar graphs like that. One of the things I meant to do and haven't had a chance, I wanted to go to cost-of-living calculators and go to all the cities we're comparing to and figure out what the average cost of living is in comparison to where we are and it doesn't mean we all exactly match to that, but it would be another interesting piece of data, I think to have in the charts.

If we find out that it's higher cost of living here and we're underpaying, that's a different conversation too, right? But I don't know what the answer is. That's something else I thought about in the middle of the night.

**Curry:** Nora and Mary Jo.

**Rubel:** Nora Rubel, Classics. This is sort of related to the first question, which is the representation of women in positions as chairs, endowed professors and program directors. Going on only anecdotal evidence, it seems to me that a lot of women actually – the way that they raise their salary is by doing this kind of service. I wonder if maybe it's the opposite effect; that it looks less significant, but women are doing more of the service work and that is how the salaries come up.

**Clark:** Well, I will say at least when I saw the computations, looking at it I excluded both men and women who had taken on additional work. What she's really asking is, if you had a small representation of women you were looking at as a whole and half of them had been involved in administration service

and had elevated the salary, it would bias the outcome of the average of the women, even though some of the other women might be less well paid than their peers. I don't know – it's another important question.

**Waugh:** It is an important question.

**Rubin:** Joanie Rubin, History & Humanities Center. Rick, you seem to make the assumption that salary and productivity were linked even though productivity is hard to measure. Wasn't that the last thing that you - ?

**Waugh:** One of the things I said was these are things we did not include in the analysis.

**Rubin:** Oh, because you know they're not linked? Or just because - ? In my department, when somebody publishes a book, they don't get any more money.

**Waugh:** Right. The question was, if people were more productive, do they get paid more? We couldn't even ask that question because we didn't have a way to measure productivity. We can't even address that question. It wasn't that I didn't – I wasn't implying there wasn't a relationship; we couldn't even ask the question if there was a relationship.

**Rubin:** Okay.

**Waugh:** I mean, we could ask the question but we couldn't get an answer.

**Curry:** You don't know how every department is measuring productivity, right?

**Burges:** Joel Burges, English. Just a quick about what you just raised, Rob. We're told regularly – at least in the way this gets talked about among faculty and chairs – is that cost of living is part the reason our salaries are lower, so that suggests you've already calculated it into what you are doing so – is there actually some, since you guys like statistical stuff, is there a statistical analysis that's been done about cost of living among our peer institutions?

**Clark:** I've heard that said before, and I haven't calculated it, which is why I want to do it for myself. I understand what you're saying –

**Burges:** We're told that's part of why our salaries are depressed. Is that something the university has calculated into its consideration?

**Clark:** I don't know what others have done in the past. This is my second year in and I have not made the calculation, so I thought about it yesterday and I'm going to do it. I'll give you the answer.

**Burges:** Thank you.

**Waugh:** I need to apologize; I have an off-campus appointment. This came up suddenly but I have a meeting I

have to get to, but Gloria Culver is here and Wendy (Hajim) is here and they'll be prepared to answer any questions with regards to this.

**Curry:** I am actually going to wrap this up in about 5 minutes anyhow, so I have Chunkit and Michael. I don't know who was first.

**Fung:** Chunkit Fung from the medical school. Those in the School of Medicine that are focused on a research track, is there a parallel gender equity salary study going on for clinicians who are - ? I just want to understand because I did not see the data.

**Clark:** In terms of the clinical practice that will be something that Mark will be handling because it's different from the faculty line.

**Fung:** Correct. So is he planning to (present) this data at some point?

**Clark:** I don't know. You should ask (Mark). I mean, the one thing – and this is a careful line for us in terms of what we do when we talk about policies and such in terms of how we do the various analyses that we do. I don't disagree that we should look at the gender equity piece across those domains as well, but that's not a data set I have access to.

**Curry:** Are you talking about clinical faculty?

**Fung:** Yeah, clinical faculty or –

**Curry:** Clinical versus research.

**Clark:** I'd have to look at the balance; we can do the gender piece on that, in terms of the salary piece a whole. I'll talk to Mark myself as well.

**Fung:** And then I'll hear back from you about when he's going to present the data.

**Clark:** No you won't hear back from me; I'm not going to give you a date tomorrow because it's going to take some time to figure out what he has.

**Unidentified speaker:** One thing about the women in leadership roles, and again, this is anecdotal but what I see happening in the college of AS&E is that women who are associate professors are promoted to significantly demanding leadership roles and I wonder how much that is slowing them down to earn that promotion. That's just one thing to think about. I think that could be a serious problem.

That was my main point. The other thing is cost of living, is to be very careful you want to go there, because housing is inexpensive in Rochester but if I need to fly somewhere or buy things, it's the same prices they pay in more expensive things. The whole cost of living thing might be worth looking at but really, really carefully.

Then finally, the commission on women and gender equity report is coming out and we have some recommendations on doing a salary equity study across the units. Either – our recommendation is either to go to an outside firm or involve faculty in some way because the question is, how are these studies being done? Salary equity studies are very difficult to do right and there are some very interesting studies that we took the time to read that are very new (audio issue) and how much that research is being taken into account when we do the research in-house.

**Clark:** I think – I would say I'm pretty sure we could look at anybody's study and there are going to be assumptions made about what factors you include or you don't; the point that was made earlier about whether a disproportionate number of women involved in administrative roles and whether or not that biased the outcome. Also a study that's done for one institution might not account for the same kinds of factors that we would have here. That's one of the things we do look at carefully – what trackers are the most important here at the University of Rochester compared to –

**Unidentified speaker:** You know, there are some studies that are very broad – they're macro studies, if that's the right term. And the report will have a bibliography.

**Curry:** And the last comment?

**(Katzman):** Phil Katzman, School of Medicine. I was thinking when you were doing the study, was it all full-time faculty, is that correct?

