

# FAS Senate

AN ELECTED BODY OF THE FACULTY OF ARTS AND SCIENCES  
YALE UNIVERSITY

**Minutes for the FAS Senate Meeting**  
**Thursday, December 8, 2016**  
**Wright Laboratory, 272 Whitney Avenue, WL 210**  
**Approved**

In attendance: Chair Emily Greenwood, Deputy Chair/Secretary Doug Rogers, David Bercovici, Jill Campbell, Beverly Gage, John Geanakoplos, Shiri Goren, Matthew Jacobson, Ruth Koizim, Christina Kraus, Kathryn Lofton, Reina Maruyama, Mark Mooseker, Yair Minsky, William Nordhaus, William Rankin, Charles Schmuttenmaer, Ian Shapiro, Katie Trumpener, Vesla Weaver, Karen Wynn  
Absent: John Harris

Guests: Stan Eisenstat, Brad Inwood, Joseph Wolenski, Talya Zemach-Bersin, Bethany Zemba

The Faculty of Arts and Sciences Senate (FASS) Chair, Emily Greenwood, called the meeting to order at 4:05 PM. Ms. Greenwood thanked guest Stan Eisenstat for his continued presence at FASS meetings and for his support of the FASS. She introduced guest Joseph Wolenski who has agreed to participate as a non-senator member of the Ad Hoc Committee on Status, Pay and Conditions of Non-Ladder Faculty in the FAS. Ms. Greenwood noted that this FASS meeting will only be one hour and will be followed by a two-hour closed session for the FASS to discuss future planning initiatives regarding faculty excellence and the state of faculty governance at the University. Ms. Greenwood announced that the FASS Executive Committee (EC) has approved the creation of a sub-committee of the EC – The Institutional Policy Sub-Committee of the EC, with members Kathryn Lofton, William Nordhaus and Doug Rogers, with the following charge:

“The Institutional Policy Sub-Committee of the EC is charged with reviewing the status of faculty rights and responsibilities as shall come to the attention of the EC of the FASS. Relative issues are ones that do not fit into the purview of other FASS committees, these might include such questions as University policy on retention of e-mail archives of faculty, revisions and status of the Faculty Handbook, inquiries for information about faculty from law enforcement authorities, and pension status.”

Ms. Greenwood noted that these are large issues pertaining to faculty at the University and Senators or others wishing to bring matters to the attention of this subcommittee should contact Mr. Nordhaus. Ms. Greenwood noted that Senator Katie Trumpener submitted an amendment to the By-Laws about policies for Senators on medical leave and expectations for their attendance at FASS meetings. Ms. Greenwood said that the EC discussed this issue and agreed with the point that Senator Trumpener made. However, the EC believes that this issue belongs in a larger set of considerations about the burdens of FASS service. Therefore, she said, rather than propose amending the By-laws, the EC will draw up a memo to be passed on from EC to EC to honor these kinds of issues. The EC fully agrees that faculty on medical leave should be protected from undue service obligations, in accordance with their own wishes. Ms. Greenwood noted that many of the communications that the FASS has been receiving over the last month have been about the University’s response to the current political climate in light of the November 2016 national election results. Faculty colleagues have been asking what the University and the FASS are doing, and this would be discussed as item #6 on the agenda.

Ms. Greenwood presented the minutes from the November 10, 2016 FASS meeting and asked for questions, comments, or changes from the floor. There were none. Ruth Koizim made a motion to accept the minutes as presented. A vote was taken and the minutes from the FASS November 10, 2016 meeting were unanimously accepted.

Ms. Greenwood called on Vesla Weaver to give an update on the Committee on Elections. Ms. Weaver reported that there was no new business.

Ms. Greenwood reported on the Committee on Committees, noting that the FAS Dean's Office was in touch with this committee yesterday and asked them to submit 8-10 nominations by Tuesday, December 13, 2016 for membership on the Advisory Search Committee for a Dean of Sciences.

