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2 **ACADEMIC SENATE**  
3

4 **UNIVERSITY OF SOUTHERN CALIFORNIA**

5 Meeting of September 26, 2018

6 McCarthy Honors College, UVF 1100

7 2:00 - 4:00 p.m.  
8

9 **Present:** S. Ahmadi, J. Ailshire, M. Apostolos, J. Armour, S. Asgharzadeh, Y. Bar-Cohen, R. Beatty, S. Bucher,  
10 T. Andrew Brun, J. Cantiello, C. Castro, S. Cermak, R. Chung, D. Crombeque, R. Davila, E. Fife, A. Gilbert,  
11 D. Griffiths, E. Grossman, S. Gruskin, A. Imre, A. Justice, L. Klerman (alternate for S. Altman), R. Labaree,  
12 S. Little, R. Lonergan, A. Mackay, T.J. McCarthy, J. McLaughlin Gray, P.T. McNiff, M. Mohammadi, J. Musso,  
13 C. Neuman, J. Parr, D. Pecchenino, M. Polikoff, G. Ragusa, P. Riley (alternate for F. Bar), P. Rosenbloom,  
14 J. Silvester, A. Uyeshiro Simon, J. Steele, C. Tucker, T. Tucker, E. Warford, J. Walker (alternate for R. MacKenzie),  
15 S. Wickersheimer, E. Wojciak

16 **Absent:** S. Danesmand, M. Frey, S., L. Grazzette, R. Jubran, A. Wilcox

17 **Guests Present:** I. Abramova, S. Bice, G. Clark, M. Cohen, G. Dahlinger Means, S. Fried-Gontis, A. Gross,  
18 J. Jividen, B. Jones, L. Klerman, M. Levine, C. Pastore, T. Pinkston, M. Quick, C. Resnik, R. Tellez, D. Whitsett,  
19 M. Wu, C. Zachary  
20

21  
22 **AGENDA**  
23

24 Yaniv Bar-Cohen, President of the Academic Senate, called the meeting to order at 2:05 pm.  
25

26 **President's Welcome and Introductions**

27 Bar-Cohen welcomed everyone to the meeting, stating this has been a particularly challenging  
28 summer and that he is glad there are so many faculty in attendance at the meeting today to  
29 participate in shared governance. He then asked all present to introduce themselves.  
30

31 **Award for Marshall Cohen**

32 Scott Bice, Gould School of Law, presented a Senate award to Marshall Cohen for his dedication  
33 and commitment to the university through his work as the chief mediation officer for the past 20  
34 years.  
35

36 Cohen thanked Marty Levine who helped coach him in this role. He also thanked Scott Bice for  
37 being an exemplary Dean.  
38

39 **Dialogue with Provost Quick**

40 Michael Quick, Provost, and Ginger Clark, Assistant Vice Provost for Academic and Faculty Affairs,  
41 discussed the Provost's new policies regarding teaching evaluations.  
42

43 Bar-Cohen stated he hoped we could have open discussion today on teaching evaluations,  
44 including the role of student evaluations, and that the discussion would be a model for future  
45 conversations at the Senate level. Bar-Cohen added that he also hoped that everyone could have  
46 a productive conversation by allowing everyone to speak freely without worry about popular  
47 opinions or retaliation, by recognizing that multiple stake holders were present (in this case  
48 administration and faculty), and by being cognizant of the need to be respectful of one another  
49 and of different opinions.

50

51 Michael Quick stated this is a great example of shared governance being able to have this  
52 conversation together. He welcomed the Senate back and stated that he is looking forward to  
53 working with everyone and that he appreciates all the hard work that the Senate is doing during  
54 this tough time. He noted that he has spoken with Interim President Wanda Austin, and he is  
55 pleased that she is committed to making a difference and supporting this university in our  
56 endeavors. He thanked everyone for inviting him and Clark to the meeting.