**Clark:** Yes.

**Katzman:** I'm just concerned between men and women, if they have children and they take time off – some parents will go part-time. That may also affect how they progress through their ranking.

**Clark:** That's definitely true. Yes.

**Curry:** Okay, to be continued. Thank you very much.

### III. CHARTER REVISIONS – MJ CURRY

**Curry:** The charter revision process is quite cumbersome and we've already had 2 first votes on a few items. The charter requires us to have 2 votes within the same senate / academic year. In between – I'll just show you this quotation here from the charter. We have a number of items that I think most people would agree are relatively 'business-y'. We've had first votes on all of these, so this is second vote on charter revisions we've passed in two different meetings of the senate that we had in April.

We have followed all the procedures. We've asked for feedback from the faculty councils in between and if this is approved, then the Board of Trustees would be ask to ratify this commencement week, which would be next week.

To give you a brief history, on April 10 we passed the first vote of a charter revision that had 3 components – one, as I was talking about earlier with the slide of faculty members to be designated representatives to the Board of Trustees committees, that we would allow those faculty members to continue to be serving in the senate or the senate committee from which they are put forward from that committee, so we basically don't have people hanging out there that don't have an affiliation with either the senate or one of its committees while they're serving on the Board of Trustees committees. We wanted those terms to be 2 years to have some continuity.

We also have throughout to change the charter to use gender inclusive pronouns and one – I was the English major but I was not involved in this discussion – to fix the misuse of 'insure' when it is 'ensure'. As a critical linguist, I would challenge the use of 'misuse' but we're going to leave that.

[laughter]

This is not the time to insert controversy into this. Then on April 17, we added a charter revision to specify the ends of terms for senators. This is not just a personal interest; we actually had term limits, but this is what day does it end. This has consequences for the work of particularly the university committee on tenure and privileges and also the senate and senate executive committee.

We proposed that it be commencement weekend, specifically the day of the AS&E commencement. We're trying to get rid of the fuzziness which has some serious implications.

So today we're asking senators to give a second vote to approve these cumulate changes so we can bring this forward to the board. I think I need call for a motion to the board to – sorry, I'll just quickly go through these; you've seen these before.

This composition of the senate, adding this line 'Faculty representatives of Board committees who are not elected members of the senate will serve as members of the senate ex-officio without a vote.' This basically continues with parallel language for members of senate committees who are serving on Board of Trustees committees and same with the executive committee of the senate – basically the 3 bodies from which people may be designated to serve on Board of Trustees committees.

The terms of membership, this is in the Senate, shall begin and end of the day of the AS&E commencement ceremony in May. The same with the executive committee and the same with the university committee on tenure and privileges.

That's it. I think I need a motion? I don't need a motion? Okay. Is there anybody requesting a secret ballot for this vote? Please say no. Okay. In that case, can I have all those in favor of the second vote to approve these charter revisions? You have 5 online?

[voice in background]

**Nofziger:** We have a total of 26.

**Curry:** All those opposed? Any abstentions? Okay, charter revisions are passed. Where's Lamar? Okay, Lamar, those are ready to go. Thank you all very much.

The next item is Randy Stone who's going to present a proposal from the Ethical Investment Advisory Committee.

#### IV. REPORT FROM ETHICAL INVESTMENT ADVISORY COMMITTEE – RANDY STONE

**Stone:** Thanks. I'm Randy Stone from Political Science. I think most of you remember this was brought about by an initiative of the student undergraduate council, which was then joined by the graduate student association, initiating a proposal that we divest from fossil fuels in our endowment.

We had a number of meetings over the summer last year and there was a proposal made to form this Ethical Investment Advisory Committee and to study this and other issues related to ethical investment. That was sponsored by the faculty senate and was then approved by the Board of Trustees.

We've been meeting this spring; members of the committee are Randy Curran, who's sitting here from Philosophy, Bob Foster from Anthropology, myself from Political Science, Daniel Curran is a graduate student in chemistry, Henry Scharf is an undergraduate, Lauren Caruso is an assistant director of the Center for Community Leadership, and Doug Phillips has been joining us ex-officio and he is the senior vice president for institutional resources.

We've been working very closely with the investment office; it's been quite educational. Their office has been very helpful in staffing our community and in lots of ways. A couple things we learned early on is that it would be difficult to propose any sort of blanket policy such as an investment screen, because of the way the endowment is invested.

We're invested through a series of investment managers over the long-term. Those investment managers are very jealous over their turf. Participating with these private investment firms is very remunerative for the endowment – we get a much higher return than if we were investing in an index fund, for example. They estimate it is about 5 percent per year higher on returns. If anyone's interested, I can refer you to an excellent [Wall Street Journal](#) article about how the rest of us are being left behind by private equity but the university is able to participate because it's a large player.

Another thing that we learned was that the university is careful about what it says about its investment holdings, in part, because we've entered into a lot of agreements with these investment firms which require us to exercise care – in part because they have competitive interests vis a vis each other. They don't want us to be revealing information that would



allow their competitors to back out what they're invested in. You'll see something about that in a minute.

What we've been working on is the first step which is trying to formalize some of the existing practices and principles that guide the university's endowment investment policies, so we've drafted this corporate social responsibility policy which we intend to present next week to the board. They're not going to act on it this time; the investment committee will see it, I'll attend that meeting and represent the faculty there – at least for part of that meeting, and then the idea is that it might be acted on in September.

So, there will be time between now and then to adjust the wording and respond to things that you bring up before anything is finalized. If you have any comments, we'd be interested in hearing them.

I think I'll leave this just to give you time to read it before I flip pages. This is the beginning, the preamble. It formalizes the fact that we do have some principles that guide our investment policy, although they haven't been put down in writing. The idea is that this whole thing, once adopted, will go on the web page and be visible to our investment firms and our various stakeholders.

