

# FAS Senate

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

## Minutes for the FAS Senate Meeting

Thursday, May 11, 2017

HGS 211, 322 York Street

APPROVED

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

Staff: Rose Rita Riccitelli

Absent: David Bercovici, John Geanakoplos, Ian Shapiro, Katie Trumpener

Guests: Hazel Carby, Alex Debs, Michael Denning, Stan Eisenstat, Tamar Gendler, Brad Inwood, Karen Von Kunes, Bethany Zemba

Faculty of Arts and Sciences Senate (FASS) Chair, Emily Greenwood, called the meeting to order at 4:05 PM. Ms. Greenwood noted that the FASS elections were underway and there have been reports of people who have not received a ballot; in some cases, the ballots were found subsequently in their spam folders, these cases are being sorted out. Ms. Greenwood noted that this is the last FASS meeting of the year and that there are senators who will be standing down after serving their two-year terms and noted who they are:

- David Bercovici, who has served on the Executive Council for two years (2015-17), served on and chaired the Faculty Advancement Committee (in 2015-16), and the Peer Advisory Committee (2015-16);
- Jill Campbell, who has chaired the Peer Advisory Committee (2015-17) and served on the Budget and Finance Committee (2015-17);
- John Harris, who has served on the Yale College Expansion Committee, the Faculty Conduct and Standards Committee, and the Diversity and Inclusivity Committee;
- Christina Kraus, who has served on the Peer Advisory Committee, the Committee on Yale Committees, the Elections Committee, and has acted as the one of two library liaisons for the FASS;
- Kathryn Lofton, who has served on and chaired the Ad Hoc Committee on Faculty Conduct and Standards, and the Committee on the Yale College Expansion;
- Yair Minsky, who has served on, and this year (2016-17) chaired the Faculty Advancement Committee, and served on the Budget and Finance Committee;
- William Rankin, who has served on the Executive Council (2016-17), and on the Faculty Advancement Committee where he spearheaded the FASS's Parenting Report last year;
- Katie Trumpener, who has served on the Faculty Advancement Committee and the Committee on Yale Committees;
- Vesla Weaver, who served on the Executive Council in its first year (2015-16), has served on, and

chaired, the Elections Committee, and served on the Diversity and Inclusivity Committee and the Yale College Expansion Committee.

Ms. Greenwood noted that there are three senators who have completed their two-year terms and are standing for re-election. They are: John Geanakoplos, William Nordhaus, and Doug Rogers.

Ms. Greenwood said that the Senate service of all of these senators comes on top of everything else they do, including teaching, research, academic mentorship, serving as departmental officers, and participating in departmental and FASS committees. She thanked each of them. Ms. Greenwood noted that the FASS began the year trying to think of ways to continue to work on transparency and the increased flow of information around the University. She said that the FASS has made a lot of progress and that the Senate is grateful to the leadership of the University for working with the FASS, however she reiterated that it would be better for faculty and the FASS to be given the opportunity to advise in advance of the beginning of administrative initiatives, rather than to be briefed shortly before these initiatives are about to be announced or after the fact. She noted that the FASS is now listed in the Faculty Handbook as an advisory body and expects to be consulted on all matters pertaining to the faculty of Yale College, the Graduate School, and on matters that pertain to the University's educational mission.

Ms. Greenwood presented the minutes from the April 13, 2017 FASS meeting for review, comments, and corrections. She noted that, following a recommendation from Stan Eisenstat, draft minutes from the April meeting were posted on the FASS on Monday, so that faculty were able consult them in advance. The FASS expects to continue this practice. She asked if there were any comments or corrections. There were none. John Harris motioned to approve the minutes from the April 13, 2017 FASS meeting, and Karen Wynn seconded the motion. A vote was taken and the motion passed unanimously.

Ms. Greenwood moved to committee reports and asked William Rankin to give a report on the Parenting Report. Mr. Rankin had no update, however, he said that the hope is that there will be a proposal going before the Provost soon. He and David Bercovici met the Provost's group and gave them specific ideas for what the top priorities might be, and there is guarded optimism that these will be acted upon. He noted that he and Mr. Bercovici assured the Provost that the FASS will not forget to follow-up and hopefully there will be action over the summer.

Ms. Greenwood introduced Vesla Weaver for an update on the Elections Committee. Ms. Weaver noted that everyone should have received a ballot and thanked Charles Schmuttenmaer, who had the task of contacting people who had been nominated by our colleagues and the wider faculty to stand for election. She noted that it was a huge undertaking to put together the slate of candidates because of the many requirements to be considered. She said that there are 12 open senate seats and that there is a great list of people to stand. A voter's guide of the candidates can be found on the FASS web site. Ms. Weaver thanked Jay Emerson and Alexander Coppock who reviewed all of the material and made certain it was correct and then sent out the ballots for voting. Ms. Weaver noted two lessons learned to use for the next election:

- 1) to begin the nominating process in March of each election year so people have a fair amount of time to consider standing for election;
- 2) there were issues with Qualtrics and people not being connected to the ballot when clicking on the ballot link, so the committee needs to address any glitches that may come up before the actual election.

Ms. Greenwood said that the election results will be announced before Yale commencement, and the election for the new FASS Executive Council will be held after June 8, 2017.

Ms. Greenwood asked William Nordhaus to present an update on the Budget and Finance Committee. Mr. Nordhaus noted that there was no committee update, however the Sub-Committee on FAS Governance is in the process of scheduling meetings with the appropriate administrators of the University.