Ms. Greenwood called on Ruth Koizim to give an update on the Yale College Expansion Committee. Ms. Koizim reported that the committee received a 24-page list of committees that are working on Yale College Expansion that includes each committee's charge and their University affiliations. Ms. Koizim thanked the FAS Dean's office for this information and added that, as a non-ladder faculty member, she was distressed to see the dearth of representation of non-ladder faculty. Ms. Koizim would like to be able to circulate this list to FAS faculty and will check with the FAS Dean's office to make certain that this document is not confidential before doing so.

Ms. Greenwood called on Jill Campbell to report on the Peer Advisory Committee. Ms. Campbell said there was nothing to report.

Ms. Greenwood called on Yair Minsky to report on the Faculty Advancement Committee. Mr. Minsky said that the committee's current plan is to work on creating a survey on faculty excellence, which they are in the process of doing.

Ms. Greenwood called on William Rankin to report on progress on implementing recommendations made in the Senate's Report on Parental Policies of March 10, 2016. Mr. Rankin reported that he, David Bercovici, and Kathryn Lofton meet monthly with the Provost's Office and the meetings are going very well. All of the committee's ideas have been considered. He reported that the Provost's Office will spend the next couple of months collecting all of the relevant data, including doing modeling and the actuarial work to figure out what final policy proposals will be submitted to the Provost's Steering Committee in the spring. This, he said, will involve work with Human Resources, the business office, the General Counsel's Office, and others. He also noted that his committee will be given the opportunity to weigh in again in the spring.

Ms. Greenwood called on Charles Schmuttenmaer to report on the Diversity and Inclusivity Committee. Mr. Schmuttenmaer reported that he and Matthew Jacobson recently met with Richard Bribiescas (Deputy Provost for Faculty Development and Diversity), Kathryn Lofton in her role as Deputy Dean for Diversity and Faculty Development, and Jack Dovidio (Dean of Academic Affairs of the FAS) and reported that it was a very productive meeting. He noted that one of the recommendations from his committee's report was to produce a dashboard about diversity matters. As reported at the last FASS meeting, a dashboard now exists on the Deputy Provost's website. He said that the committee would also like to see a University-wide diversity statement, and that Mr. Bribiescas said that the FASS Diversity Committee will need to contact the President's Office about this. This is on the committee's "to do" list. He noted that Michelle Nearon, in her role as Associate Dean and Director of the Office for Graduate Student Development and Diversity, lacks adequate staff support. Mr. Bribiescas said that he does not have room in his budget to provide support and suggested that Mr. Schmuttenmaer contact Dean

Cooley, which he has done. Dean Cooley is very supportive and expects to put in a budget request for assistance in the upcoming year. Mr. Schmuttenmaer also noted that he asked Mr. Bribiescas to attend an FASS meeting and address the FASS, and he has agreed to do so. It appears this will be at the FASS March 9, 2017 meeting. He noted that Mr. Dovidio, Ms. Lofton and Mr. Bribiescas suggested that the FASS Diversity and Inclusivity Committee create an interim report with priorities and make a list of things that will require funding prior to when the various deans submit their budget requests. The committee will have to meet soon, perhaps by e-mail, to get this done before the budget requests are made sometime in January or February, 2017.

Ms. Greenwood asked Shiri Goren to give an update on the Ad Hoc Committee on the Status, Pay and Conditions of Non-Ladder Faculty in FAS. Ms. Goren said that there was no update and that the committee will be meeting on Thursday, December 15, 2016 and she hopes to have an agenda and timeline created at that meeting.

Ms. Greenwood introduced Mr. Nordhaus to give a report on the Budget and Finance Committee. Mr. Nordhaus said he hopes to have a meeting with Yale's former Vice President of Development, Terry Holcombe, with the purpose of having Mr. Holcombe inform the FASS about the theory and practice of capital campaigns. Mr. Nordhaus said that Mr. Holcombe is one of the great theorists and practitioners of development and that he would like to have a conversation with him at a Budget and Finance Committee meeting and invite the entire FASS to that meeting. He added that he and Ian Shapiro have been trying to put together a sub-committee on governance and they hope to have a proposal and charge for this sub-committee ready to submit to the EC at their next meeting.