So the university's mission includes education, research, creative expression and provision of healthcare. These activities are conducted according to a set of core values, which include freedom of expression, equality of persons, respect for cultural diversity, dissemination of knowledge in the public interest, fair labor standards, human rights, democratic governance and environmental sustainability. Our investment policy seeks to ensure the consistency of our institutional support strategies with our core values.

The university invests, along with our peer institutions, with asset managers in long-term investment pools. We hold these managers accountable to uphold norms of corporate social responsibility. It is the university's intention that our resources be invested in ways that are ethical, sustainable and consistent with all relevant US, foreign and international laws as well as pertinent local ordinances and regulations. To this end, the university includes the following question in an annual questionnaire directed to our investment managers.

I should note this is a slightly changed version of what has been distributed to those managers for at least the last 10 years. The investment office, in monitoring managers in relation to what are known as corporate socially responsible (CSR) investment practices, seek to assure that holdings in the portfolio are consistent with our core values as an institution of higher education and adhere to applicable laws and regulations. These include CSR matters pertaining to the environment, fairness in employment, corporate governance, health matters, political engagement, and etcetera. Please describe how your firm evaluates and considers CSR matters in your investment process and disclose any areas of concern that arose in portfolio holdings over the past year. If your firm has a CSR policy, please attach it to this response.

The Ethical Investment Advisory Committee. The university has established an Ethical Investment Advisory Committee consisting of faculty, undergraduate and graduate students, and staff members whose purpose is to identify areas of potential concern and investigate the consonance of our investment policies and values. Where appropriate, it will make recommendations to the investment committee of the Board of Trustees regarding particular investments, communications and proxy votes.

The responses to the CSR questionnaire are compiled by the Investment Office and reviewed by the EIAAC annually. Members of the university community are invited to contact the committee here – and there will be a link there.

Transparency policy. This is a policy that has been on the university website now for a number of years and has been labeled CSR Policy:

The Office of Institutional Resources will respond to written inquiries from members of the University of Rochester community – students, faculty, staff, and alumni – relating to specific investment holdings within the endowment. The university does not release a list of its investment holdings, but will acknowledge, upon written request, whether or not the university is the owner of a specific security.

The Office of Institutional Resources will also submit to the investment committee of the university's Board of Trustees on a case by case basis, requests for action pertaining to specific securities.

That's it. I don't know if we have time now for questions or comments and suggestions. Yes, please.

**Gibson:** Tom Gibson, Anthropology. So the fact that we have these non-disclosure agreements with these private equity firms means that we just have to trust them that they're going to follow our corporate social responsibility principles? What can we do if they – can we form an independent judgment as to whether they're adhering to them and if they're not, can we drop them or is this just for the website?

**Stone:** I think there are a couple of avenues for addressing these concerns. One is you can come to our committee and say 'We have a concern about this particular issue; would you please investigate? Do we have holdings in this area, and are they living up to the standards on the website?' Now that they're on the website, it's a little easier to say 'This is the mandate; are we meeting it or are we not?' And the committee can request information from the investment office.

For example, I have a spreadsheet that I've received from them that includes all of our holdings in the energy sector. When I have time, I will investigate that and try to see whether there are bad actors in that group that we want to identify. That's one avenue for response, which is institutionalized now and we hope it will be effective. So far, the response we've

gotten from the investment office has been terrific – I have every reason to think it will be effective.

The other is that individual stakeholders and that includes faculty members, alumni, students certainly and I believe it will ultimately include members of the community as well although that's not listed here, can ask questions and say 'Do you have stock in some corporation? Let's say Exxon.' We can – and the office is committed to providing an answer yes we do, or no we don't. If we have specific concerns, that's something we can follow up.

**Burges:** Joel Burges, English. Has anybody raised the question of whether we have any investments in prisons or jails?

**Stone:** That has come up in our discussions within the committee. We haven't followed up on that yet.

**Burges:** Will you follow up on whether we have investments in prisons, particularly prison labor, particularly for-profit ones but also federal or state ones?

Yes, we will do that. And that's – I think our thought was the first priority was to deal with the sustainability and climate change issue because that's what sponsored our coming into being, but that is an issue that has been raised on several occasions.

**Burges:** Thanks.

**Curran:** Randy Curran, I'm on the committee. So there is an ongoing process by which the investment committee is trying to find out how well these (are doing) in protecting the university's interests and not being associated with corporations that come to light as bad actors. I think your question goes to, what leverage does the institution ultimately have if it's not satisfied that a particular manager or management firm is itself being diligent in making sure the university is not associated with that corporation?

And the answer is, they've tried to have the questionnaire sent out with adequate representation of what the university's about and that is educating the firms about what we care about, which should have some effect. And if they're not satisfied, they can end the association with that firm. I mean, that's what it's going to come down to.

The benefit of this, from our point of view, is that we're now in a conversation with the investment committee and if they endorse this document that means as a public record they are committing themselves to not put the narrow focus on the law but they're committing themselves to this declaration of university values, which then is a point of reference we can all appeal to, in connecting that with specific concerns about energy, about prisons and whatever.

We do feel like there's a limited amount of leverage, but there is already some value that's been created in opening a

conversation and trying to get agreement on public declaration of what matters to us as an institution.

**Curry:** Anyone else? I have a question I think may be similar to what Randy's saying, if the idea that the Ethical Investment Advisory Committee then, because you have more access to this confidential information once you know things and you can act on behalf of the faculty to say 'This goes against our values', do you feel that the university's investment committee seems to be acting in good faith then to respond what the EIAC brings to it?

**Stone:** That's what we're expecting to happen and our hope is that going forward, the char of this committee will sit in on the investment committee meetings, which happen periodically throughout the year, but that has to be approved also.