Ms. Greenwood called on Jill Campbell to report on the Peer Advisory Committee. Ms. Campbell said that because of the confidential nature of the work of the committee, she could not report on the specifics of the cases that the committee worked on. However, she and her committee wish to share some of the situations that the committee addressed in the past two years. She noted that in its first year, nine cases were brought before the committee, some by individual faculty and some by small and large groups of faculty. She said that two of those cases continued into this year, with one further consultation pending. She noted that their work with individual faculty members confirms the concerns that led to the creation of a Peer Advisory Committee, and said that faculty members at Yale, ranging from contract faculty, lecturers, and untenured ladder faculty to long-time tenured faculty, sometimes face policies or treatment that they find adverse or unfair and that they feel that they lack any recourse or a way to raise them within university administrative structures. Because the Peer Advisory Committee is an advisory committee without powers to make or even recommend policy, the committee's role has been to listen to individual concerns, to inform and advise on existing procedures and policies, to suggest potential sources of support or guidance within the University structure, occasionally to engage in some limited investigation about work conditions or relationships, and occasionally to accompany a faculty member as they seek more direct communication with the parties involved. These roles have given the committee something of an ear-to-ground relationship to workplace concerns of a wide range of faculty in the University. Some concerns brought to the PAC by either individuals or groups, she noted, relate directly to the work undertaken publically by FASS Committees last year and this year, and strongly confirm the need for that systematic work. In particular, she noted, contract faculty and faculty who are frequently referred to as "non-ladder" face particular challenges of non-recognition and lack of recourse, both within their departments and within the University. She said that more frequent and more reliable communication for these invaluable members of the faculty in their departments is a crucial aim both to make their work environment more respectful and humane and to realize and sustain the full potential of these faculty members' contributions. On the level of the University, she said, these faculty may also find that they have no recourse even when caught in bureaucratic mistakes or confusions. This must be rectified both at the FAS-wide level and at the departmental level. She noted that several of the cases brought to the committee by faculty of all kinds involved economic questions of compensation or benefits, which indicates the urgency of both the work of the FASS' own Committee on Faculty Advancement and of the University's standing Committee on the Economic Status of the Faculty. She said that two concerns were raised last year by more than one faculty member, each which we may have a chance to raise today in discussion with Tony Smith, Chair of the Committee on Economic Status of the Faculty, which has only recently been reconvened. Ms. Campbell then spoke more personally, and stated again that members of the University in positions of institutional authority of various kinds need consistently and scrupulously to avoid any temptation to exclude, marginalize, or even defame faculty who voice opposing views of their own on matters of principle. She said that this is an absolute ethical obligation and is essential for healthy thriving of our University as a community of higher education as a place of teaching and research, and that the work that has been done in the last few years on the faculty code of conduct hopes to address some of these matters. Ms. Campbell spoke of the composition of this

committee and that it reflects the wide variety of kinds of faculty positions and it is very important to have some non-ladder faculty represented and a range of ranks with various kinds of positions and faculty from across divisions.

Mr. Nordhaus noted that one of the difficulties we have had at Yale is not knowing how many cases and what cases of misconduct and other kinds of behavior have been dealt with administratively that essentially have had gag orders on them. He said that we often hear about these cases as rumors, or maybe we are involved as advisors. He said he feels that it is important to get better information on the numbers, the kinds of violations, and their disposition. He mentioned that, outside the University, this secrecy was a major issue regarding cases in the Catholic Church and in private schools. He said that going forward we need to think about how appropriate it is to have these cases just disappear behind these confidentiality rules.

Ms. Greenwood called on Ruth Koizim to give a report on the Yale College Expansion Committee. Ms. Koizim said that the committee received a message from Paul McKinley regarding the advising changes for Yale College undergraduates and that there was an invitation to non-ladder faculty to become fellows of the residential colleges. She noted that this was something that these members of the faculty have been able to do for many years, however it was not well-known, so this is an improvement in communication. She said that Lloyd Suttle has taken over for the registrar who departed recently, and the registrar's office is working to develop new tools to assist in registering and pre-registering students in greater numbers. She reported that thirteen to fifteen non-ladder faculty positions are being added for the fall, with five preceptor positions created - two in chemistry, two in economics and one in Molecular, Cellular, and Developmental Biology (MCDB). She said there will be thirty additional section slots in Arabic, Directed Studies, English, French and Spanish, and that three to five lecturers are being added to Math and Computer Science. She said the Yale College Expansion web site will be ready by the time the additional students arrive on campus, and that she and her committee are grateful for the work of the multiple committees who have been working on these issues and that they are eager to get whatever information they can. Ms. Koizim noted that there still may be many things in flux, so perhaps as we move forward, there will be an opportunity for more interaction between the FASS and these committees.

Beverly Gage said that, as last year's chair of the Yale College Expansion Committee, and in thinking about going forward, she feels that there are still plans being made and that there is still no "master plan" in place, and that the focus has been to plan for this first year and getting the 200 students in place. Therefore, she feels that there is still an opportunity for the FASS to weigh in as we prepare for the next group of students to arrive, and to address the impact of what a 15% increase in student body will bring. Ms. Koizim noted John Rogers's work chairing a committee on Teaching in the 21<sup>st</sup> Century, which is due to deliver a report sometime in July 2017.

Ms. Greenwood introduced Shiri Goren for a report on the Committee on the Pay, Status and Conditions of Non-Ladder Faculty in FAS. Before giving her report on this committee, Ms. Goren wanted clarification on a matter of class enrollments: should faculty who have high enrollment in classes due to the influx of new students contact the chairs of their departments, who will contact the FAS Dean's office for assistance? FAS Dean Tamar Gendler replied that her office is working on the assumption that students will distribute themselves as they have done previously, but has also built in a buffer of plus 25% across the board. So, in this first year of increased student body, the FAS Dean's Office has erred on the side of generosity. The first three weeks of the semester will require adjustments, as it has in the past.