57

58 Quick addressed the importance of the issue of teaching evaluations, as a large number of our  
59 faculty are here to teach. Families pay a lot of money to send their children here, and we want to  
60 do all we can to provide the best education to our students. We are a research university, but a lot  
61 of us would say the biggest impact we have is as teachers, and teaching is why a lot of us became  
62 professors.

63

64 He then went on to state that USC is working on how we train our teachers. He noted that we are  
65 all trained in our practices and research, but not necessarily in how to teach, which must change.  
66 He asked us to consider how we reward people for good teaching, and therefore how we evaluate  
67 great teaching. Senate and joint Senate/Provost task forces that have worked on this have stated  
68 that student evaluations are an important piece of teaching evaluations, but we need to do more  
69 than just using student evaluations; we are doing a disservice to our teachers if we are just doing  
70 "yelp" reviews of our teachers. Students need to continue to have a voice, but we need to be  
71 cautious; student evaluations often correlate with grades they receive. Students are often  
72 rewarding "performance," not always best teaching. There is also starting to be evidence that  
73 student evaluations can be biased in regard to gender and race. This is a place where we can show  
74 we place great value in teaching. At the same time, we do not want to support systems that are  
75 biased. There are a lot of reasons to think about this. He is appreciative of the Senate and of the  
76 Task Forces who have done a lot of work on this issue.

77

78 Quick acknowledged that there is a lot of frustration right now, and this transition will not be easy.  
79 He thanked Ginger Clark who has reached out to many Faculty Councils and has been updating the  
80 Senate. The Administration has been trying to carry out the recommendations provided in the  
81 Senate and joint Senate/Provost committee reports, and to provide resources for schools and  
82 faculty to start thinking about how their disciplines could enhance the teaching evaluation  
83 process, in addition to how to best use student evaluations. It was not his intent that the sample  
84 evaluations they provided should be considered mandates; they were intended instead as  
85 resources that schools could use as they formulate their own evaluations. He believes we are still  
86 in the phase of talking, figuring things out, and determining how to move forward.

87

88 There are a number of universities who have reached out to us who want to know what we are  
89 doing for teaching evaluations, and we are finding out what others are doing too. There is a  
90 consortium including Harvard and the University of London that are also working on these issues.  
91 We are right on the leading edge of this and trying to figure out the best way forward.

92

93 Quick stated that he does think peer review is an important part of this; other professions use  
94 peer review to judge competency. Peer observation is different from peer review in that  
95 observation may be one part of review. He stated that we need to think about how to best use  
96 student evaluations, and he thinks we can work together to make something great. He then gave  
97 an example from the Dworak-Peck School of Social Work of a female faculty member that reached  
98 out to him with concern that her job was dependent upon student evaluations.

100 The floor was then opened to questions.

101

102 A Senator stated feedback was requested from his school's faculty and some common concerns  
103 were raised. These included (1) logistical concerns about peer reviews being an added duty when  
104 time is already short, (2) a peer reviewer or observer only being in the classroom for a short  
105 period of time (as opposed to students being with a faculty for 15 weeks), (3) faculty and students  
106 not having enough training in evaluations, and (4) the risk of faculty bias in peer evaluations.  
107 Lastly, it was suggested that voluntary participation on peer reviews would be a better way of  
108 improving teaching, as it indicates a desire to improve; making this mandatory may lose this  
109 genuineness.

110

111 Another Senator stated that concerns had also been raised by his school's faculty and chairs.  
112 There were concerns amongst RTPC faculty that if we do not also make changes to the tenure  
113 process, this will just amount to more hoops for underpaid RTPC faculty to jump through. He  
114 further asked how good teaching will be rewarded and stated that a budget may be necessary to  
115 encourage good teaching. Both RTPC and tenured faculty had raised concerns about faculty  
116 recruitment and academic freedom potentially being impaired (by rubrics that are too restrictive).  
117 Questions arose about how and why we are making these differentiations between teachers if  
118 what we are trying to do is foster a culture of good teaching by everyone. Lastly, there was a  
119 concern reported about poor communication, in that there was a gap between discussions in the  
120 Senate/committees and the "jump" to the proposed peer-reviewed process, as things felt sudden  
121 and therefore top-down. People are still unclear about whether we are talking about whether the  
122 teaching evaluation discussion is related to merit, promotion, reappointment, or something else.