**Curry:** But I think that's part of the general discussion we've been having about board committees because that caveat that we weren't appointing someone else, that your committee should basically serve that role. I think that – is that your understanding?

**Stone:** I want to be careful about committing to participation in all the meetings, but certainly that's the connection to the committee.

**Curry:** There's no one else being designated for that committee and that committee is on the list of committees that we think we have agreement to be represented on.

**Stone:** And we've communicated that to Doug Philips. He's on board with that. The question then is, is the committee comfortable with that?

**Curry:** All right. Paul?

**Unidentified speaker:** I'm a little concerned about this backing off from one of the other original intents in terms of divestment from fossil fuels. One of the things that came up regarding this policy is the ability to respond to a written request for ownership of a specific security on a case by case basis. The scenario that was put forward was one way to find out if we have significant investments in fossil fuels is to write 300 written requests for the 300 or so fossil fuel companies that are listed on the carbon website where these companies are cataloged and that seemed ridiculous.

Clearly, you're in possession of the spreadsheet that has the listing of all the fossil fuel companies. I'm assuming you didn't get that by writing 300 written requests. So it does appear there is a mechanism by which we can obtain information on classes of investments, not just specific securities. I'm wondering if perhaps the wording of this might reflect that in some way.

Because this might be a little bit off-putting to the individual like 'If you want to know, we'll let you know and a case-by-case basis', but it does appear, in fact, which is good, to go about getting whole classes of investments and you've already

succeeded which is a good sign. But I'm wondering if that could also be baked into the transparency policy – that via the EIAC, information on classes of investments may become available. That would make this a little bit more accessible, if we wanted to answer, for example, a question on prisons.

**Burges:** You would have to know the specific security. Like I don't know the biggest holder of prison labor in the United States, but Exxon is a pretty easy go-to around oil, right? That's part of the point of making the problem visible. I'm just agreeing.

**Stone:** That's right and we should take that under advisement as to how to make that clearer as we edit the document over the summer, I think. So the idea is that the EIAC can be an intermediary for all sorts of stakeholders, but certainly the faculty senate, to find out about any particular issue that we're concerned about. What I did in order to get this spreadsheet, I first had to sign a confidentiality agreement – I am now bound not to reveal to you whether the university has investments in particular firms or who the investment firms are that might intermediate them.

But I can tell you things about classes of firms. We have a certain amount invested in fracking, right? We do have a certain amount invested in fracking and it may be an issue of concern. The idea is the EIAC is the conduit by which we can make it a feasible problem to solve, but in addition to that, if a particular stakeholder is not satisfied with the EIAC and wants to ask a direct question of the investment office, they have that right and the investment office is committed to answering.

They haven't responded with what they would do if you sent them a list of 3,000 firms. I suspect they would be very slow in responding because it would be a costly administrative task for them to take on. So it's more effective if you go through us to try to get information.

**Curry:** But if you're bound by confidentiality, and somebody says to you 'Do we invest in prison X?', can you answer that question personally or do you have to then refer it back to the investment committee

**Stone:** If you ask a question about a particular investment, I feel I can't reveal that we do or don't own something in a particular firm. But, I could tell you – once I find out, how large our investments are in say, for-profit prison firms or how many – well, I don't know how many firms there are.

**Curry:** But that's really a different scale of question; if you want to know specifically if we own shares of prison X, you're not able to answer that question. Somebody would have to write a request to the committee following this original policy.

**Stone:** That's right.

**Curry:** Pre-existing policy. The fact that you and the committee may have confidential access to the data is perhaps

comforting, but if you can't share it, then it's not comforting to most of us.

**Stone:** I could share an analysis of it. It's like working with survey data, where you keep the names of the respondents confidential. You could still share descriptive statistics and conclusions and so on, but –

**Curry:** So if you want to ask a specific question, you need to follow the old procedure. I'm sorry we are out of time but thank you very much, and thank you to the committee. I know you've worked hard on this, this year.

Our final agenda item today is an address from President Feldman.

## V. ADDRESS FROM THE PRESIDENT – RICH FELDMAN

**Feldman:** Okay, it's a pleasure to be here today. As I said in a number of places, it's surprising to be here. I want – what I'd like to do, is I'll talk no more than half an hour and then leave some time for questions about anything anyone would like to ask about.

I will start, I want to talk a little bit first about transition in the presidency and the like – what's happened and the future. Then I will spend some time talking about the cultural issues, the culture of respect idea and issues we're addressing in response to the White report and related activities and then I'd like to spend some of the time on just other issues and updates on various things and my perspectives on where things stand.

So, on the transition, I'll be fairly brief on the transition into my role; this is a time to address you in a different way than I have before. Joel was enormously gracious and helpful to me in the first weeks in this role, orienting me to the position, but the transition was extremely rapid. My first day was March 1<sup>st</sup>, but the transition happened at the beginning of the semester when things were first announced and it's been interesting – lots of activity, lots of things to learn about, lots of movement into the new role with a great deal of support from all the staff in the president's office and all the vice presidents and other university leaders who made it possible for me to move into this role.

I want to say something about titles and my perspective on my role. It was announced as 'interim president' and what that means is I'll be president for a short period of time; I'll say a little more about how long that might be later, but my perspective is as long as I have this role, I'll do what's required of this role and I will not – I don't want to be a caretaker and just mark time until a new president is appointed.

I will not shy away from making decisions or working with others to make decisions to keep the university progressing as best we can during this time. I'll say a little bit more about this in a few minutes.

One of the things I'm trying to be careful and thoughtful about is what does it make sense to do during this period of time and what does it make sense not to do during this period of time.

For example, we put a hold on most aspects of long-term strategic planning. It made no sense to spend the next year thinking about a long-term plan to hand to a new president on her or his way into the office and then have them just dismiss it or think we need to start this process over, or feel that the next 5 years were being handed out.