Ms. Goren thanked Dean Gendler for her response and presented a report from the Committee on the Pay, Status and Conditions of Non-Ladder Faculty in FAS, reporting that the committee completed an additional paragraph based on comments that were received from the FASS after the last meeting. She thanked all of the senators who helped with the final wording and publication of the report that is now available on the FASS web site. Ms. Goren noted that some departments have already mentioned the report at their faculty meetings and she hopes that more departments will follow suit. She said that the committee will set up a meeting with the FAS Dean's Office over the summer, however the majority of its follow-up work will carry over to next year, and that all of the senators on this committee are continuing for a third-year term. She mentioned that on May 2, 2017, the FAS Dean spoke to all FAS department chairs about the importance of working with and including non-ladder faculty in their departments' life and including them in meetings, as well as creating a better climate overall, and she thanked Dean Gendler for her effort in communicating this to FAS Chairs. Dean Gendler said that the FAS Dean's Office is grateful to this group for helping us along with this project which we have only begun to engage in with the creation of the teaching assistant advisory committee led by Bob Burger and John Mangan.

Ms. Greenwood asked Charlies Schmuttenmaer to give an update from the Committee on Diversity and Inclusivity. Mr. Schmuttenmaer noted that there will be a report later in this meeting from Richard Bribiescas, Deputy Provost for Faculty Development and Diversity, addressing the report of the Committee on Diversity and Inclusivity, and that the committee will then write a brief report over the summer.

Ms. Greenwood introduced Tony Smith, Chair of CESOF (Committee on the Economic Status of the Faculty) to speak to the Senate about how the committee sees its work developing. Mr. Smith began by introducing the other members of the committee, some of whom were present: Konstantinos [Costas] Arkoakis, Marla Geha, Marion Gehlker, Daniel Harrison, Brad Inwood, Ayesha Ramachandran and Ann [Carla] Staver). He said that he welcomes feedback from the audience about matters which the committee might usefully investigate as it undertakes its work this summer and in Fall 2017. He noted that he was asked to chair the committee last fall (2016) and the committee was formed in the spring (2017) and has met once with Dean Gendler to discuss the possible charges for the committee. He has personally met with members of the previous CESOF committee, spoken with Deputy Provost Lloyd Suttle, and talked with people in the Office of Institutional Research (OIR) who provide the committee with various data. He said that he is learning what the committee does and formulating the types of questions that it will pursue. In the past, he said, the committee produced a report which summarizes salary trends relative to our peer institutions across time and in as much detail as possible. The report also includes benchmarks and notes on various types of benefits (retirement, health and tuition benefits) relative to our peers. He said that he sees the committee as providing information to the faculty, in as much detail as possible, on where we stand relative to our peers. The problem is that we don't really have that much data that is not confidential. He noted that universities will share data but there are confidentiality agreements on what can be reported publicly so he will try to share as much data as possible. He also feels that data on the transition matrix is most important – how a department evolves over time, what is the fraction of the people who are leaving to go to other universities, where are we recruiting from, how successful are we in retaining people, etc.? He wants to be able to report as much data as possible. Then, he said, the committee may also undertake a more intensive task, which may be to look at the burden of time allocated to various service components of one's job – how much time people are spending on departmental committees, university committees and other types of professional service beyond their research and teaching, and how unequally this burden is distributed, whether it compensated appropriately, and so on. Dean Gendler suggests we

focus on areas that are actionable and we can make a difference. He also views the committee as providing useful information, for instance about schooling in the New Haven area. He said that one issue that has come up relating to benefits is the question of whether tuition and child care benefits are inequitable because if you do not have children, you do not receive these benefits. Therefore, the committee may focus on benefits that are more broadly shared or perhaps think in terms of a constellation of benefits such that everyone benefits from at least some of them (even as the sum of them benefits everyone). He said that regarding external offers, there may be room to consider whether it is better for the University to somehow provide clearer benchmarks for internal compensation that would pre-empt the need to get outside offers. Mr. Smith noted that he is pleased with the committee that the FAS Dean has put together that represents a great cross-section of representation of all faculty from ladder, to non-ladder, lecturers, etc. He then opened the floor up for discussion and feedback.

Ms. Greenwood called on Jill Campbell, chair of the Peer Advisory Committee, to offer feedback from this committee to Mr. Smith. Ms. Campbell spoke on issues that were brought to her committee by faculty that she feels are relevant issues for the CESOF committee to address. One issue was brought to the Peer Advisory Committee by a tenured faculty member regarding the perception that the salary mean for faculty promoted from within Yale (long-time faculty members) is lower than the salary mean for faculty in comparable fields who have been hired externally. More informally, there is a widely-held sense that increases in faculty salaries have been kept very low for the last nine years since the crash in 2008, which has caused a cumulative effect that is significant, and there is the perception, held informally, that Yale is losing ground in relation to peer institutions. Ms. Campbell asked Doug Rogers to address another issue that was brought to the Peer Advisory Committee regarding the lifetime cap on University retirement contributions. Mr. Rogers noted that there is a point at which Yale will stop making contributions, but this practice is not public, or at least not widely known, and circulates informally. It does not appear to be on Yale's benefits web site. Moreover, the formula by which the lifetime cap is arrived at is secret, meaning that it is not possible to predict when retirement contributions will run out. These items should be addressed. Ms. Campbell and Mr. Rogers noted that this mostly disadvantages faculty who have been at Yale for a long time.

William Nordhaus, chair of the Budget and Finance Committee spoke on the levels and trends of compensation for the Faculty of Arts and Sciences. He noted that the only publically available data are the AAUP (American Associate of University Professors) data, but unfortunately, they include business schools and law schools, and the weighted average of these schools will have an effect on the data provided. He noted that historically CESOF has worked with confidential data to give the faculty an idea of how Yale ranks with their top competitor institutions in terms of level and trends. He said that the Budget and Finance Committee looked at this data last year and was not encouraged.

Beverly Gage noted that this is the first CESOF committee to be able to look at the effects of the tenure system since it has been put in place and has played out for ten years.