Ms. Greenwood asked Bethany Zemba from the FAS Dean's Office whether the document that Ms. Koizim referred to in her presentation – a list of committees and members relating to the Yale College Expansion – is confidential, or if it is okay to circulate it among FAS faculty. Ms. Zemba said that she believes that the list is not confidential, however she will double check this with Dean Gendler, who was not present, and will confirm when she receives a reply.

Ms. Greenwood introduced Beverly Gage to give a final report from Yale's Committee to Establish Principles on Renaming. Ms. Gage reported that the committee worked well together and was very successful, and there has been a positive response to the document the committee produced from across the political spectrum. Ms. Gage noted that, as a committee member, it was a very positive experience for her. She remarked that there now is a small committee of advisors who are going to study the report and make recommendations about Calhoun College to the President and Corporation. Although a timeline has not been announced, she believes it will happen sooner rather than later, perhaps by mid-January 2017. Ms. Gage thanked the FASS for pushing on this issue because she believes that if the FASS and the FAS faculty as a whole did not speak up, the University, faculty, and campus community would be in a much more difficult place now. She also said that one of the nice byproducts of this process, in addition to giving a framework about thinking about these questions as a community, is that it actually showed that a committee of mostly faculty, that also included alumni and students, could take on a difficult issue and be productive citizens and do good work together. Ms. Greenwood noted that Ms. Gage was FASS Chair when this issue came up and that Ms. Gage steered the FASS's response, including having the careful conversations over the summer (2016) that led to the establishment of the committee on renaming principles, and thanked Ms. Gage for playing a critical role in this process.

Ms. Greenwood introduced Mr. Nordhaus to speak about the Report on Budget Transparency. Mr.

Nordhaus noted that at the November 2016 FASS meeting, he gave a long report on budget openness and transparency, and that this written report for Senate approval is a short version of what he reported orally in November. Mr. Nordhaus then made further reflections: The request for more and better budget information about the University is not just an intellectual exercise. It is a very practical concern. An informed Senate and an informed faculty – on budget trends, on staffing, on what has happened in different units of the University – are critical to the mission of the university and its faculty, particularly relating to issues of faculty excellence. He noted the annual “budget letter” that faculty recently received is an example of the poor state of budget transparency at the University. He compared Yale’s lack of transparency to the rich detail found in the Stanford University Budget Report--a good example of the type of information we would like to receive from Yale. Mr. Nordhaus then presented the FASS Budget and Finance Committee’s report and noted that the recommendation at the end of the report asks that the University use the Stanford Report as a model to aim for over the medium term. Mr. Nordhaus then said that, on behalf of the committee, he would like to move the Report on Budget Transparency for a vote. Matthew Jacobson seconded the motion. Ms. Greenwood asked for a vote. The vote was unanimous in favor of accepting the Report on Budget Transparency.