That kind of longer-term strategic planning is inappropriate during this period, but I think other kinds of planning and other kinds of decisions to keep the university moving ahead do need to be made and I'll talk about a few such things a little bit later on.

Then to turn to the topic of the presidential search – the search for a permanent, long-term president. The search is in its early stages as I suspect all of you know. There are a set of committees – a trustee committee that's the ultimate decision maker, a university committee with faculty members – I don't remember the exact number, chaired by Michael Scott. There's a committee of students and a committee of staff and those serve along with the committee of faculty on the committee.

There's a lot of interaction between the leaders of the trustee committee and Michael and the other committee – I think there's a real commitment to make it as inclusive a search as we can. I think the key things to say are a search consultant has been identified and is beginning to work with the university in planning for the search.

The next steps are to do such things as to identify the key attributes the university would seek in a new president, what the key priorities and issues for the university are in the coming years, and what the job description is and how the search will proceed.

I think the goal is something like this – there are timelines that are being refined, but the idea is over the next several months a lot of that preliminary work will be done, the initial identification of candidates will begin, the review of candidates will occur next fall with the hope that a new person can be identified sometime next winter with the plan of that person becoming president next July 1.

From my perspective I think that seems like a reasonable time period for this to occur and I think we're well positioned for this to be a successful search. From everything I've heard, the search firm is very strong and working very effectively with the university, supportive of the plan that's been identified to develop the search and so on.

So that's my summary of where that stands. Are there any particular questions about the search?

**Unidentified speaker:** The collection of key attributes that are important, will those be made public – so we'll know what - ?

**Feldman:** Michael, do you know?

**Scott:** My expectation is that there will be.

**Feldman:** Yes, there is going to be a search website and I believe it will be there. Any other things on that?

**Curry:** My understanding is there will also be – you guys will be looking for faculty input, right?

**Feldman:** Very much so. Absolutely.

**Curry:** So it's not just what the committee comes up with.

**Scott:** The idea is that there are committees that are representative of the faculty, students and staff and they will try to seek input from others.

**Unidentified speaker:** I could mention that the staff advisory committee has met once; the student and faculty committees will be meeting for the first time on Monday. They will all be meeting with representatives of the search firm and the trustees committee on Tuesday; it's kind of a whirlwind right now. Much more will be revealed very shortly.

**Feldman:** All right. So there you go.

[laughter]

I want to spend a few minutes now on the response to the White report and this idea of the culture of respect – the phrase we've used thus far. As I hope you know, there's a website that's updated pretty regularly where you can get information about lots of the things going on, links to various other sites and information about what we're doing.

I will run through quickly a list of things that has already happened – this has been reported in various ways. The following list is a list of things that are pretty much tracking recommendations that were in Mary Jo White's report for things we ought to do:

- Updated guides for faculty, students and staff that show the process, if there's a complaint where you take it to, who will respond and so on, showing the path for dealing with misconduct claims
- The report asked to identify advisors to work with anybody who brings a complaint against a faculty member; those advisors have been identified and we're also looking for advisors to work with anybody else who might bring a complaint
- A review of the training program that we have throughout the university; there's a committee that's continuing to work on that, with the plan of doing

training next fall. I've asked that committee to be sure to interact with faculty to make sure any training they do is appropriate and useful to faculty members. That committee had some forums and meetings last week.

- Any day now I expect a report from a group led by Elizabeth Stauderman in our communications group, Vice President of Communications, about how to report sexual misconduct, the numbers of cases and how they've been handled, to do annual reporting on that. We've looked at what's been done elsewhere to find what's useful in reporting for that to the university community. The recommendations should come through soon and we'll act on that and how best to implement that.
- There's a trustee committee, the White Report Oversight Committee, that we've been working with closely on these issues. They're following these closely and eager to keep us moving along and to review the plans and concerns that we raise.

**Kessler:** Phil Kessler, School of Medicine. How are those people identified and what type of training do they have?

**Feldman:** The initial group of folks that have been identified are those who've been intercessors for the university for a while. They've had some training and a fair amount of experience. One of the things that's under discussion as we try to identify additional advisors is to think about the kind of training they need to have and make sure they get the right kind of training and not simply somebody his or her hand and says 'I'd like to be an advisor'. That's not good enough. So that's still in progress.

Then, there are a number of things related to that: policies – Policy 106, the misconduct policy related to staff, there's a committee looking at that. The White report asked for a specific set of modifications of that policy; we're actually doing a much deeper dive on how that policy might be updated and clarified – thinking about what kinds of cases, clarifying the nature of the cases that fall under it, the kinds of sanctions that might be imposed and the like. That's underway.

We are expecting very soon a report from consultants at a legal firm about confidentiality, so we know what we can and cannot say about the outcome of any cases that are brought forward. We've been very cautious about how much we say and often people who bring complaints are unhappy because they don't know what the outcome actually is, so we're trying to understand what we can and cannot do consistent with issues about confidentiality. The goal is to be as forthcoming as we can be in addressing these cases.

The IT policy, as I think MJ mentioned earlier, there's a recommendation that came from a group including people from faculty senate. That's now under review by a committee of Rob's and I don't know what the timing on that is, but

that's a policy that will ultimately have to go to the trustees, and it will probably go to them in the fall. It clearly won't be ready for their meeting next week, so the next time they could hear it would be the fall. That one's underway.

The intimate relationships policy that came through here several weeks ago has been looked at by the relevant committee of the Board of Trustees and will be reviewed by the full board next week but I'm – I guess I shouldn't get too far ahead of myself, but I'm optimistic it will be approved.

And the website that I mentioned earlier will have links to all these policies; we want to make sure it's easy for anybody to find out. MJ?

**Curry:** I would just add to your list the grievance policy revision. It came from us, but I think one of the goals of the grievance policy and the committee that did a huge amount of work on it, is linked to the culture of respect. You're just talking about this in relation to the White report?