William Rankin conveyed questions raised by colleagues about the Sons and Daughters Scholarships. Ten years ago, the cap was \$15,000 and is currently \$15,700 per year, an increase of 3%. During that time, college costs have risen 25%. He asks that these percentages be looked at in terms of inflation, and also pointed out that this may be an area of consideration for someone looking to come to Yale but who does not see this benefit in a positive light. Mr. Rankin also wonders if there are other benefits that are figured on a dollar value that may or may not grow over time if inflation is not considered.

Hazel Carby raised the issue of free lunches at colleges as a benefit, and noted that there is a big difference between lectors and lecturers, who have entirely different ranks and entirely different benefits. She noted that they are very grateful to have these lunches and are using them fully. Ms. Greenwood noted that there is an inequity with lecturers and others who teach fully in huge volume, and mentor and advise students, who do not get that lunch benefit. Dean Gendler said that all multi-year lecturers and lectors get access (to free lunches.) Ms. Greenwood noted that there are people in the room who do not get this benefit, which is part of the problem with the reporting system. Dean Gendler said that everyone who shows up on her budget as a multi-year lecturer or lector, with a full-time appointment, has access to the lunch program. If there are individual cases where this is not happening, they should let her office know so we can rectify the situation. Ruth Koizim noted that the problem stems from communication, and people feel self-conscious about contacting the chair of their department or going to the FAS Dean's Office to ask for lunch privileges. She said that perhaps this benefit can be communicated more successfully, perhaps through the chairs to remind people of what benefits they are entitled to.

Ms. Carby spoke to differential service burdens and was interested to know if CESOF has a sense of the time faculty of color spend on committees in relation to the percentage of the faculty that they represent. If every committee is supposed to have one faculty member of color, and because Yale has few faculty of color, there is certainly an unequal burden put on this group. This burden also affects women disproportionately, and women of color especially.

Ms. Greenwood noted that this issue was raised loud and clear in the FASS Diversity and Inclusivity Report last year and remarked that the FASS would definitely support CESOF investigating the effects of the so-called "diversity tax" (time and effort expended on diversity work) on URM faculty.

Ms. Campbell noted that the Faculty Advancement Committee also is concerned with this issue that relates to the quality of faculty life, and she said that consideration should be made for anyone doing an extreme amount of service to be given some form of compensation in a manner that enables them to have time for their research.

Mr. Smith noted that the committee intends to focus on salary information for all faculty, including non-ladder faculty and lectors and lecturers.

Beverly Gage said she would like as much information from this committee that they are able to disclose, and also for the committee to look into some forms of service that are compensated and some that are not, and she believes that there are policies and standards about these – for instance there are metrics for how much chairs are compensated. However, it is clear that these metrics are not widely known – some chairs get course relief, some get money, some get both, some get enhanced leave. She said to the degree that there are actual policies that exist, it would be nice to see what they are in writing.

Ruth Koizim noted that this new CESOF will be able to take advantage of the groundwork laid out by the FASS Committee on the Status, Pay and Conditions of Non-Ladder Faculty in FAS. She also noted that much of the salary figures for non-ladder faculty contained in the last CESOF report were remarkably robust because the figures included lecturers that she called the "VIP" lecturers, Tony Blair for instance, and including these salaries brings the average up substantially.

Mr. Nordhaus talked about doing a time-use survey of the faculty which would give more accurate information of what people are doing.

Mr. Smith thanked everyone for their feedback and said that he and his committee hope to take all the suggestions into consideration.

Ms. Greenwood introduced Richard Bribiescas, Deputy Provost for Faculty Development and Diversity, to address the FASS and audience on the University's progress on its diversity initiative.

Mr. Bribiescas talked about faculty recruitment, visiting fellowships, and trying to increase diversity across the academy in general, and said that it is important that we are good citizens in academia and produce diversity, not just consume diversity. He talked about programing and different partnerships across the University, using the Center for Teaching and Learning as an example. He said that there is \$25 million, made available over five years by the President and Provost, and that every year there is a certain amount of money that is made available to partner with departments and schools. He explained that for ladder and fill-in ladder support, his office provides 50% of the base salary for a period of three years for certain faculty who are nominated by the FAS Dean. Most allocations are for this three-year period, however there are some that are for two years, and some for even one year – but most are for three years. He said that additional funds are given to the FAS Dean and she uses them as she sees fit for the benefit of diversity and faculty excellence. He spoke about the Presidential Visiting Fellowships, which are only for one or two semesters and for which his office provides 50% of salary. He noted that there are reasons for these shorter-term appointments – it offers us the opportunity to look at someone who may be a potential hire, and also, we can offer a scholar a professional development opportunity who is not able to be here long-term. There are eminent scholars who are not able to stay for an extended period but it is beneficial to have them here short-term to engage with faculty and students. He noted that the first year is finished and he and the deans are in the process of making allocations for the second year. He reported that the program has provided support for over 40 ladder or ladder-equivalent faculty University-wide, and the Presidential Visiting Fellowships (formerly called Professorships) had 20 fellowships, which originally were supposed to be 10 per year. For the first year, he reported, all schools who requested support received support, and only two schools did not receive resources because either their candidate was not available or because of a transition in their dean's office. For this year, he reported, every school will receive some sort of resources and his office are very pleased with the level of engagement of this program University-wide. He gave a breakdown of where the funds are going:

Ladder support:

- 50% of resources went to FAS
- 25% to medicine
- 4% to nursing
- 12% to divinity
- 12% to drama

Percentages of appointments that are being made:

- over 66% are at the assistant professor level. (He noted that the program does not provide any guidance or constraints to schools on the rank that they are proposing.)
- 12% at the associate level
- 20% at full professor level

Presidential Visiting Fellowships:



- 50% plus to FAS
- Smaller proportions to Law, music, and to the School of Forestry and Environmental Studies

Shiri Goren asked if these numbers represented dollars spent. Mr. Bribiescas explained that these are percentages of appointments and not representing dollars spent because some appointments require a higher cost than others.