Mr. Schmuttenmaer then asked Mr. Nordhaus how the Provost’s Office responded to the Budget Committee’s request for the sort of information that is contained in the Stanford Report. Mr. Nordhaus noted that there was no response from the Provost’s Office. Ms. Gage asked what will happen with this document now that it has been approved by the FASS. Ms. Greenwood said that it will be recorded in the minutes, sent to the FAS faculty with a message saying that it has been voted on by the FASS, and sent to the *Yale Daily News (YDN)* in the new year. She said that it is up to the Budget and Finance Committee to take the report to the Provost, noting that it has been approved by the FASS. Mr. Nordhaus said he feels that the FASS should make the report available to other members of the community, including the President, officers, and the Yale Corporation, along with the Stanford document. Mr. Schmuttenmaer noted that the report will be posted on the FASS web site, which is public to the world. Christina Kraus asked how long the practice of non-transparency has been going on. Mr. Nordhaus responded that it ebbs and flows, and the current practice of non-transparency has been present over the last 20 years. Ian Shapiro said that in the 1990’s there was more information than there was money, and now it seems that there is more money than there is information. Mr. Shapiro also said that he believes that the Provost will state that he and the Vice President for Finance did meet with the Budget and Finance Committee and that they did provide the committee with more information than is in the Yale report that Mr. Nordhaus referred to. Mr. Shapiro noted that 85-90% of that meeting was telling the committee information that its members already knew, and that they were sworn to secrecy about the other 10%. Mr. Nordhaus agreed that the committee was given details on some schools, on the West Campus, and on other units. This past summer, he added, there was a conversation about the release of much more information by University leadership, but that there has apparently been a decision this fall not to release this information after all. Katie Trumpener recalled that her experience being on the University Budget Committee in the mid-2000’s was extraordinarily frustrating because the committee was not, in any way, a consultative body. Jill Campbell commented further on the extreme degree of secrecy associated with the FASS Budget and Finance Committee’s meeting with University budget officers and the ways in which this secrecy eroded possibilities for faculty participation in governance. Ms. Greenwood thanked the FASS Budget and Finance Committee for creating this report and the FASS will work with the members of the FASS Budget and Finance Committee so that the *YDN* can include this report in its next issue.

Ms. Greenwood introduced an update on the University’s preparedness for the potential impact of the recent national election result on the University’s mission. Ms. Greenwood also noted that, prior to the

Thanksgiving break, a number of petitions circulated among faculty. Initially, she said, the EC planned to discuss and potentially create an FASS statement and/or resolution. However, she noted that it appears that the University is doing a lot behind the scenes but has not always communicated what it is doing with the rest of the faculty and that it was important for the EC to understand the full situation first. In response to faculty concerns, Ms. Greenwood and Mr. Rogers therefore met on Tuesday, December 6 with Dean Gendler, Alex Dreier, the General Counsel and Vice President of the University, Ann Kuhlman, head of the office of International Students and Scholars, and Richard Jacob, Associate Vice President of State and Federal Affairs. Ms. Greenwood noted that she was given permission to share the following information with the FASS and the faculty. She said that since the election result, Ann Kuhlman has been working to put a University response in place with respect to undocumented students. Ms. Kuhlman got in touch with all undocumented students and postdocs known to her and all students and faculty who are on the more precarious H1B visas, just to check with them and let them know that her office is available to them. The General Counsel's office is recruiting a new specialist in immigration law / DACA issues to advise undocumented students and others free of charge. Ms. Greenwood also noted that the admission season is coming up and students will be making decisions; at the moment, there is not yet a web site with information on what the University is doing to support undocumented students. Ann Kuhlman said that she is working with Dean of Admissions Jeremiah Quinlan to put a web site in place where applicants can go for information on these issues. She said that Ms. Kuhlman said that many of the undocumented students are now in our graduate student community and have formed a working group and support group. Ms. Greenwood said that Ann Kuhlman and Alex Dreier said that a large priority is to work behind the scenes with lawmakers in Washington to try to shape current and future policies that affect students and scholars. Members of the University administration acknowledged that there may be some frustration about the circulation of information, however they strongly urged faculty to consider the vulnerability of the undocumented members of the community, and this requires some work behind the scenes. Ms. Greenwood reported that Mr. Dreier has a working party of five, which includes him and four members of the Law School faculty who have academic expertise in this area of policy, including Michael Wishnie, and they are keeping each other up-to-date on what is happening nationally at other universities and other law schools. Ms. Greenwood reported that Mr. Dreier underscored that the New Haven Police Department was one of the first in the nation to adopt sanctuary practices and protocols, which means that they—including Yale Police—do not cooperate with Federal enforcement orders or Federal requests for searches of members of the Yale community on private property without a warrant. Ms. Greenwood said that she and Mr. Rogers asked about harassment, discrimination, the rise of hate crimes, xenophobia, and anti-Semitism. Mr. Dreier described some of the ways that Yale administrators are working with existing University committees and student groups to redouble support for vulnerable communities. Ms. Greenwood stated that she and Mr. Rogers asked about attacks on research, particularly disciplines that are likely to be targeted (e.g. climate science and women's reproductive health). Mr. Dreier responded that former President Levin and now President Salovey have long been active in pursuing Federal funding for all university research. Large state universities have congressmen, senators and governors on their boards who will provide political leverage at the current moment; Yale is working closely with these universities to try to influence policy-making in Washington. Ms. Greenwood noted that it appears that the FASS and FAS Faculty are generally on the same page as the University leadership and working in the same direction, but that there is some tension between faculty desire and expectation to speak freely and urgently on these questions and the reluctance and resistance on the part of members of the administration to take assertive public stances. She said that one of the problems is that information is not being circulated widely within the Yale community, so that some faculty find little reassurance about the University's response. Ms. Greenwood noted her hope that the FASS will be able work effectively with the FAS Dean and other administrators to use the

