
ABSENT: M. Crowley


GUESTS PRESENT: R.E. Cisloskwi, D. Kelly, M. Levine, B. Shuster, C. Zukoski

AGENDA

Rebecca Lonergan, Academic Senate President, called the meeting to order at 2:03 pm.

Approval of October Senate Meeting Draft Minutes

Ashley Uyeshiro Simon, Secretary General, presented the October 2019 draft minutes for discussion and approval.

Chimene Tucker moved to approve the minutes; Jessica Parr seconded. Motion passed with 30 in favor, 0 opposed, and 2 abstentions.

Nominating Committee Introduction of Candidates and Vote

Paul Adler, Academic Vice President, asked for nominations from the floor of candidates to serve on the Nominating Committee, which is charged with creating a slate of candidates to serve on the Executive Board. No nominations from the floor were offered. Each candidate then briefly introduced themselves, as short bios had already been distributed prior to the meeting. Ballots were then completed and collected, with results scheduled to be announced at the end of the meeting.

Dialogue with Provost Zukoski

Provost Zukoski began by offering the Senate brief updates regarding various priorities he and President Folt have been discussing:

- Improving affordability for students to assure diversity of socioeconomic status, focusing on undergraduates first
- Sustainability research, education for students, and operations (including transportation)
- Early discussions following the announcement of the Lord Foundation of California gift of $260M of how these funds might be spent, as the gift is technically unrestricted
- Efforts to support students in crisis this semester, including 40 faculty who have volunteered their time to offer counseling to students, expanded mental health care on campus throughout the semester, and suggested faculty talking points to assist students in crisis that were just sent out
- Exploring the issues around our current investigation processes, as well as possible solutions to these issues
- Looking at budget cycles to better understand our incomes and expenditures and why our costs are rising faster than our revenues, determine what we are going to do regarding tuition, distributions,
Lonergan stated she is working with people from administrative finance to offer faculty education about
the University’s budgets and financial flow. Rob Filback, Senator for Rossier, stated their Faculty Council
was able to host two such educational sessions with their faculty that were very helpful in better
understanding their own school budget later. Lonergan offered to coordinate the same presentation for
any Faculty Council or school faculty meeting, and asked interested Senators to contact her.

Questions were taken from the floor. A question was asked about whether any budget issues were related
to payouts from the George Tyndall class action settlement. Zukoski replied USC carries a lot of insurance
which can cover some of the claims against us, but there are many things in flux that could affect how
much of the claims insurance will actually cover, and he is not able to give more specific numbers at this
time, but more clarity should be forthcoming. A suggestion was made that faculty (particularly RTPC)
salaries be addressed and discussed as part of the conversation around budget, as the cost of living in Los
Angeles gets higher. Zukoski agreed it would be important to make this a clear priority, and that while he
has influence, many issues with increasing faculty salaries create complicated trade-offs at the local (unit)
level that are important to understand in relation to many other needs around campus and within units.

A question was asked about how affordability for our students relates to budgets; Zukoski replied most of
our money for undergraduate scholarships comes from tuition ($0.30 of every dollar), and that we have a
high tuition, high scholarship model. He stated it would be difficult to increase the amount of scholarships
without increasing tuition and acknowledged this affects each school differently due to differences in
student body makeup. Another question was asked about the possibility of having differing tuition rates for
those going into professions which are not highly paid. Zukoski stated this is being discussed, but it is
complicated considering the current Revenue Center Management (RCM) model.

A concern was voiced about the new governance criteria for the Board of Trustees relating to age, and
Zukoski stated he would be happy to bring this issue up with the Board.

A question was asked if any of our budget is going towards counseling and expanding help for students and
crises. Zukoski stated the number of student counselors has been increased by 50% this year, and the fifth
floor of Engemann Student Health Center has recently opened for psychiatry services. Forty faculty have
also volunteered for counseling in the short-term. He stated this is where they have chosen to prioritize
funding for now, but we likely would not be able to support long-term, intensive mental-health care like
this for most members of our community. To try to avoid crises like the recent ones, Varun Soni has been
working for a long time to develop upstream efforts to help students be more resilient and well. This is a
problem that many universities are experiencing nation-wide. Zukoski elaborated we should think about
what success means to us as an educational institution, that it is not just about knowledge but also success
as human beings. He stated this is ultimately a faculty decision, and that we are the point of asking
ourselves these questions that do not have clear solutions as of yet.