Mr. Bribiescas remarked on the proportion of the resources going to various schools in relation to the proportion of the size of the faculty. Even though FAS makes up about 30% of the faculty, and medicine about 66%, with the other schools making up the rest, the FAS is receiving most of the resources. Karen Wynn asked for clarification about the two schools that have not received any resources to date and Mr. Bribiescas said that if you include the Visiting Presidential Fellowships, all of the schools, except the School of Management and Architecture, have received resources.

Mr. Bribiescas said 66.5% of the awards have gone to assistant professors and 33.5% to full professors and none at the associate level. Within FAS, he said that 42% have gone to the sciences (biological, physical and engineering), 33% to the humanities, and 25% to social sciences.

Yair Minsky asked if when Mr. Bribiescas notes that the program supports an appointment, does it mean that it is supported for the first few years or is there support for the permanent cost of the appointment. Mr. Bribiescas stated that the support is for 50% of the salary for a period of up to three years, and after three years, the school is responsible for the entire salary.

Ms. Koizim asked what the money allocation is per annum. Mr. Bribiescas responded that 90% goes to ladder faculty and Presidential Visiting Fellowships. Ms. Koizim clarified her question as asking how much money is budgeted, and the response was \$5 million over a five-year period.

He noted that, regarding the Presidential Visiting Fellowships in FAS, 66% have come from the humanities, and 25% from the social sciences.

Ms. Weaver asked for the demographic breakdown of the scholars who have been brought here as part of this initiative. Mr. Bribiescas said he could provide this data at a later date, however this is a difficult area to flesh out for numerous reasons and he will try the best he can do provide such information. Mr. Bribiescas talked about translating the Presidential Visiting Fellowships into potential ladder appointments and noted that the success rate has been between 15 and 20%. He then spoke about retention and how to think strategically about how we keep faculty here once they have been hired. Matthew Jacobson noted that promotion must be another part of this process, and Mr. Bribiescas absolutely agreed and said that he is in contact with the General Counsel's Office to ensure that they keep ahead of any potential challenges that may occur because of what this effort is trying to achieve. Another issue, he said, is mentoring for development, how we set it up, and how we make sure that faculty get to a place where they can be successful, and also how we make sure that we get a good pool of diverse applicants, we do this by engaging in best practices in searches. He said that, within the Provost's Office, this means making sure that the chairs and search committees are employing these practices during their searches.

Mr. Bribiescas opened the floor to questions. Mr. Schmuttenmaer said that he noticed that there were no Presidential Visiting Fellows in the sciences. Mr. Bribiescas said he does not believe that there were any nominations from the sciences. Dean Gendler said that it is much easier for someone whose work is

not laboratory-based to come to campus as a teacher, which is what the Presidential Visiting Fellowships are for, and there is no tradition in the sciences for bringing someone who is research-active as a teacher, to another campus for a semester. She said the numbers of Presidential Visiting Scholars were strongly skewed in the humanities where that custom is most common, and the social sciences, where that custom is less common, however she noted that ladder faculty appointments had a higher percentage of appointments in the sciences. Ms. Weaver said that it was her experience, being in two departments, that one department communicated information on the Presidential Visiting Fellowships to its faculty, and the other did not, and therefore she would make it a firm expectation for chairs to communicate these opportunities to their faculty. Mr. Bribiescas said that he also heard that communication was lacking in some departments and will work on providing better information to all faculty.

Ms. Gage asked how much of a difference there is in diversity-making – are we actually becoming more diverse?

Mr. Bribiescas noted that this information is on the Yale web site at <https://faculty.yale.edu/faculty-demographics> however he said that we are still not very strong in this area.

Ms. Goren asked to hear about other efforts and also what has been done and what is planned regarding retention.

Mr. Bribiescas said that this initiative does not address the retention issue directly, and since this is a University-wide initiative, he has no direct say but can only advise. He noted that any retention issue is addressed by the deans, and for FAS these issues would be addressed by Dean Gendler.

Ms. Goren asked if there were specific funds that would help with retention or mentoring, and Mr. Bribiescas said that this initiative does not cover these two areas. However, he said, there are discretionary funds apart from the funding he has described above that can be used – and gave the example of someone wanting to form a peer mentoring group who needed some modest funding, which was given from this discretionary pot of money. Dean Gendler explained that some of the resources allocated to this initiative are used to underpin the salaries of some of our faculty who bring excellence and diversity so that we can offer them salaries that are highly competitive. There are other funds available to Professor Lofton to support faculty who come up with ideas that promote excellence and diversity. She said that the concerns about faculty time – the allocation of effort by different groups in different ways - came to her attention and it was in part for that reason that she asked Professor Smith whether CESOF would be willing to look into that question. Regarding the question of retention, Dean Gendler said that insofar as she and all of us are engaged in identifying faculty of excellence who are at other institutions who might come to Yale, so too are our peers engaged in that endeavor, so what we need to think about across the board is how the professoriate as a whole will include a broader range of faculty who will bring excellence and diversity to our community. Retention is a challenge in any environment where recruitment is the norm at peer institutions. She said she takes some of the resources that are available to her to allow her, when dealing with a retention issue, to do at least what our peer institutions are doing. Her hope in the long run is not to have retentions be financial, but to have Yale be a place that is so deeply part of people's intellectual commitment, so deeply part of their sense of flourishing, that going elsewhere would not occur to them. She said this would help with retention, but much more deeply, it helps create an institution of excellence.

Mr. Jacobson addressed the 66% assistant professors' figure, and looking ahead at that cohort five to seven years from now, what would you regard as success – what is the goal and what is your office doing, after getting them in the door, to achieve that goal?

Mr. Bribiescas said one thing is to partner with the deans to figure out a mentoring process, and then to look at climate – a faculty member needs to be in an environment where they can thrive, and to measure success at the end, to do benchmarking for various departments and various schools and asking departments and schools to look at how their department compares with other institutions and to make theirs as good or better than other places. Also, he noted, we need to make sure that departments are creating an atmosphere where people want to stay.