expertise in FAS to try to address some of the challenges that are facing the university, whether it is medical science, Federal funding for research, threats to undocumented students and faculty, or waves of xenophobia and discrimination. Ms. Greenwood concluded her update by asking if there were any questions.

Mr. Bercovici pointed out that when he was department chair of Geology & Geophysics, he repeatedly had to respond when climate scientists were being personally threatened because of their research, and he envisions these situations will be on the rise even though they are not directly related to the recent election. Mr. Rankin noted that Harvard recently declared that it will not become a sanctuary campus. He said he feels that the FASS has to be careful of what it is asking Yale to do so that Yale is not put in an awkward position to make statements like this too hastily. Ian Shapiro said that he believes Yale should be consulting with other schools. Ms. Gage noted that, in keeping with Mr. Bercovici's comments, she believes that professors, as a group, are going to be under a lot more challenge, including on-line harassment and threats, and so she feels that there needs to be a public articulation of what it is that scholars do that is valuable. She would like to think that there is someone at the University, and maybe this is a place where the FASS can be useful or help, who will think these things through in advance and be able to articulate a coherent response to those challenges that are coming or may already be happening. Mr. Nordhaus commented that this is a complicated set of circumstances. He noted that a year ago in his department (Economics) there was a threat against one of the faculty members, and he was concerned about how little thought had gone into handling this general issue at the University. He said he does not know how many of these threat-type situations have occurred, however it seems as if this was the first one, and so he feels that we need some preparedness that involves the police, the General Counsel, a liaison with the FBI and other law enforcement agencies. He does not know where Yale is on this; if it is going to get worse in the future, we are going to need preparation. He also said that he does not believe that the FASS should get into a resolution statement on national political issues, however he is skeptical of the view that there is too much discussion and that we need to keep Yale's response quiet. He feels that there needs to be public discussion about what the University is doing. Ms. Trumpener said there are different kinds of vulnerabilities being discussed that may call for different responses for each. One vulnerability concerns people and their legal status and the security of the students and staff. A second vulnerability is the issue of freedom of speech and freedom of thought and freedom of the press. While there may be some room for discretion on the former, she believes that the University has to take a stance on the latter – it has to be assertively in favor of free inquiry. Karen Wynn commented that there are pros and cons about not being explicit and doing work behind the scenes. She said the pros are very real and obvious and clear. However, the cons are that a muted response can allow universities to hide in a hole and try to take care of themselves. She said there is real power in coming out and taking a public stance because the world and the country need to see the level of opposition to a lot of the values that may be central to the next US presidential administration. Shiri Goren agreed that a silent mechanism of defense is the worst that can happen. As a foreign citizen, and a previous holder of H1B, Ms. Goren wonders how many faculty and students are undocumented and feels that the greatest risk to these individuals comes from the University not saying anything. She believes that making a statement of support is better than trying to protect these individuals by not saying anything. Also, Ms. Goren said that the FASS and individual faculty can speak for themselves and not necessarily for the University as a whole. Matthew Jacobson said that on specific questions, he agrees with what Ms. Trumpener suggested in parsing out the issues, and deferring to General Counsel's Office on some of their instincts with respect to undocumented students. He also feels the need to insist on public statements on other issues, especially from the President's Office, that would help put the community at ease. He pointed out that faculty should keep in mind that the University does not speak with one voice on this issue, and that many influential alumni are close to the incoming United States

