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

16 **Absent:** M. Frey, L. Grazzette, R. Jubran, A. Wilcox, G. Zada

17 **Guest:** 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,
19 D. Whitsett, M. Wu, C. Zachary
20

21 **AGENDA**
22

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

25 **President's Welcome and Introductions**

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

30 **Award for Marshall Cohen**

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

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

38 **Dialogue with Provost Quick**

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

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

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

56
57 Quick addressed the importance of the issue of teaching evaluations, as a large number of our
58 faculty are here to teach. Families pay a lot of money to send their children here, and we want to
59 do all we can to provide the best education to our students. We are a research university, but a lot
60 of us would say the biggest impact we have is as teachers, and teaching is why a lot of us became
61 professors.

62
63 He then went on to state that USC is working on how we train our teachers. He noted that we are
64 all trained in our practices and research, but not necessarily in how to teach, which must change.
65 He asked us to consider how we reward people for good teaching, and therefore how we evaluate
66 great teaching. Senate and joint Senate/Provost task forces that have worked on this have stated
67 that student evaluations are an important piece of teaching evaluations, but we need to do more
68 than just using student evaluations; we are doing a disservice to our teachers if we are just doing
69 “yelp” reviews of our teachers. Students need to continue to have a voice, but we need to be
70 cautious; student evaluations often correlate with grades they receive. Students are often
71 rewarding “performance,” not always best teaching. There is also starting to be evidence that
72 student evaluations can be biased in regard to gender and race. This is a place where we can show
73 we place great value in teaching. At the same time, we do not want to support systems that are
74 biased. There are a lot of reasons to think about this. He is appreciative of the Senate and of the
75 Task Forces who have done a lot of work on this issue.

76
77 Quick acknowledged that there is a lot of frustration right now, and this transition will not be easy.
78 He thanked Ginger Clark who has reached out to many Faculty Councils and has been updating the
79 Senate. The Administration has been trying to carry out the recommendations provided in the
80 Senate and joint Senate/Provost committee reports, and to provide resources for schools and
81 faculty to start thinking about how their disciplines could enhance the teaching evaluation
82 process, in addition to how to best use student evaluations. It was not his intent that the sample
83 evaluations they provided should be considered mandates; they were intended instead as
84 resources that schools could use as they formulate their own evaluations. He believes we are still
85 in the phase of talking, figuring things out, and determining how to move forward.

86
87 There are a number of universities who have reached out to us who want to know what we are
88 doing for teaching evaluations, and we are finding out what others are doing too. There is a
89 consortium including Harvard and the University of London that are also working on these issues.
90 We are right on the leading edge of this and trying to figure out the best way forward.

91
92 Quick stated that he does think peer review is an important part of this; other professions use
93 peer review to judge competency. Peer observation is different from peer review in that
94 observation may be one part of review. He stated that we need to think about how to best use
95 student evaluations, and he thinks we can work together to make something great. He then gave
96 an example from the Dworak-Peck School of Social Work of a female faculty member that reached
97 out to him with concern that her job was dependent upon student evaluations.

98

99 The floor was then opened to questions.

100

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

109

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

122

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

126

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

131

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

148

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

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

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

166
167 Another Senator added a few additional concerns. There is the logistical issue of the current year
168 if we are not going to only use student evaluations to evaluate teaching. There is concern about
169 the literature on student bias, and whether there was discussion about its merits. And finally, in
170 many states and districts of education, there has been major overhaul of teaching evaluations
171 with a lot of work and very little proven benefit in teacher performance; we should therefore be
172 careful in looking at outcomes to see if this new system is actually working.

173
174 A faculty member stated that teaching evaluations should be aimed at improving teaching and
175 that they had previously advocated for adding peer evaluations to student evaluations. Peer
176 review has already been added as part of the promotion process for all fulltime faculty at Gould. A
177 concern was raised that one of the previous committees on teaching had made recommendations
178 regarding this process (emphasizing the importance of student evaluations), but more recent
179 teaching committee recommendations offered different suggestions (less emphasis on student
180 evaluations), which was the ultimate direction that we are going.