123

124 Another Senator posed questions about whether we are talking about a pilot process, whether  
125 these new measurements have been validated or are experimenting with them, and whether  
126 these new evaluations are a step back.

127

128 A Dornsife Chair then read a statement that was signed by all 26 Dornsife Chairs: it stated that  
129 teaching evaluations are best when designed by faculty and supported by administrators,  
130 requested that the "Center for Excellence in Teaching (CET) mandate" be withdrawn, and that  
131 each department devise their own teaching evaluation process.

132

133 Ginger Clark, Assistant Vice Provost for Academic and Faculty Affairs, responded to the Chair  
134 statement. She clarified that there is no "CET mandate," and that CET does not have the power to  
135 make mandates. She stated schools do need to reassess their teaching evaluations and get them  
136 approved by the Provost's office, but each school can develop their own process. She clarified the  
137 process that occurred before trying to implement these new policies: at first they asked each  
138 school develop their own teaching evaluation strategic plans (the same model that was used for  
139 Diversity, Equity, and Inclusion strategic plans), but the feedback was that schools did not have  
140 enough resources to develop their own new evaluation tools so CET created a set of  
141 resources/tools for schools to potentially use. They made these documents editable so schools  
142 could use them (or not use them at all) in developing their own teaching assessment tools. The  
143 same principle of suggested tools/recommendations applies for the teaching institutes that CET  
144 offers. At this time, schools have been given the resources/tools and have been asked to develop  
145 a plan for teaching evaluations, rewards, and faculty development. She apologized that all of this  
146 was not communicated more clearly to the schools; she was able to visit about half the schools'  
147 faculty councils over the recent past, but the intent has always been to turn this over to the

148 schools.

149

150 A Senator offered suggestions about the process that was involved because it ties into a larger  
151 discussion about governance. He stated it is important to insist that faculty be partners in  
152 producing policy. We need to abandon the “broadcasting” mentality and realize the process  
153 should be two-way. He appreciated the transparency from the [Q&A document that was included](#)  
154 [in Bar-Cohen’s recent email](#) which included different documents produced by different  
155 committees and was helpful in following the development of this effort. He offered 5 suggestions  
156 for improving the process, to help people not feel blind-sided:

- 157 1. Anything implemented at the Provost level should involve members of the Senate
- 158 2. Any committee at the University level should have proportional representation from across  
159 the University (e.g., schools)
- 160 3. The recommendations from these committees should be delivered to the Senate
- 161 4. Any recommended changes from these committees that affect research, teaching, etc.  
162 should become the official recommendations; there should be no “gap” between  
163 committee work and ultimate policy
- 164 5. Any changes to policy should be voted on and approved by the Senate

165 He finished by stating that we need to commit to improving the process, as this will help people to  
166 not feel blindsided.

167

168 Another Senator added a few additional concerns. There is the logistical issue of the current year  
169 if we are not going to only use student evaluations to evaluate teaching. There is concern about  
170 the literature on student bias, and whether there was discussion about its merits. And finally, in  
171 many states and districts of education, there has been major overhaul of teaching evaluations  
172 with a lot of work and very little proven benefit in teacher performance; we should therefore be  
173 careful in looking at outcomes to see if this new system is actually working.

174

175 A faculty member stated that teaching evaluations should be aimed at improving teaching and  
176 that they had previously advocated for adding peer evaluations to student evaluations. Peer  
177 review has already been added as part of the promotion process for all fulltime faculty at Gould. A  
178 concern was raised that one of the previous committees on teaching had made recommendations  
179 regarding this process (emphasizing the importance of student evaluations), but more recent  
180 teaching committee recommendations offered different suggestions (less emphasis on student  
181 evaluations), which was the ultimate direction that we are going.