presidential administration. Ms. Weaver registered concern with a “behind the scenes, subterranean approach.” An immigration expert recently reminded her that the names and addresses and kin’s addresses of Dreamers are already in Federal databases that will be passed on to the next presidential administration. She feels that no statement from the University is itself a statement, and a dangerous one, particularly when other universities have taken a stance. For Yale to remain behind the scenes is to say that we are not going to stand up on this issue. Ms. Weaver thinks that Yale needs to have a more proactive response; she personally admired the resolution that Professor Susan Stokes proposed, which mimicked the language of a Columbia University resolution. Mr. Rankin noted that he does not want to see President Salovey forced to make a statement that Yale is not a sanctuary campus. Mr. Rogers said that one interesting aspect of being at the meeting where this information was discussed was that there were two parts of Yale there – one was the Ann Kuhlman and the General Counsel side of things and what Yale is doing on a practical basis for students, and the other side was with Yale government affairs staff working in Washington. It was very clear from this part of the conversation that universities are trying to figure out where the relevant places to apply pressure in the upcoming political reconfiguration are. He said that he hopes that, as the United States gets closer to the new administration, that faculty will have more of a sense of the things that Yale will be pushing for. He noted that the EC has a meeting with President Salovey and Dean Gendler next week and will convey the issues raised by Senators, which include some points that he believes have not been on University leadership’s radar screen. Ms. Greenwood asked that people send an e-mail to Mr. Rogers and her with their feelings of whether the FASS should be putting out a statement / resolution. She noted something that Mr. Dreier said at the end of their meeting: that a wave of petitions, and the need to reply to them, risks distracting the attention of the people who are totally committed to doing this work. Ms. Greenwood reflected that a challenge the Senate is facing while trying to advise members of the University leadership is that if the leadership does not communicate what it is doing and come out with statements and actions that will bring the campus together and reassure the community, this poses even greater risks of disruption. Ms. Greenwood talked about how the FASS might facilitate focused, concerted, faculty campus activism that speaks constructively and as powerfully as possible. There might be utility in creating a sub-committee that would work with other members of the Yale community to come up with a 10-12 point memo of things that we would like the University to do. She thanked Senators for their thoughts, comments and suggestions. Ms. Greenwood asked if there were any faculty who wished to make comments and said that she had a request from Candace Skorupa to read a letter that Candace forwarded to the FASS. About 25 student groups have recently circulated a letter on campus (and also sent to the Corporation, with a version appearing in the *YDN*), expressing dissatisfaction with the Corporation’s progress on its proclaimed goal of greater transparency, including greater numbers of meetings with students and members of the community. The letter noted that students made specific requests for greater numbers of meetings and would like student representation at some of the Corporation meetings and FASS representation at some of the Corporation meetings. Ms. Greenwood noted that at the end of the summer, the Corporation asked members of the EC to think over the course of the year of what the Corporation could do to improve its record on consultation and transparency. Therefore, Ms. Greenwood noted, the student letter is a good impetus for the FASS to think again, in concrete terms about offering advice to the Corporation. She asked anyone who has thoughts/suggestions on addressing this question to send them to the EC so they can move forward with their communications with the Corporation. Ms. Greenwood asked if there were any other comments before the meeting was adjourned. Ms. Gage commented that Jonathan Holloway, the Dean of Yale College, has announced that he will be leaving Yale, and that it is important for the FASS to think about its role in advising the President on the appointment of a successor.

Ms. Greenwood adjourned the meeting at 5:30 PM.