181
182 Another faculty member stated that student evaluations are part of our responsibility to look after
183 students’ welfare, as he would want to know if a teacher caused a student to change majors, or
184 what went wrong if many students are getting low grades and/or dropping a class. To separate
185 engagement from teaching effectiveness is the wrong approach. Peer evaluations need to be at
186 arm’s length. He stated this was a breakdown of governance, and noted the CET Director is also an
187 Assistant Vice Provost who sets policy. He stated he has lost confidence in the Provost.

188
189 A Senator then stated that he has not lost confidence and trust in the Provost. He is glad much
190 progress has been made in diversity, equity, and inclusion, and that the issue of student
191 evaluations also fits into that effort. There is a lot of evidence that student evaluations are biased,
192 and he has his own anecdotal experience as a person of color. He has experienced bias himself in
193 the classroom, sometimes even based on whether he invited the class to his house or not, and has
194 been financially impacted by biased student evaluations. However, at the same time he has also
195 been applauded by his faculty peers for great teaching. He stated that if we want more people of
196 color on our faculty, we are going to have to make changes that may cause short-term

197 inconvenience in an effort to be more fair. He then provided an example of faculty of color being
198 undermined.

199
200 Another senator stated that we are all here for our students, but at no other level aside from the
201 collegiate realm are faculty not trained in teaching. We need to be honest about the reality of
202 teaching; we can ask if this is going to impact our salaries, promotions, etc., but we should
203 welcome opportunities to grow from a collective shared governance perspective. The senator
204 stated that we want to model lifelong learning, and the classroom is a 360-degree learning place
205 for everyone, meaning we should be open to learning about ourselves as teachers. If we cannot be
206 honest with ourselves that we maybe need to change the way we teach, there is something
207 wrong; we should all be excited about the ways in which we can improve.

208
209 Quick responded to the comments. Many directions in recent years have come from the Senate
210 (e.g., diversity, equity, and inclusion initiatives, valuing RTPC faculty and their tracks, and now
211 teaching). We do not always get it right; shared governance is hard, but he is very committed to
212 working with us to get where we want to be. He thanked the Senate for putting this together, as
213 frank discussions are how we get started. President Austin wants us to move forward in research,
214 teaching, service, and clinical work; he does not want to lose sight of that and lose momentum.
215 There is a lot to do and sort out, but he looks forward to continuing the discussion on teaching and
216 anything else we want to talk about.

217
218 A clarification was requested about the use of the CET resources/tools not being mandated. Clark
219 responded that this is correct: teaching evaluation improvement plans can be determined at the
220 school or department level. Quick concurred that there was no specific mandate .

221
222 Another clarification was requested about whether schools must turn a plan into the Provost's
223 office. Clark responded that each school must still turn in a teaching excellence plan. Regarding
224 teaching evaluations, if the plans differ from what has been released as "best practice" materials
225 from CET, they may be fine as long as they provide best practices for that school or discipline. The
226 requester asked a follow up question about what to do if best practices for the school are not
227 financially viable; Clark replied faculty need to work with their deans to find a viable plan.

228 229 **Report from Office of Equity and Diversity**

230 Gretchen Dahlinger Means, Executive Director, Equity and Diversity, and Title IX Coordinator, and
231 John Jividen, Director, Equity and Diversity, provided an update.

232
233 Bar-Cohen stated the Senate invited them to come today to give an update on processes at the
234 Office of Equity and Diversity (OED).

