

Minutes
Faculty Senate Meeting
April 6, 2016

***** The complete recording for this meeting can be found at <http://www.american.edu/facultysenate/agendas-minutes.cfm>**

Present: Professors: Larry Engel, Todd Eisenstadt, Lacey Wootton, Karen Baehler, Kyle Brannon, Rachel Borchardt, Chris Edelson, Olivia Ivey, Kelly Joyner, Billie Jo Kaufman, Iris Krasnow, Gwanhoo Lee, Mike Limarzi, Jun Lu, Mary Mintz, John Nolan, Arturo Porzecanski, Andrea Pearson, Steve Silvia, Chris Simpson, Kate Wilson, Brian Yates, Provost Scott Bass, DAA Mary Clark.

Professor Engel called the meeting to order at 2:31 PM.

Chair's Report – Larry Engel

Professor Engel welcomed everyone to the meeting and stated that the agenda is full and it will be important to remain on the scheduled time assignments. Professor Engel addressed the following:

- **March 2, 2016 minutes** – Professor Engel opened the floor for comments or changes and none were received. The Senate **VOTED** and the minutes passed **19-0-2** in favor.
- **Update on Aramark Workers, Lacey Wootton** – Professor Wootton read an email from the co-chair of the Social Responsibility Project Team with an update on the concerns about Aramark workers. “The university has hired an independent firm to audit Aramark's practices, including contracts; wages, benefits, and working conditions; and grievance procedures. The firm will also assess the union's role in responding to grievances. The firm's report will go to the Project Team, President Kerwin, and Vice President Kudravetz.”
- **University Policy Guidelines for Freedom of Expression and Dissent** – Gail Hansen addressed the changes that have been made to the document, stating that she felt the document was created to address dissent more than freedom of expression. It is used as a tool to manage protests and demonstrations in reasonable ways. Students have asked for this to be clarified. She stated the following changes:
 1. “and dissent” was added to the title.
 2. Clarifying language on who the campus community included.
 3. Clarifying language on how specific content would be handled so language was added to specify time, place and manner.
 4. In the policy's list of “must not,” language was rearranged and clarifying words were added.

University President's Annual Report – Dr. Neil Kerwin

Professor Engel read a brief statement of appreciation from the Senate and thanked President Kerwin for his many years of service.

President Kerwin thanked the Senate and stated that he felt that his timing in stepping down from the position of president is happening at a good time for the university to take a good look at leadership and campus planning. He stated that the chair of search committee, Jeff Sine, has issued a statement to the community on the search process, and he is certain that the committee is looking for substantial interaction with the university community in this process.

President Kerwin stated that the current fiscal year looks solid. Undergraduate enrollments are strong and the projected numbers are looking good. Graduate enrollments are still too soon to call.

President Kerwin stated that he is receiving status updates on East Campus every 24 to 48 hours. The plan is still to open two residence halls in the fall. There is a contingency plan if the August date is not met. The remaining buildings will open sometime in October. The goal is to be in compliance with the zoning board to house two thirds of students. Further growth will include a science building and possible more housing to support the popularity of the undergraduate programs.

Several senators and visitors addressed the president on the development of the presidential search committee. It was discussed and concluded that the president would not be involved for obvious reasons with this process. President Kerwin has strong belief that the BoT chair, Jack Cassell, and the chair of the search committee have the university's best interests in mind. It was decided to thank the president for his presentation and complete his report. Further discussion of this issue would continue without President Kerwin. Professor Engel thanked the president for his presentation.

Professor Eisenstadt continued the discussion on the presidential search committee with the senators. Concerns were expressed and discussion was had on the removal from the academic regulations of language for committees for searches such as for presidential, provost and senior leadership. Additional conversations on desired structure of the current committee and representation led to a decision that the chair of the Senate have a conversation with the search committee chair to present these concerns. A proposed resolution was discussed, edited and prepared to present to the chair of the Board of Trustees. The Senate **VOTED** on the resolution and it was passed with changes, 23-0-1 in favor. The resolution reads:

University Governance Senate Resolution

In its statement on governance, the Association of Governing Boards of Colleges and Universities, the national organization of such bodies, emphasizes the primary role of the faculty and the board in the search for a president, including specifications for a search committee:

[T]he numbers from each constituency should reflect both the primacy of faculty concerns and the range of other groups, including students, that have a legitimate claim to some involvement. Each major group should elect its own members to serve on the committee, and the rules governing the search should be arrived at jointly.

The statement released yesterday by the chair of the AU Board of Trustees contradicts this principle and is contrary to the notion of shared governance that has made American universities, including our own, great.

Following the precedent of past academic regulations, faculty and student search-committee members should be elected by the bodies they represent. In addition, faculty and students must demand a broader role in the search for our new leader:

- 1) A number of full voting faculty committee members equal to the number of full voting trustee committee members.*
- 2) A significant role for the faculty representatives in formulating search procedures, including communication and consultation with faculty, staff, and students at appropriate times and in appropriate settings.*
- 3) An appropriate number of full voting student members, at least one each representing our undergraduate, graduate, and law students.*

The Senate chair will immediately and directly communicate this resolution to the chair of the Board of Trustees.

General Education Update – Cindy Bair Van Dam & Peter Starr

Professor Bair Van Dam, co-chair of the Gen Ed task force, stated that she is returning to update the Senate on the revised report. She stated that the committee has had several town halls with students and faculty and has made suggested revisions. Professor Bair Van Dam stated that the hopes of the committee today would be to obtain any further changes and to seek the sense of the Senate in May. Discussion on financial implications and process was had, and it was agreed to return the report at the May 4 meeting.

Changes to Retirement Contributions – Beth Muha, Doug Kudravetz and Barry Schmitt from CAPTrust

Doug Kudravetz, Beth Muha, and Barry Schmitt gave an overview of the current retirement plan. The new process is going to be implemented to have a better handle on the current and retired employees' investments. Recently regulators have asked that AU have better oversight over the plans and to make the plans more user-friendly for employees. Both Fidelity and TIAA-CREF will remain, but there will be fewer options. The university has hired a new investment advisor, Barry Schmitt from CAPTrust, who gave a brief run-through as to how they will be supporting employees in this process. A complete printed guide will be sent to every employee's home address and on campus sessions will be held. This transition will take place in early fall.

CFG Faculty Manual Changes – Lacey Wootton

Professor Wootton presented the following changes to the Faculty Manual:

- 1) Pg. 17, Section iv. Committee on Faculty Grievances** – Language was presented but due to some confusion it was decided to hold this change and bring it back with clearer language.
- 2) Pg. 50, Section 5. Appeal Process** – Language to extend the 7-day response time was changed to allow 14 days.
- 3) Pg. 52, Section 19. Committee's Report and Disposition** - Language was changed to imply that General Counsel is available as needed, not required.

The Senate **VOTED** 22-0-0 in favor for pages 50 & 52.

Grade Grievance Policy – Lyn Stallings & Michael Keynes

Vice Provost Lyn Stallings stated that the current policy on Grade Grievance needed some revisions for language clarity and to take the formal committee review out of the department in which the complaint was made. The Senate **VOTED** 21-0-0 in favor of the changes.

The meeting was adjourned at 5:00 PM