A follow-up question was asked regarding how we are communicating with students about the dangers of
drug use. Zukoski stated there are indications that drugs and mixing drugs have played a role in the recent
student deaths, but a lot of information still lies with the coroner or is not shared out of respect for family
requests for confidentiality. He clarified two communications about drug use went out to students about
this, including information about fentanyl moving into the recreational drug space, and encouraged faculty
to talk with students about the issue.

Explanation and First Read of Proposed Handbook Changes
Sandeep Gupta (Co-Chair), Paula Cannon (Co-Chair), and Steve Bucher (member) of the Handbook
Committee presented the proposed changes to the Faculty Handbook for discussion. Cannon stated any
changes to the Handbook must have two readings in the Senate; this is the first reading, and next month
will be the second reading with a vote to be conducted afterwards. These changes stemmed from pain
points heard from faculty about investigations after a complaint has been made about a faculty member, but clarified that while the two current proposed changes are issues that could immediately improve the process, they will continue to improve more issues after this.

Cannon provided a graphic to give clarity about what may happen if a complaint is filed against a faculty member, but explained this graphic is not currently in the Handbook. The committee also provided a red-line document of the proposed changes. Cannon and Gupta explained the steps of the investigative process as outlined in the graphic and red-line document. Gupta noted the “investigative offices” includes many different bodies depending on the complaint (e.g., Office of Equity and Diversity, Office of Research, Office of Compliance), and that while harassment is described in the Handbook to an extent, other issues are not as thoroughly explained. Cannon highlighted the two currently proposed changes:

1. The Sanctioning Panel determines the appropriate sanction, based on the investigative offices’ findings and conclusions (violation of any policies). Currently, there is no opportunity for the accused or accuser to communicate mitigating or aggravating circumstances to the Sanctioning Panel. The proposed change is to allow the accused and accuser to have the option of sending a two-page letter about mitigating or aggravating circumstances relevant to the sanctioning decision to the Sanctioning Panel prior to a decision.

2. Currently after the faculty member has been notified that they have been found in violation of a university policy and a sanction has been imposed, they have seven calendar days to appeal either the finding or the sanction. This seemed like a very short window, especially given that it can take many months to reach the sanctions process and decision. The proposed change is to increase this window to appeal from seven to 30 calendar days.

A question was asked if the Sanctioning Panel receives full investigative reports. Cannon stated the Sanctioning Panel does receive the charges, results, and findings, with some sort of explanation. Lonergan clarified the Sanctioning Panel sometimes receives the full report, but this changes depending on the investigative body, so she is working on ensuring the full report is always given.

A question was posed about why there can be tenure/tenure-track (T/TT) faculty on an RTPC sanctioning panel, but not RTPC faculty on a T/TT panel. Gupta replied this is something that is throughout the Handbook, and is a bigger issue than just for sanctioning. The issue was noted by Lonergan.

Jerry Davison, Co-Chair of the Faculty Rights and Responsibilities Committee (FR&R), noted the human cost of procedures that are not well spelled-out, including faculty who are currently dealing with the seven-day appeals window, and not being able to appeal a misconduct finding until after a sanction has been imposed. Cannon clarified that since the Handbook Committee decided to include this language, the Office of Conduct, Accountability, and Professionalism (OCAP) and the Office of Professionalism and Ethics (OPE) have also changed their letters to reflect the current appellate procedures.

A recommendation was made to include the graphic that explains the misconduct investigation process in the handbook. Lonergan stated they are discussing having graphics and processes made clearer with the investigative offices now. She also stated the Senate will discuss how to improve our misconduct investigations more in-depth in future meetings, starting with OCAP at the next meeting.

Discussion regarding Revised Resolution 19/20-02 (Misconduct Investigations)

Lonergan stated based on the conversation at the previous Senate meeting, the Executive Board modified the language in the Resolution to shift towards an analysis of the root-cause of our recent scandals and steps that have been taken and will be taken to address issues found. The language in Revised Resolution 19/20-02 was also expanded to include all of the problems USC has faced (not just the Puliafito case). Adler added this Resolution is not only asking for causes common to all the scandals, but both common and specific causes. He stated he and Lonergan have clearly expressed the need for something specific and detailed to the President and Provost.
A comment was made that this request feels very broad, and it was suggested the Senate ask for separate, individualized reports for each scandal by changing “analysis” to “analyses” in line 29. Lonergan stated if we receive a report without enough specificity we will ask for more. She also stated Folt has assured Lonergan she will be discussing this report with the Senate as it is being completed.