**Feldman:** Yes. There's a lot of stuff underway, some that will be implemented as soon as next week or at least approved as soon as next week. Some will take a little bit longer.

There's also a lot going on that's well beyond what the White report asked for and I'll just take a couple minutes to talk about that. The first thing I want to say about that is there's a lot going on because a lot of people around the university who are engaged in thinking about how we can do things to improve culture, and for me, I think my thinking about this has evolved over the course of the semester into well beyond changing policies and thinking more about culture and climate and what it's like being here, and doing things so we don't even have to worry about the policies coming into play – like what to do about grievances. Let's try to do things that prevent that behavior.

The commission on women and gender equity is doing great; their report is going to be released within about a week with lots and lots of information and lots of recommendations and things to follow up on. I think a lot of their recommendations are going to be consistent with what we've already been thinking about and new or additional areas to address.

The student task force similarly brought forth a number of things; there's been discussions with a lot of faculty, students and staff, a variety of working groups and lots of representation. Lots of discussion, lots of people engaged in this, and a couple of things to mention to wrap up this part of the session.

You may remember that there was an organization, the presidential diversity council that existed following the report on the race and diversity commission of a couple of years ago. I disbanded that group; mostly the people in it are on the president's cabinet and I meet with them anyway, and I don't need to call by a different name to discuss those issues with them, so I disbanded that council, replaced it with a university diversity and equity council, which is a pretty large group –

close to 30 people from all around the university – faculty, students and staff. There’s an executive committee of that group; we’ve met every week for the last couple of months and talked about lots and lots of different issues. I think that’s a core group to carry this effort forward.

I do want to highlight that for me it’s essential that we not lose sight of the issues of race that were so prominent around the university a couple of years ago. Our focus has been issues of gender and sexual misconduct this year – they’re all important; they’re all part of what our culture is like and we have to keep our eyes on all of that and be inclusive in that way.

Then very quickly, I want to run through some other points. The vision and values statement that was approved here last month, it’s been discussed widely around the university and it will go to the trustees next week. There’s lot of interest in it; I anticipate the approval of that.

UDEC in their executive committee meeting, we talked and now there’s a smaller group following up on a university wide ombudsman program. The goal is to have people around the university who are the first level people you can go to for informal discussion of any kind of problematic issue and hope it can be addressed at that level, but if not, it can go on further. These will be people who don’t have obligations to report things so it doesn’t assure there’s – it’s more informal, it can go as far or not as a person bringing forward a case might be.

Then over the last couple of weeks, a consultant by the name if (DeEtta Jones) has been here to meet with a variety of people; she’ll be back again later this spring, and she’s going to provide a recommendation on the creation of a new office of diversity, equity and inclusion – or whatever the title may be, but a person on the top who be presumably a vice president, report into the president, and assume university-wide responsibility for management of these issues.

As you may know, President Seligman was the Chief Diversity Officer; I don’t know if I have that title officially now or if there’s anything official about it, but I’m going to take the lead for the time being on these efforts, but there should be somebody else who has full-time responsibility for keeping their eyes on these issues – and a president can’t possibly do that on a full-time basis who reports to the president and has responsibility for management and coordination of these issues, and work with this diversity council and use that as a way to coordinate activities across the university, both to get input, to set priorities, to set standards that need to be met throughout the university, and coordinate reporting.

I’ve had some meetings with her and over the next couple of weeks, we’re expecting a report from her on recommendations for the design of this office. Following that, we’ll create the formal description, do a search and have this position in place sometime next academic year.

That completes what I want to say about those issues and – wow, I’m not managing my time very well.

University business continues; I will run through this very quickly but there are a bunch of points I want to make. First, a point of university business I’d like to take a minute or two on is the general category of governance. I want to – I’ll begin by expressing gratitude to the senate, to MJ and Kevin, and to the executive committee, we spent a lot of time over the semester talking about a lot of issues and I’m enormously grateful to the willingness of so many people, especially them, to work so hard to help us try to address issues, to help make us better, and to help improve the university.

It really is something that’s only going to work if there’s widespread buy-in, if there’s cooperation, and I’ve been grateful. We’ve talked about lots of issues – we haven’t agreed on everything but I think we’ve been able to have cordial and open conversations of just the sort that we need to have. I’m delighted by that.

I’m doing everything I can to be as transparent as possible as we work our way through these issues and I’m always open to hearing more about where - if we fail on that at some point, let me know; we’re always trying to do better. We’re trying to increase the role of faculty participant in the role of governance in the university, and that’s where the participation of the faculty on all the board committees came from. I’m delighted that’s happened and we will continue to look at ways to make that sort of thing work.

The other half of my talk – it’s going to be the last tenth I think – is that in spite all the issues we face, the university marches on and in many ways, remarkable effectively. I’ll give you a few highlights. Under admissions for this year’s freshman class, SAT scores were extremely high; this year’s application pool topped 20,000 applicants for the first time – extremely high quality. It looks like the freshman class is going to be first rate by every measure and metric, and you can see the top 3 majors among the applicants.

Advancement, another measure of how things are going this year, we’re ahead of last year’s pace for gifts, exceeding goals that were set for the year. It’s all going really quite well – more than 50,000 gifts to the university this year from 30,000 donors so we’re progressing well.

Faculty searches and hiring, things seem to be progressing well; it’s a little early in the year to know how it will all play out, but so far so good. Lots of things that are good.

Our financial position overall is fine. The long-term investment pool – the endowment and other assets that are not in the endowment; don’t ask me to say more because I don’t really have that info, but it’s additional resources at the highest level with significant growth during the past year. The performance with our firms is really very good and it’s a conservative investment that works well in good markets, in declining markets it does well – it isn’t at the top during rising markets but does very well by our peers.