182

183 Another faculty member stated that student evaluations are part of our responsibility to look after  
184 students’ welfare, as he would want to know if a teacher caused a student to change majors, or  
185 what went wrong if many students are getting low grades and/or dropping a class. To separate  
186 engagement from teaching effectiveness is the wrong approach. Peer evaluations need to be at  
187 arm’s length. He stated this was a breakdown of governance, and noted the CET Director is also an  
188 Assistant Vice Provost who sets policy. He stated he has lost confidence in the Provost.

189

190 A Senator then stated that he has not lost confidence and trust in the Provost. He is glad much  
191 progress has been made in diversity, equity, and inclusion, and that the issue of student  
192 evaluations also fits into that effort. There is a lot of evidence that student evaluations are biased,  
193 and he has his own anecdotal experience as a person of color. He has experienced bias himself in  
194 the classroom, sometimes even based on whether he invited the class to his house or not, and has  
195 been financially impacted by biased student evaluations. However, at the same time he has also  
196 been applauded by his faculty peers for great teaching. He stated that if we want more people of

197 color on our faculty, we are going to have to make changes that may cause short-term  
198 inconvenience in an effort to be more fair. He then provided an example of faculty of color being  
199 undermined.

200  
201 Another senator stated that we are all here for our students, but at no other level aside from the  
202 collegiate realm are faculty not trained in teaching. We need to be honest about the reality of  
203 teaching; we can ask if this is going to impact our salaries, promotions, etc., but we should  
204 welcome opportunities to grow from a collective shared governance perspective. The senator  
205 stated that we want to model lifelong learning, and the classroom is a 360-degree learning place  
206 for everyone, meaning we should be open to learning about ourselves as teachers. If we cannot be  
207 honest with ourselves that we maybe need to change the way we teach, there is something  
208 wrong; we should all be excited about the ways in which we can improve.

209  
210 Quick responded to the comments. Many directions in recent years have come from the Senate  
211 (e.g., diversity, equity, and inclusion initiatives, valuing RTPC faculty and their tracks, and now  
212 teaching). We do not always get it right; shared governance is hard, but he is very committed to  
213 working with us to get where we want to be. He thanked the Senate for putting this together, as  
214 frank discussions are how we get started. President Austin wants us to move forward in research,  
215 teaching, service, and clinical work; he does not want to lose sight of that and lose momentum.  
216 There is a lot to do and sort out, but he looks forward to continuing the discussion on teaching and  
217 anything else we want to talk about.

218  
219 A clarification was requested about the use of the CET resources/tools not being mandated. Clark  
220 responded that this is correct: teaching evaluation improvement plans can be determined at the  
221 school or department level. Quick concurred that there was no specific mandate .

222  
223 Another clarification was requested about whether schools must turn a plan into the Provost's  
224 office. Clark responded that each school must still turn in a teaching excellence plan. Regarding  
225 teaching evaluations, if the plans differ from what has been released as "best practice" materials  
226 from CET, they may be fine as long as they provide best practices for that school or discipline. The  
227 requester asked a follow up question about what to do if best practices for the school are not  
228 financially viable; Clark replied faculty need to work with their deans to find a viable plan.

229  
230 **Report from Office of Equity and Diversity**  
231 Gretchen Dahlinger Means, Executive Director, Equity and Diversity, and Title IX Coordinator, and  
232 John Jividen, Director, Equity and Diversity, provided an update.

233  
234 Bar-Cohen stated the Senate invited them to come today to give an update on processes at the  
235 Office of Equity and Diversity (OED).

236  
237 Dahlinger Means opened by stating there is movement at a national and state levels, and here at  
238 USC, in the field of protected-class conduct (e.g., sex, gender, race, ethnicity, disability, religion).  
239 USC has adapted to this changing environment. In 2014 the Office of Equity and Diversity (OED)  
240 had 4 investigators, and Title IX had 1; by the end of this year OED will have 10, and Title IX will  
241 have 4. They have also increased their hiring standards, hiring lawyer and trained investigators.  
242 OED and Title IX do the same type of work; OED handles investigations when faculty or staff are  
243 the alleged offender, and Title IX handles cases with student alleged offenders. OED and Title IX  
244 have different staffs, but in recent years these offices have grown more and more similar.

