

1 Academic Senate  
2 Meeting of April 16, 2014  
3 Arts & Humanities Residential College at Parkside/USC Housing  
4 PRB Multi-Purpose Room (First Floor)  
5

6 **MINUTES**  
7

8 **Present:** M. Apostolos, D. Blaine, L. Carver, E. Collins, G. Clark, P. Conti, A. Crigler, S.  
9 Curran, C. Daley (alternate for L. Fetters), D. Davies, B. Edwards, C. Gomer, S. Gupta, J. Kunc,  
10 R. Labaree (alternate for S. Mosley), P. Liebig, T. Lyon, M. Marx, O. Mayer, K. Murphy, A.  
11 Ouellette, L. Palinkas, P. Riley, P. Rosenbloom, D. Ruddell, M. Schroeder, J. Silvester, J. Steele,  
12 S.Y. Tang (alternate for H. Greenwald, A. Trope, D. Davies)  
13

14 **Absent:** J. Barnes, B. Brown, R. Ben-Ari, P. Cannon, A. Dowd, J. Kagan, S. Palmer, R. Paulson,  
15 D. Richter, S. Sanudo-Wilhelmy, E. Webb, R. Weisberg, M. Weinstein  
16

17 **Guests:** E. Johnson, Levine, R. Lonergan, A. Madhukar, M. Safonov, J. Slaughter, R. Wallach,  
18 C. Wang  
19

20  
21 Called to order at 2: 05 by President Gomer  
22

23 Approval of minutes delayed until next meeting  
24

25 Report from Nominating Committee Chair John Silvester. Introduction of candidates.  
26 Each candidate stated his/her platform for election.  
27

28 q. why not have all faculty nominate the candidates?  
29

30 a. by-laws state that there's a nominating committee. All faculty can be write-in  
31 candidates also.

32 Report from the Faculty Handbook Committee. President Gomer describes the process,  
33 that Handbook Committee brought drafts to the Executive Board and a process of  
34 comments, feedback and revision occurred with input from a number of schools. Sandeep  
35 Gupta, Chair, represents the Committee. He reports on Chapter 6 revisions, detailing  
36 members of the committee and the process that they went through, from original  
37 committee drafts, first reading at the senate through the feedback and revision process.  
38 Gupta notes concerns from some colleagues who are uncomfortable with the number of  
39 changes, and some categories in which specific concerns fall. Some concerns can be  
40 satisfied, but some are in opposition and so cannot be reconciled simply.  
41

42 The committee worked to make more specific the language about offensive behaviors to  
43 address concerns that this was too general. The committee also addressed the concerns  
44 about academic freedom being limited to the classroom, that other chapters address this  
45 and clarify it. No limitations have been imposed on academic freedom.  
46

47 There were concerns that rationales were not given for changes in law, like protection of  
48 children. Penn State has caused this new language. As to necessity to report, some  
49 colleagues believe we have to represent the weak among us, others feel they don't want  
50 to be made into informers. The duty has been limited to sex-based harassment.

51  
52 Jody Shipper is named in the Handbook. Some feel that this should not be the case. The  
53 statutes require this. The committee does not know why.

54  
55 Consensual relations also cause contention, as some believe it should be limited and some  
56 do not. The committee drew a line in principle, that private conduct is private, but  
57 anything that affects the business of the university is the business of the university.

58  
59 opened for questions. quorum count called for.

60  
61 q. the last 5-10 years due to social media, it is less clear when one is representing USC  
62 on social media. Are we free to post comments, e.g. on Facebook, to friend, who know  
63 we are at USC? Was the original language more clear?

64  
65 a. the Reasonable Person standard handles that. It's a multilayered topic, but I am not  
66 personally concerned that this will be an issue.

67  
68 q. it's not clear the difference between saying something offensive about people and  
69 something offensive about ideas. Also is this limited to in the classroom only?

70  
71 a. it is not limited to in class only. View p. 12 of the document headed 1 of 30.

72  
73 q. but what of saying things about ideas as opposed to people?

74  
75 a. on p. 17 limits it to individuals.

76  
77 q. People are imagining examples because they don't like the law. Looking at the  
78 general statement, it matches the law. These examples are to offer common sense  
79 examples. The handbook now makes it clear these procedures are to be enforced to  
80 protect academic freedom period. Complaints are made, then the university has to make  
81 a finding, it goes to the Provost, the faculty has the right to a grievance—there are  
82 existing protections plus new ones. And these only apply to things that are objectively  
83 offensive to a reasonable person. Religion is not used as an example, but comments  
84 about someone's religious belief is.

85  
86 a. I would prefer it be made clearer this is to protect individuals and not ideas.

87  
88 q. the document is massive and the issues are so central, free speech, etc., that it's hard to  
89 digest them. It seems premature to take a vote.

90  
91 a. no rush will be made on making a decision where there are concerns. But it is our  
92 responsibility to move forward if in fact it is appropriate.

93

94 q. we have professors that are concerned about religious freedom problems. Many  
95 people in Engineering feel the process is strange. 1000s of faculty are given two weeks  
96 to analyze and discuss this. This is a contract and has to have a legal basis. Is anyone on  
97 your committee a lawyer.

98

99 a. yes.

100

101 q. but it should be someone outside the university.

102

103 a. we have received comments from many people. Let's discuss specific complaints. It  
104 is not up to the committee to decide if it is too soon for a vote.

105

106 q. I teach undergraduate classes on sensitive issues, including race, class, sex, and I have  
107 no problem with the language in this handbook.