Many of you know – those who have been around a long time know that our spending on the endowment had been a high level years ago – an unsustainably high level; it's been brought down substantially over the year. The goal for this year was 5.7 percent and we'll make that goal, so we're doing well there.

One of the efforts that we will launch in the near future is a campaign for Eastman – it's their centennial coming up so it's the right time to try and launch a campaign in support of the Eastman School and build on programs, collaboration with the River Campus and community and overall strengthening of the school.

There are a couple of absolutely essential medical center projects that we're in the initial stage of developing – one for a new emergency tower to replace the existing one which is designed for a fraction of the number of patients they actually see right now, and doesn't allow for the kind of privacy that's necessary and doesn't meet contemporary standards.

The second is for a building that will largely house one of the ( ), which is our very successful program here and they need additional space to do their work. They're losing patients to other centers because they can't handle their capacity, so that's the second large project that's in the initial stages of being planned.

The last things I'll mention. Donald Hall will be the new dean of the faculty of Arts Sciences & Engineering. His appointment was announced a little earlier, and he'll be joining us – he's been Dean of Arts & Sciences at Lehigh and will be joining us at the end of the semester. Then there's ( ) and her new role in the provost's office that I think you all know about and I'll end with this one, Raffaella Borasi is ending her tenure as Dean of the Warner School after 18 remarkable years that's seen enormous growth in the school, new building, and the partnership with East High as some of the salient accomplishments during her time and we're in the final stage of the search for a replacement for Raffaella.

I'll stop there.

**Curry:** Questions?

**Unidentified speaker:** In connection with the medical center, are there plans for any of the newest imaging big machines that one hears about?

**Feldman:** I don't know. I know that in the orthopedics building, plans are moving forward –

**Unidentified speaker:** You would know. These are enormously expensive regional –

**Unidentified speaker:** I'll make a pitch for something that has to do with the partnership between faculty and administration of governance, which I'm very happy to see the direction it's going. I'll just say one area in which we remain

an outlier among our peers is our sustainability operation is an all-volunteer faculty and staff operation. We're happy to put in the time; it would do us an enormous amount of good to have someone connected to the president's office to be a director of sustainability who could be working with all of the volunteers and representing us. There's a lot of travel involved in networking and so on with other institutions. You'll hear this from other – there's a proposal that's been high priority for us for a long time.

**Curry:** If I can just piggyback on that, I remember conversations last year that this is also an issue for recruiting students and young faculty, or those of us who like to think we're young – it's not just keeping up with our peers; it's really got implications for lots of parts of the institution. Beth?

**Jorgensen:** Beth Jorgensen here. I have two questions. One is, on the commission we got a tremendous amount of response from staff – why isn't there a commission for staff, why aren't we handling staff issues, so that's one thing not to be forgotten. Some staff feel left out this year in trying to talk about sexual harassment, discrimination and so on. That's just a comment.

Then the new office for diversity and equity, I was also thinking of the Title IX offices that currently exist. We're concerned that this will be established but it will be under-resourced because I think the current Title IX office is substantially under-resourced – again, to set up an office and have it virtually empty of personnel or have a very small personnel presence is not going to get us where we need to be.

**Feldman:** I agree completely.

**Jorgensen:** So benchmarking other institutions?

**Feldman:** Yes. On your first comment, I'll just say point well taken about staff. That's a thing that was very evident to me when we looked at race issues – issues regarding staff were lost in the mix too often.

**Jorgensen:** And we heard hundreds of heartbreaking stories.

**Feldman:** And there are issues. On the diversity and equity council, there are staff representatives and we're making a real effort to make sure we include and address those issues for staff. The HR folks are deeply engaged in this and we're working with them. It's an understood issue – there are lots of challenging issues and the range of positions that staff have, the differences in the roles they play at the university make it complicated.

One of the things that I've learned so much about in the last months is the complications that the medical center adds in thinking about the management of the university because life there is so different, and I'm thinking not so much of the medical school as the medical center and clinical role. It's just a different world with different kinds of relationships. Things

are sufficiently different that it's hard and I've heard from a great many of the staff. Yes, it's vitally important.

I think the other thing on the resources available to the new office and the person in it, I'm aware of that. I've talked with (DeEtta Jones), our consultant, about helping us to think through what a budget might look like, and that's not to say I know where I'm going to get all the resources for that but I will say I've identified it as one of my priorities. You're right. And it's not going to have teeth unless it has the resources it needs.

**Unidentified speaker:** ( ) from BCS. I guess as a BCS faculty member I'm grateful for the rethinking of policies and that kind of thing, but I think in doing that we lost track of a couple of people who've been affected, not just by the conduct at BCS but what the administration did, what the White report did, and to give an example of that, completely independent of the lawsuits or anything, in the White report when it came out, it had anonymized four women in BCS who had spoken, who were alumni of the program, who had come to White with complaints and who had been promised confidentiality.

One of the things that's come up in my discussions with the Justice people was what the university is going to do about that. I feel that they're owed an apology at the very least, or there are stronger options – for instance, the university saying that was improper, that should have not happened, we won't hire White's law firm in the future. I think the thing that everyone should be concerned about is what message the silence from the university is sending to the students.

The message that's currently being sent is even when we screw up, when it's completely obvious we didn't anonymize you against our promises of confidentiality, we're just going to close our eyes, pretend it didn't happen, and start talking about policies. We're not going to do anything to make it right for the people affected.

**Feldman:** I want to be careful right now about what I say about that because there is a suit regarding that – there's an issue regarding that.

**Unidentified speaker:** I didn't know that.

**Feldman:** Maybe I wasn't supposed to say that.

**Unidentified speaker:** It's not me.

**Feldman:** There are discussions about that, so I want to be careful about what I say, but maybe for right now, I'll acknowledge your point and take it under advisement but I don't want to say more about it right now.