245

246 Traditionally in investigations, information was not shared or attributed, and very little went back  
247 to the accused, reporting party, or working environment. This is changing now, in industry too.  
248

249 Title IX has always been very process-oriented; due process points are very public, and there are  
250 opportunities for each side to ask questions to each other. The process is transparent.  
251

252 In the last couple of years, there has been “Title IX creep,” as alleged faculty and staff offenders  
253 have been asking to have more information, as is available by law in Title IX cases, in order to be  
254 able to defend themselves. The Office of Civil Rights (OCR) is also adopting many of these  
255 transparency pieces that we have had in our policies for the past couple of years.  
256

257 At any time, 1/4 to 1/3 of the cases OED is investigating are Title IX cases. OED has incorporated  
258 due process points that they felt were owed to faculty into the Faculty handbook. At the same  
259 time, the #MeToo movement and other movements have increased scrutiny of outcomes and  
260 procedures (what we are doing and if we are doing it right). Their office has been working on this  
261 for the past couple of years.  
262

263 Jividen then stated that in 2018 OED received a directive from then President Nikias to provide  
264 both parties all the same evidence and as much of it as possible. This was after faculty grievance  
265 committees sided with accused faculty who were asking to receive as much evidence as possible.  
266 After that, the OED process has become much more transparent; they now provide both parties  
267 with a letter that notify them about the scope of the investigation, the nature of the allegations,  
268 who they are investigating, etc. The alleged offender is allowed one advocate (who is often a  
269 lawyer) to provide the alleged offender with guidance throughout the process. Each party is given  
270 a list of all the witnesses who have been interviewed.  
271

272 During the evidence-review phase of investigation, OED also offers both sides an opportunity to  
273 review the evidence in the file, has made the file documents more available, and allows both sides  
274 to ask questions. At the end of the investigation, they send letters again (and also CC the Provost’s  
275 office and dean of the school).  
276

277 These investigations are now taking 3-6 months using this new process, but the seriousness of the  
278 potential repercussions provides us with good reasons to make sure that we are providing both  
279 parties with due process that will be survive scrutiny. They are also giving involved schools status  
280 updates on a monthly basis to keep them abreast of what is happening. This is a totally revamped  
281 process, and they are getting good feedback from people and administrators.  
282

283 Lastly, now that their investigations are more open, they have also taken steps to prevent any  
284 retaliation against any involved witnesses or parties. They asked both parties and witnesses what  
285 retaliation would look like to them and are trying to every step to prevent retaliation.  
286

287 The floor was opened for questions.  
288

289 A Senator stated that he likes the added due process. It is important to take the victim’s story  
290 seriously, but also important to give due process to the accused, which may not have been  
291 happening previously. He thanked Dahlinger Means and Jividen.  
292

293 Dahlinger Means added that the new additional evidence-review process has helped clarify things  
294 when the outcome of the investigation was not what the claimant or accused expected. She

295 stated their obligation and fiduciary duty is to the evidence as they find it.

296

297 Another Senator asked when the letters come out in the process. In the past, some people have  
298 given testimony and then have not heard back. Jividen replied that they try to inform the accused  
299 as early as possible about the nature of the allegations and the scope of the investigation, but that  
300 sometimes to preserve the integrity of the investigation, there is some delay while they interview  
301 witnesses. They may need to do more interviews before they are able to accurately inform the  
302 accused about the nature of the charges. They also always caution witnesses to keep their  
303 discussions confidential if possible, but this does not always happen. If they have not collected all  
304 relevant information, then they cannot tell that person what they are accused of and the scope.