Mr. Jacobson noted that what came out of the Diversity Report last year was that climate and mentoring really were at the departmental level, and speaking for his committee, they are happy to participate and help with this work on the departmental level.

Mr. Bribiescas noted that department chairs are essential in the area of communication, and this initiative can come up with various ideas (on how to encourage mentoring and best practices and faculty excellence,) however the chairs are essential to the actual deployment.

Ms. Greenwood thanked Mr. Bribiescas for his informative presentation and asked him to speak more about the challenges and how much confidence does he have about whether we (as a University) are going to meet all the challenges that we face, and how the FASS can help.

Mr. Bribiescas said that he usually presents a brief, historical timeline of how we got to this point, and what is fascinating is that between 1999 and the recession in the 2000's, where the endowment was flourishing and we had lots of resources and there was a lot of good will and effort to increase diversity and change gender equity, in spite of these we barely moved forward, so this proved to him that resources are not the biggest issue. He said if you do not have buy-in, especially by people who are on the search committees, then we will not go anywhere. He said that when we do the best practices sessions, he notices that when search committee members are listening and taking notes, good things happen, and when people are pre-occupied with checking their iPhones and their e-mails and doing other things, nothing happens. So, he said, he asks the FASS to encourage chairs to buy into this process and believe in it because one thing he runs into, which is a gross fallacy, is that we are undermining excellence. Unless we actually embrace this initiative, we are going to fall behind our peer universities because diversity is excellence. He said that when he goes to various international conferences at universities in Asia and other countries, they see us as ahead of them because they have even less diversity than we do.

Ms. Weaver went back to the question of what is the broader end-point goal, and that we really need to start thinking about better recruiting and noted that she did not hear anything said about cluster-hiring and other creative possibilities that other universities are entertaining and which we really push in the FASS's Diversity Report. She noted that in the social sciences, after this year, there are two black men left, both of whom are nearing retirement age, so this is not just a crisis, we are beyond crisis, and we look silly compared to our peer institutions. She said that she is leaving after this semester and it is her firm belief that Yale is having the same conversation about diversity now as when she came to Yale, and that Yale will be having this same conversation a decade from now unless its gets away from minor efforts and gets to thinking creatively and also punishing departments that remain in transition.

Mr. Bribiescas said that he agreed with everything that Ms. Weaver said. He then spoke about creativity and explained how searches are done. He said we convene a certain group of colleagues, we ask for a CV and letters of recommendation and sample publications, and we've been doing this for 100 years, and we need to change this process or alter it. We also need to ask if we are leaving talent on the table and need to be asking why this person or that person did not make it onto the short-list. Also, he said, we should be looking at other metrics on a CV and figure out what is the best predictor of excellence. He said that when we are doing assessments of faculty, one of the assessments relates to how many international talks they have done, if they are being invited to conferences, and if they are the primary speaker nationally and internationally. This, he believes, leaves women at a disadvantage because of the childcare issue and that they are less able to travel, and there is also evidence that women opt out of going to conferences because of sexual harassment. He noted that within his field of anthropology, this has been a huge issue for women who just do not go because they have to deal with certain alpha males. So, he said, there are really a lot of things that we need to question, in terms of what we are using as the metrics for excellence.

Mr. Jacobson said another thing we can do to assess our faculty is adding a category of work in support of diversity in the FAR forms as an indication of how the University values this work.

Mr. Bribiescas agreed with this and said that when there were decanal searches last year, he asked for a question to the candidates about what their track record was on diversity efforts, and if diversity was at the core of what they do.

John Harris said that he totally supports what Mr. Bribiescas has presented and introduced a reference to the film *Money Ball*, saying that we are not thinking the right way in order to recruit a diverse faculty.

Kathryn Lofton thanked Mr. Bribiescas for his presentation and providing the statistics. She noted that the call is "what should the FASS do?" She said that the FASS's Diversity Report is an extraordinary act of thought and was a collective effort of the interdisciplines, and reading through it, you move from voice to voice – the scientist, the statistician, the humanist, the historian – and what it is to actually create that form of knowledge from our sources of knowledge. She said that the FASS can continue to enact its interdisciplinary capacity as an intellectual body. She said she refers to the report whenever she sees the need and to find information that is contained in this report. She said that she feels that the Diversity Committee has to stay a standing committee and keep checking its recommendations against what has changed, slow as they may occur. She also noted that there was a document in circulation about the appointment of leadership – Mr. Bribiescas has been focused on this at a higher level – the decanal level, however we also need to ask what chairs and senior faculty in departments are doing when they talk about recruitment and when they talk about the concept of excellence. She noted that in the last several weeks, she has received information about the results of this year's searches and is struck anew, that despite the drama and violence of last fall, people are still imagining intellectual merit and diversity to be divergent and that this is their justification for repeating the same forms of demographic resolve. So, she said, to target specific departments, the FASS can participate and collaborate with the person in charge and use some activist tactics. We need to educate with love, with affection, with respect, but also with data, and we need to continue to remind our leaders that if they do not represent diversity in their choices of leadership and their own articulation of leadership, then the chairs will continue to feel fully licensed to continue to act as they have.

Ms. Greenwood concluded this section of the agenda and introduced the Faculty Speaking Slots and called on Benjamin Foster to speak.