**Curry:** Actually we are at 6 o'clock so we can have a motion to extend the meeting. Joanie?

**Rubin:** I make a motion to extend the meeting.

**Curry:** Is there a second?

**Unidentified speaker:** I second that.

**Curry:** Among voting senators, all those in favor?

**Scott:** How long an extension?

**Curry:** Thank you. 15 minutes? All in favor? All opposed? Abstentions? I guess we can go ahead.

**Fung:** Thank you so much. One suggestion I have, I want to echo on the last point you made about the medical center. Me being a faculty, I can already see some implementation issues with some of the policies. How do you foresee that we can – I know there's mandatory training about these changes in policy, but what is – I'm just trying to visualize how we're going to carry this out because I can see people in my department already they're not even aware of these policy changes. I think we need a good implementation plan.

**Feldman:** One of the important and difficult questions, issues to address is how best to make sure everybody is aware of policy changes. You can send out email messages, you can put things in @Rochester or whatever and it doesn't work. You're right. I'll say a couple of things – there are folks from the medical center, Dean Taubman is involved in discussions and (Linda Chaudron) is running a lot of this stuff at the med center and is deeply involved in everything. I hope through her information will be brought to the attention of people.

But I do want to put it as part of a larger question; it's not resolved yet. For Vivian Lewis and others who worked to create the vision and values statement, they want to keep doing what they're doing, they want to keep working on how to embed that more deeply into the university culture, which I think means those who are new to the university, as part of whatever orientation they go through, they learn about that, and that it's talked about more widely – that it's not just words on a wall somewhere.

If that kind of thing is happening, then there can also be discussion of other policies and practices and programs that are available. I mentioned that there are these information sheets on the website that's going to be available to people on what the policies are. I think we have to do everything we can to try to embed that into what's part of the culture, and I think in the end it's going to be much more effective if that's done at the departmental level. If my office sends out things, it doesn't have the kind of impact it does when you're in your department and you have your first meeting of the year or whatever and these kinds of things are discussed.

I'm hoping we can find a way to bring it, at the appropriate level where people can really hear it. That's something that needs to really make a difference.

I'll say one other thing and I hope it comes across properly. I think all that's happened over the last year has brought a lot of these issues to people's attention in ways they previously hadn't so that the number of some of the complaints in various



categories have gone up this year and my understanding of that is that it's not because there are more issues, but because more people are willing to come forward. That change in reporting, in a certain way, is a change for the good. I hope all the discussion and attention to this will make it better known, but it's a really good question.

**Curry:** This issue came up in the last meeting, that we have been speaking with Rob and he's been speaking with (Joan Saab) making sure that not only the current changes to the faculty handbook but that the faculty handbook itself is more widely understood and assimilated in terms of what it means for how faculty conduct our lives and our business.

**Nofziger:** We have an online question. As we're considering community engagement additions to the faculty handbook, and as we're talking about diversity and inclusion within the university, are there thoughts about centralizing and prioritizing community engagement at the leadership level to collaborate on community-engaged learning research and intervention?

**Feldman:** Yes. This is a topic that I have a great deal of interest in – I have had for a while and I brought into my current role. I'm trying to think about how best to formulate this. I believe that around the university there's an enormous amount of activity bringing members of the university community into the greater Rochester community – in all sorts of different and interesting ways. Some of it is in the eminent domain of community service and tutoring kids in the public school district, but it's also research and education – we've developed courses that have a foot in the community among other things.

I think there's stuff like that all around the university and I think we would benefit greatly from at least coordinating that to the extent that the people in the various parts of the university who coordinate that are at least aware of what's going on elsewhere as ways to build connections, identify best practices, coordinate where that's going to be effective, and I have on my list of things to work on doing just that and pulling together a committee of people who will begin to think about that.

The Carnegie Foundation recognizes universities because of their community engagement, their connections to the community and the application for that would be due next spring – I think it's next April. We have a lot of lead time to think about how to pull together all the information and put together the structure to do that and represent what really is an extraordinary – the university's commitment to the community really is quite extraordinary, if you add East High to the mix, all the stuff that happens in the medical center and so on. It's really quite remarkable and I think we can put ourselves in a position to talk about that more effectively and as I say, I'm in the process of identifying the people to head up the committee that might take the lead in putting together that material and that application.

As I see it, preparing the application will do us good, whether we get the recognition or not – the mere fact of pulling the information together will be a good thing for us.

One thing I saw as a faculty member in the college, time after time there would be a faculty member who had an interest in something and didn't know that other people did and was really excited to find out there were partners and collaborators. I think it's something that can really build on itself.

**Curry:** Randy?

**Stone:** Randy Stone, Political Science. I just wanted to raise an issue that I think we're all aware of and I know you're aware of. Although there's broad consensus around the policy reforms that the White report proposed, many of us in the faculty and student body and presumably among the staff, were very dissatisfied with the analysis and conclusions of the report. There remains a crisis of credibility for the university on this issue that will not be resolved, I think, simply by changing policies. I think there's real concern that the personnel who were in key positions were the wrong people and that something needs to be done to address this underlying uncertainty about whether the university really is concerned about protecting victims.

I know that you're in a very difficult position to comment on what you might or might not do given the lawsuits; I just wanted to make sure that was stated but I believe a lot of people in the room are feeling this issue and I wanted to raise it.

**Feldman:** I do understand that. I think you're right; it's a hard thing for me to say much about right here. I will say, though, that I think – I do think that the policy revisions are putting in place transparent and clear, well understood policies and reporting on outcomes effectively is a step in the direction of trying to rebuild trust. That is independent of individual people, about whom people might have concerns.

**Curry:** I think we might have a motion to adjourn the meeting. Anyone make that motion?

**Unidentified speaker:** So move.

**Curry:** I don't think we need a second. Meeting adjourned.

End of Recorded Session.

Respectfully submitted,

{name}

Secretary, Faculty Senate