235
236 Dahlinger Means opened by stating there is movement at a national and state levels, and here at
237 USC, in the field of protected-class conduct (e.g., sex, gender, race, ethnicity, disability, religion).
238 USC has adapted to this changing environment. In 2014 the Office of Equity and Diversity (OED)
239 had 4 investigators, and Title IX had 1; by the end of this year OED will have 10, and Title IX will
240 have 4. They have also increased their hiring standards, hiring lawyer and trained investigators.
241 OED and Title IX do the same type of work; OED handles investigations when faculty or staff are
242 the alleged offender, and Title IX handles cases with student alleged offenders. OED and Title IX
243 have different staffs, but in recent years these offices have grown more and more similar.

244
245 Traditionally in investigations, information was not shared or attributed, and very little went back

246 to the accused, reporting party, or working environment. This is changing now, in industry too.

247
248 Title IX has always been very process-oriented; due process points are very public, and there are
249 opportunities for each side to ask questions to each other. The process is transparent.

250
251 In the last couple of years, there has been “Title IX creep,” as alleged faculty and staff offenders
252 have been asking to have more information, as is available by law in Title IX cases, in order to be
253 able to defend themselves. The Office of Civil Rights (OCR) is also adopting many of these
254 transparency pieces that we have had in our policies for the past couple of years.

255
256 At any time, 1/4 to 1/3 of the cases OED is investigating are Title IX cases. OED has incorporated
257 due process points that they felt were owed to faculty into the Faculty handbook. At the same
258 time, the #MeToo movement and other movements have increased scrutiny of outcomes and
259 procedures (what we are doing and if we are doing it right). Their office has been working on this
260 for the past couple of years.

261
262 Jividen then stated that in 2018 OED received a directive from then President Nikias to provide
263 both parties all the same evidence and as much of it as possible. This was after faculty grievance
264 committees sided with accused faculty who were asking to receive as much evidence as possible.
265 After that, the OED process has become much more transparent; they now provide both parties
266 with a letter that notify them about the scope of the investigation, the nature of the allegations,
267 who they are investigating, etc. The alleged offender is allowed one advocate (who is often a
268 lawyer) to provide the alleged offender with guidance throughout the process. Each party is given
269 a list of all the witnesses who have been interviewed.

270
271 During the evidence-review phase of investigation, OED also offers both sides an opportunity to
272 review the evidence in the file, has made the file documents more available, and allows both sides
273 to ask questions. At the end of the investigation, they send letters again (and also CC the Provost’s
274 office and dean of the school).

275
276 These investigations are now taking 3-6 months using this new process, but the seriousness of the
277 potential repercussions provides us with good reasons to make sure that we are providing both
278 parties with due process that will be survive scrutiny. They are also giving involved schools status
279 updates on a monthly basis to keep them abreast of what is happening. This is a totally revamped
280 process, and they are getting good feedback from people and administrators.

281
282 Lastly, now that their investigations are more open, they have also taken steps to prevent any
283 retaliation against any involved witnesses or parties. They asked both parties and witnesses what
284 retaliation would look like to them and are trying to every step to prevent retaliation.

285
286 The floor was opened for questions.

287
288 A Senator stated that he likes the added due process. It is important to take the victim’s story
289 seriously, but also important to give due process to the accused, which may not have been
290 happening previously. He thanked Dahlinger Means and Jividen.

291
292 Dahlinger Means added that the new additional evidence-review process has helped clarify things
293 when the outcome of the investigation was not what the claimant or accused expected. She
294 stated their obligation and fiduciary duty is to the evidence as they find it.

295

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

304

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

316

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

323

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

330

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

333

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

341

342 A Senator asked a question about how we are making sure we are not working in siloes, despite a
343 lot of ground work being done. Dahlinger Means asked the Senator to email her about this since

344 there was insufficient time left in the meeting.

345

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

351

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

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

355

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

358

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

360 Uyeshiro Simon presented the May 23rd draft minutes for discussion and approval.

361

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

364

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

368

369

370 **Adjournment**

371 Meeting was adjourned at 4:09 pm.

372

373

374 Respectfully submitted,

375

376

377

378

379 Ashley Uyeshiro Simon

380 Secretary General of the Academic Senate