Mr. Foster spoke about two reports that he received - the first a 64-page report on the Pay, Status and Conditions of Non-Ladder Faculty in FAS, which is the latest in a series of FASS reports, and like the rest, balanced, well argued, massively documented, and full of facts and recommendations. The second was a four-page document in the name of a year-long provostial committee comprised of ten people of whom he was one. He said that this committee was charged with making recommendations about the stewardship of the Yale Babylonian Collection, and noted that much of the actual data presented in the report was taken from a single web site. Although he was a member of this committee and has worked in this collection steadily since 1970, much of the report's contents and key recommendations were never presented to the committee at large for deliberation, and were never communicated to him at all as a member of the committee. In fact, they were kept secret from him until he was allowed to read them in the so-called draft report. He was not the only committee member so excluded. These recommendations, he noted, were presented as the majority view, whatever that meant, and the draft report could be amended only by unanimous agreement of the committee. Evidently, as noted in the FASS report on non-ladder faculty, there were two distinct tiers of membership on that committee. He said that even though he knows something about Babylonian Tablets, he was in the subordinate group, so-to-speak, and served at the "children's" table. He said he is relaying this, not because he expects the FASS to do anything about it, but rather to thank this body for the abundant hard work it has put into its reports – simply put, they are models of what a committee should be, and he could only hope, as with any publication, that the FASS reports get the readership and the response that they deserve. He asked that the FASS keep up its good work, however discouraging it may seem to be at times, and noted that he did finally get his voice heard by the committee he served on, however not without having to make a world-class scene.

Ms. Greenwood thanked Mr. Foster for his comments, and introduced Hazel Carby as the next speaker. Ms. Carby distributed two documents – a Yale Faculty Call to President Salovey signed by 75 Yale faculty urging him to negotiate with the elected representatives of Local 33, and the response from students from the Law School to President Salovey regarding his May 3, 2017 e-mail to the Yale community. She noted that the FAS call originated with a group of nine faculty, and although it quickly gathered the support of 50 signatories, distribution was not systematic. She said individual faculty complained that they had not seen the call. When a faculty member wanted to distribute the Law School response to faculty colleagues through a departmental e-mail list, the departmental chair refused on the grounds that circulating it would be taking sides. She said that while the administration has structured channels of communication with all faculty, the faculty does not have access to this system of distribution and when issues arise of urgent concern to the Yale community, the faculty in FAS are at a distinct disadvantage when they attempt to communicate with each other across departments and across divisions. This is, she noted, symptomatic of Yale's hierarchal structure, but the FASS is a lateral organization and she is asking the FASS to consider what role it could and should have in keeping the faculty in FAS informed about the unfolding situation. She then said that if the FASS does not circulate documents that have not originated in the FASS, what avenues of communication could be developed to which all faculty have access? She said that Yale is facing a crisis in refusing to negotiate with the elected representatives of Local 33, and the President of Yale and his administration are acting in defiance of U.S. Labor Law. She said that they are obligated to begin negotiations even while they continue to pursue litigation through the appeals process. President Salovey appeals to the shared values of the Yale community, stating that one of the hallmarks of airing and resolving disagreements at the University, is participating in "civil argument and persuasion." Therefore Ms. Carby said that she is appealing to the FASS that we cannot remain silent about the Yale administration's policy of non-participation in civil argument and persuasion. If, she said, President Salovey believes in free expression and rational debate,

why does he refuse to negotiate with elective representatives of his employees? She said that the FASS's Report on the Pay, Status and Conditions of Non-Ladder Faculty in FAS, published in April 2017, contains startling and troubling figures – nationwide, non-tenured faculty constitute 71% of the academic labor force and noted that at Yale, 38% of the faculty in FAS are in the non-ladder rank. She said that the report also recommends enhancing the status, pay and conditions of non-ladder faculty as this has clear implications for the recruitment and the retention of the whole faculty and noted that the increasing burdens, and the precarious conditions of the academic workforce, is the future facing our graduate teaching fellows. As those protected by tenure and tenure track become an even smaller part of our teaching and research faculty, she said that it is vital that those with the least power to determine their conditions of work have collective representations. It is, she said, irrelevant whether or not any of us agree or disagree with the National Labor Relations Board, for it is the law and we cannot remain silent when our administration resorts to officiation and dissimulation. The University has fought the unionization of graduate student fellows for three decades, but once the union is certified as a bargaining representative, it is an unfair labor practice for an employer to refuse to bargain with them. She said that we work alongside, and we teach alongside these graduate student fellows, and they are our colleagues and the law is on their side. \*see attached document

Ms. Greenwood thanked Ms. Carby for her comments and called on Ms. Gage to read a statement from the Ad Hoc Committee on Faculty Conduct Standards that responded to the University-wide Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct Report which Ms. Lofton presented to the FASS at its April 13, 2017 meeting. Ms. Gage noted that the FASS Ad Hoc Committee on Faculty Conduct Standards was charged with reviewing the Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct Report and had one meeting where the committee identified items that it felt would be worthy of notice. She stressed that the report Ms. Lofton presented was a vast improvement from where we were last year at this time, and that the process has been a much more collaborative process and thanked Ms. Lofton's committee for their cooperation. Ms. Gage stated that the FASS committee also notes remaining areas of confusion and/or concern in its draft report of March 28, 2017, and enumerated recent response as follows:

1) Methods and logic: The March 28 report contains little discussion of the committee's methods, or of the range of models considered for handling faculty misconduct. A brief additional articulation of the committee's logic and research methods will help faculty to understand the intellectual structure behind the committee's recommendations. It will be particularly useful to note any alternate models employed at other universities. It will also be helpful to describe the range and frequency of faculty misconduct at Yale, and the ways in which current university record-keeping does or does not allow for a comprehensive understanding of such matters.

2) Violation of standards/definition of misconduct: While the proposed Faculty Standards of Conduct elaborate laudatory aspirational standards, the policy currently contains no clear statement about what constitutes a violation of these standards. We recommend the addition of a sentence or paragraph on p. 5, after the section titled "Their Role as Members of the Yale Community," stating in general terms the range and severity of behavior that would constitute sanctionable faculty misconduct, and how such misbehavior would relate to the standards themselves.

3) Selection of committee/panel members: There is some confusion about the selection process for members of the Faculty Conduct Review Committee, and about the

distinction between the “committee” and the “panel” in the procedure description. On p. 3, for instance, the report mentions that “The Faculty Conduct Review Panel is drawn from a faculty-elected (not appointed) committee.” In the final paragraph of p. 7, however, the committee description describes “faculty members appointed for three-year terms.” On a related note, there is some confusion about the role of the FAS Senate rather than the FAS Joint Board of Permanent Officers as the body responsible for appointing FAS members of the Faculty Conduct Review Committee.