108

109 q. the comment on consensual relations concerns some faculty that the university  
110 becomes the faculty dating police. The language seems too strong.

111

112 a. The language is about power differentials, not prudish morality. There's an inherent  
113 power differential in faculty student relations as well as supervisor/supervisee. One  
114 should consider strongly if a relationship is worth pursuing if it can hard a faculty or  
115 student's career.

116

117 q. In Ostrow the focus was 6I, consensual relations, with some pressing for stronger  
118 language, with explicit prohibitions against it.

119

120 a. this is a gender issue and it can change the dynamic of a program if it is known that a  
121 faculty member is open to dating students. It's about climate. We need to attract top  
122 candidates and making it clear sex discrimination affects everyone but is a gender  
123 specific issue.

124

125 Motion to accept proposed changes to Faculty Handbook, seconded. Opened for  
126 discussion. Vote on Approval for changes to Chapter 6. Motion passes, 24-1.

127

128 First reading of chapters 2, 3, 4, 5, 7, 8, 9 and 10. Committee notes many changes are  
129 inconsequential, title changes, etc. Most in chapter 2 are fairly cosmetic. One potentially  
130 consequential change on p. 5, 2A, Chairs of Divisions or Departments, is not longer  
131 required to be tenured. Chapter 3, minor things, then Conflict of Interest, admissions has  
132 been added, so one's children cannot receive special treatment. This is required by law.  
133 Also on p. 19, chair or dean is not dean only. Ch 4 needs a more careful reading because  
134 there are many insignificant changes but there is divergence in titles across schools and  
135 the committee requests information on the practices from various schools. The other  
136 chapters have straightforward minimal changes. Please look at 7 C(2). Chapter 8, Senate  
137 asked Provost's office for clarity on how many days to respond to a report. So the word  
138 "calendar" has been added. Chapter 9 has some changes about tenure so please read

139 carefully. Chapter 10 has little alteration but that emeritus faculty cannot hold a tenured  
140 position at another university. Please consider this.  
141  
142 q. Chapter 3, page 18, adding “loyalty” to “responsibility.” Also “family relations.”  
143  
144 a. For “loyalty” as a professor you can be required to write papers but what if you give  
145 your affiliation as at another university? That’s what it means. The word does rankle. I  
146 am open to hearing your thoughts about this. Also the spouse might have a financial  
147 interest in a vendor you are looking to use. That’s what family refers to.  
148  
149 q. “Poor conduct as well as poor performance” allows NTT to be dismissed without  
150 going through formal process if conduct is used as the reason. It seems like an informal  
151 notion that can be used.  
152  
153 a. the Senate voted to allow NTT faculty to work here years ago and that paragraph has  
154 been there since then. Performance was interpreted as including conduct, but because the  
155 Tenure protection is so careful and specific, it cannot be completed in a year. If NTT  
156 were afforded the same protections, it would never be used because the school would  
157 have to wait for the end of the year to terminate. The protection for NTT is a grievance  
158 that would go to a committee but does not have the 21 steps of tenure. It must be the  
159 school that brings the charge.  
160  
161 a. the committee has made a note of this.  
162  
163 q. question on chapter 10, will the new phased retirement program have any effect on  
164 10C?  
165  
166 a. no. It’s not a substantial change.  
167  
168 q. p. 18, 21 (3), the section with the word “loyalty,” has introduced new words. There’s  
169 two kinds of conflicts, of commitment—having two salaries, having two jobs, but also  
170 there’s concern about giving opinions as experts that might affect the university. So our  
171 primary concern is to avoid real or seeming conflicts of interest when giving our  
172 opinions. Financial conflicts are also involved since we might endorse a drug that we are  
173 financed to support. By changing the wording the emphasis has been shifted from  
174 professional concerns to much more petty conflicts, including getting family members  
175 financial connections.  
176  
177 a. we will talk about this.  
178  
179 q. related to this topic, and also to the previous motion, we do need adequate time to  
180 review the large number of changes being proposed. If we are to make changes up to the  
181 day before the vote, we don’t have a chance to consider the ramifications. So I move that  
182 we have to have changes two weeks before the meeting where there will be a vote.  
183  
184 moved and seconded. Discussion.

185

186 Then we cannot have tweaks without waiting two more weeks.

187

188 That was not my intention. But I want to read and absorb information.

189

190 q. would you amend your motion that changes made in the meeting can be accepted?

191

192 a. yes and I amend the motion to make it one week before the senate meeting.

193

194 q. it should go to the Executive Board first.

195

196 a. that's procedural.

197

198 q. So Wednesday May 7 would be the deadline, and that way the Executive Board would

199

200 be able to see it that day.

201

202 vote taken. Passes. One abstention. ;-D

203

204 announcements.

205

206 New Business: Heartbleed Security Vulnerability is significant. USC recommends you

207

208 change all of your passwords and then do it again in 2-3 weeks time. Otherwise your

209

210 passwords can be harvested. Use strategy for passwords, highly protected on down.

211

212 Beth Meyerowitz and President Gomer encourage Faculty Councils to participate in

213

214 identifying people for committees. Self-nominations also welcome.

215

216 Annenberg wants the Executive Board and Senate to have a task force on the memo that

217

218 came out on the use of space and revisiting the Carnegie contact hours requirements.

219

220

221 meeting adjourned at 4:10.

222

223 Respectfully submitted,

224

225 Diana Blaine

Member-at-Large of the Academic Senate