305

306 Another Senator then asked if there is a responsibility to inform the others who work in the same  
307 environment about the nature of an investigation. Dahlinger Means replied that if there is  
308 someone who presents a threat to the environment (e.g., by their actions, retaliation,  
309 discouraging reporting, etc.), the OED or Title IX office will bring that fact to the Provost's office.  
310 Then, the Provost, in consultation with the faculty president if the person is faculty, decides  
311 whether protective measures, such as temporarily removing the individual from the community,  
312 are necessary until the full investigation is complete. However, there are employment-law rules  
313 that may restrict what can be done: warnings cannot be put out about people preemptively. OED  
314 and Title IX are always trying to balance all these rights and responsibilities, and they want to do it  
315 better. They were recently reorganized under the Office of Professionalism and Ethics (OPE), and  
316 they are hoping that along with this reorganization will come more support.

317

318 The Senator followed-up with a question about whether they can issue an anonymized general  
319 report of statistics. Dahlinger Means noted that Stanford produces this kind of an anonymous  
320 report that lists the types of cases and the constituencies of the parties (e.g., this many cases  
321 against faculty, this many cases brought by students, this many cases brought by race). USC  
322 knows that we need to produce a similar report, and now that we have one structure under OPE,  
323 we can hopefully collect all of the involved data and produce this kind of report.

324

325 Another Senator asked if there are counseling resources for teaching someone how not to  
326 retaliate. Jividen replied that OED/Title IX currently counsels parties about the non-retaliation  
327 policy, and often the parties will ask questions about exactly where the line of retaliation vs.  
328 teaching, management, etc. is. They talk about what retaliation looks like in general (interfering  
329 with someone's work or learning), and they also bring in what the other individual has said  
330 retaliation would look like to them.

331

332 A question was asked if staff get the same rights and due process as faculty. Dahlinger Means  
333 replied yes, they do.

334

335 Another question was asked about whether the Office of Conduct, Accountability, and  
336 Professionalism exists. Dahlinger Means replied yes; this office exists and is designed to  
337 investigate misconduct or harassment not associated with a protected class. It is up and running,  
338 and will increase in size to 3 staff on UPC and 3 staff on HSC soon. This office is trying to put in  
339 place a process that will allow them to intervene at the ground level by putting people on notice  
340 that certain kinds of behavior that may have previously been tolerated are now no longer  
341 acceptable.

342

343 A Senator asked a question about how we are making sure we are not working in siloes, despite a

344 lot of ground work being done. Dahlinger Means asked the Senator to email her about this since  
345 there was insufficient time left in the meeting.

346  
347 A faculty member asked if we use a preponderance of evidence standard, and if so, if we could  
348 change it. Dahlinger Means replied that we do apply a preponderance standard throughout the  
349 school units (SJACS, OED, and Title IX), and that if we do change it, we would have to change in all  
350 units. Changing it would be difficult and would raise larger issues, but this is a discussion we could  
351 have.

352

353 **Approval of May Senate meeting draft minutes**

354 Ashley Uyeshiro Simon, Secretary General from Chan/Ostrow, presented the May 9<sup>th</sup> draft  
355 minutes for discussion and approval.

356

357 *Sharoni Little, Marshall, moved to approve the minutes; P.T. McNiff, Dornsife, seconded; 16 in*  
358 *favor; 0 opposed; 12 abstentions.*

359

360 **Approval of May 23 special Senate meeting draft minutes**

361 Uyeshiro Simon presented the May 23<sup>rd</sup> draft minutes for discussion and approval.

362

363 Lines 48-50 were stated to not be clearly accurate as drafted and were viewed as not essential to  
364 the Max Nikias discussion. The minutes would therefore be voted on with those lines deleted.

365

366 *Sofia Gruskin, Executive Board Member-at-Large from Keck/Gould, motioned to approve the*  
367 *minutes as amended; Rebecca Lonergan, Academic Vice President of the Senate, seconded; 20 in*  
368 *favor; 0 opposed; 8 abstentions.*

369

370

371 **Adjournment**

372 Meeting was adjourned at 4:09 pm.

373

374

375 Respectfully submitted,

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377

378

379

380 Ashley Uyeshiro Simon

381 Secretary General of the Academic Senate