4) Transparency and review: We recommend that the Faculty Conduct Review Committee keep clear records of its cases and decisions, and provide an annual numerical report to the faculty, referenced by school, describing its work (similar to the numerical reports currently provided by the University-Wide Committee on Sexual Misconduct). We also recommend that the university commit to review the effectiveness of the new conduct standards and procedures after they have been in operation for five years.

Finally, the committee reaffirms the Senate’s November 2015 statement that “subjects of direct concern to the faculty—in this case, the standards and procedures by which faculty conduct will be adjudicated—are rightly subject to faculty deliberation as well as a faculty vote.” We recommend

that the proposed conduct standards and procedures be submitted for a meeting and vote of the full FAS no later than October 2017.

Ms. Greenwood thanked Ms. Gage for presenting this statement. Ms. Nordhaus, who is a member of the FASS Ad Hoc Committee on Faculty Conduct Standards stated the main concern that he has with the Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct Report is the vagueness of the standards, and that the report does not explicitly define misconduct and does not describe prohibitive conduct or behavior. This, he noted, runs afoul of something known in the law as void for vagueness, which is an established principle of law and said that we will run into trouble when someone comes before a panel and there is no actual statement of what constitutes misconduct, and this point is one of particular concern in the way the standards and procedures are written at this point.

Ms. Greenwood asked members of the FASS Ad Hoc Committee on Faculty Conduct Standards what they would like the FASS to do with this statement. Ms. Gage responded that because of the lack of time for discussion, we should let it stand without a vote because it is intended as a communication to the FASS and to Ms. Lofton’s committee.

Jill Campbell said she has grave concerns about other aspects of the FASS Ad Hoc Committee on Faculty Conduct Standards statement, many points of which she likes; however, she feels there is a fatal weak link in the role of the Provost and that the sole control of the Provost at the beginning and the end of the review process and she would not approve this statement because it does not address this very important point.

Karen Wynn spoke and said that the Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct Report did talk about that question, and in point #3 where we ask for an annual report enumerating the themes and the outcome was at least intended to have a statement such as “Provost followed committee recommendations” or “Provost did not.....” Ms. Campbell responded that the Provost would have sole control over the acceptance of an individual case at the beginning of the process, so how would that information be registered, and if the Provost decides that a case does not meet the standards at the outset, then there is no recourse for that situation and presumably no

record of it.

Ms. Greenwood said that perhaps the committee could have a discussion on this point.

Ms. Lofton noted that the FASS Ad Hoc Committee on Faculty Conduct Standards has responded to the majority of concerns in the report of the Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct, and her committee is in an open-comment period, and there is now an annual report in place that speaks to Ms. Campbell's concern – it contains information on the number of complaints received by the Provost and the number of panels assembled. She also said, regarding #3, we have clarified the language and there will be a discussion on this in the fall at the JBPO. She also said that before the FASS has an opportunity to review and approve of the FASS Ad Hoc Committee on Faculty Conduct Standards statement, her Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct will have already addressed all of the points in the statement.

Mr. Nordhaus said he was concerned that there be a mechanism by which the Ad Hoc Committee on Faculty Conduct Standards statement gets to the Ad Hoc Committee on Procedures for Resolving Complaints of Faculty Misconduct, and it sounds like this has been done.

Ms. Lofton said that the statement was given to her in advance by the committee and that the Provost's committee has already had a meeting (on Tuesday) at which they reviewed the statement.

Mr. Nordhaus said that he proposes that there be further discussion by the FASS at their first meeting in the fall of 2017.

Ms. Greenwood called on Yair Minsky, chair of the Faculty Advancement Committee to present an update on the survey that this committee is creating. Mr. Minsky said that after much feedback from members of the FASS and other faculty, the committee has produced a survey that is refined and will hopefully address the scholarly and intellectual excellence of FAS and what can be done to enhance excellence. This, he noted, connects with everything that was discussed today, and he feels that this survey will allow us to get a sense of what faculty think about these questions and enable more discussion in an open way among the faculty, and to gain an understanding of what people's actual priorities by hearing their suggestions. He noted that the survey was sent out to a group of 13-plus beta testers who agreed to look at it and provide comments on it, and we received very useful comments. The general feedback, he said, was that this is a well-structured survey, however there is a bit more work to do on it and he welcomes feedback from the FASS and faculty. He said that this committee will work on the survey and have it ready for the FASS to distribute to faculty in the fall of 2017, and that after the distribution, it will be up to the next committee members to analyze the results. He said that although his term as a senator will be coming to an end in August 2017, he will be available to help with this process come fall of 2017.

Ms. Greenwood thanked Mr. Minsky and noted that the FASS is very much committed to this survey going out early in the fall of 2017 and carrying the work of the committee forward. She asked if there were any comments. Mr. Rankin, a member of the Faculty Advancement Committee noted that it would be good and helpful for FASS members to look at the updated survey and send any comments they may have to the committee.

Ms. Greenwood said that there will be an end-of-the-year party/meeting in late May where newly-elected senators will have an opportunity to engage with current and out-going senators and we hope



this interaction will mean that the new members of the FASS will be in an informed position to vote on its future leadership for 2017/18.

An audience member commented that for future elections, it would be good to have statements from candidates saying not only what they wish to accomplish as a senator, but also how they envision accomplishing their visions. Mr. Schmuttenmaer noted that each candidate was asked to provide a statement and he feels that it is not necessary to tell candidates what to say in this statement but to let them provide whatever type of statement they wish. He said that everyone who agreed to run is committed to being on the FASS and feels confident that each candidate who agreed to run is interested in helping on the FASS.

Ms. Greenwood adjourned the meeting at 6:33 PM.