A suggestion was made to add a time dimension to the Resolution. Lonergan stated there had been discussions of writing a deadline into the resolution, but due to the desire for thoroughness, a timeline was omitted. She noted this report may come in separate pieces, as administration provides what they can, when they can.

A suggestion was made to add the athletic admissions scandal to the list in the third paragraph. An argument was made that the athletic issues are larger than just admissions, and that the two should be separated. Lonergan stated President Folt is setting up a working group to do a deep-dive into athletics, like she did at the University of North Carolina.

Sentiment was voiced that the Senate should be the voice of the faculty without worrying about how the President will respond. Lonergan stated this Resolution is just the start; we will follow up by having Folt at the Senate meetings and asking her important questions for discussion.

Jessica Parr moved to approve Resolution 19/20-02 with the following modifications:
1. Line 17: add “admissions, athletic programs,”
2. Line 29: change “analysis” to “written analyses”
Rob Filback seconded. Motion passed with 38 in favor, 0 opposed, and 1 abstention.

First Read and Discussion regarding Proposed Resolution 19/20-03 (Direct Elections of Board)
Adler introduced Proposed Resolution 19/20-03 by stating the Task Force on Shared Governance has been working on this issue for the past year, and believes if faculty at-large elected the Senate Executive Board, it may be a way to engage more people. The current system leaves faculty at a considerable distance from their Senate leadership, as faculty elect their Faculty Councils, who then elect a Chair and/or Senator, who then elect an Executive Board.

Adler went on to state the Nominating Committee will continue to work toward a diverse, balanced slate, but allowing direct write-in nominations (as last year’s elections did) in conjunction with direct elections could inadvertently create slate that does not reflect the diversity in our faculty. Therefore, this Resolution suggests restricting write-in nominations to the At-Large Executive Board positions, but not for Senate officers (Administrative and Academic VPs). He stated this Resolution would add more specificity to the charge of the Nominating Committee, and it also notes and corrects a discrepancy between the 2019 Faculty Handbook, Ch. 2, section 2-B (1) and the Senate Constitution, where the “Faculty Assembly” is defined. It was clarified that the Handbook has already been modified, but the Resolution is to modify the Senate Constitution to reflect the Handbook and be more inclusive of part-time faculty.

A concern was voiced about how direct elections could be biased due to school size differences. Adler responded that the Nominating Committee will create a ballot that minimizes that risk, and to the extent that the risk persists, it is arguably offset by the benefit of improved faculty engagement overall.

A question was raised about the inclusion of part-time and Emeriti faculty in the “Faculty Assembly” that is able to cast votes. Lonergan stated as the “Faculty Assembly” is currently defined, part-time faculty (no matter what percent appointment they have) would be allowed to vote for the semester they are teaching. In addition, after looking at current faculty voting rights in the various schools, about 75% of our schools allow part-time faculty to vote for Faculty Councils, so changing this would mean taking voting rights away from a lot of people. She also clarified that schools must allow part-time faculty to serve if desired, but are not required to provide them with a vote. It was noted that defining which part-time faculty could or could
not vote would be very difficult, and that most people who are only teaching one class may not vote anyway.

Another question was raised about whether part-time faculty could be voted into the Executive Board, due to the need to pay for their service (in addition to paying for normal duties). Lonergan clarified there is a University policy that part-time faculty be allowed to serve and be paid to serve, and that the school is ultimately responsible for paying for any time serving.

Jerry Walker, Senator from the Emeriti College, commented retired faculty would be very pleased to be asked to participate in direct elections.

**Announcement of the result of the Nominating Committee election**

Adler announced the Senators who were elected to serve on the Nominating Committee:

- Todd Andrew Brun, Viterbi School of Engineering
- Julie Cederbaum, Suzanne Dworak-Peck School of Social Work
- Luanda Grazette, Keck School of Medicine
- Jessica Parr, Dornsife College

These Senators will serve on the Nominating Committee alongside the four members of the Executive Board as outlined in **Bylaw 10**:  
- Rebecca Lonergan, President of the Faculty, Gould School of Law
- Paul Adler, Academic Vice President, Marshall School of Business
- Dan Pecchenino, Administrative Vice President, Dornsife College
- Alison Wilcox, Executive Board Member-At-Large, Keck School of Medicine

**New Business**

No new business was discussed or brought forward.

**Announcements**

a) The next Senate meeting is on Dec. 11, 2019 at 2pm in DML 121.

b) Please hold February 7-8, 2019 for the Joint Provost/Senate Retreat. Venue: The Westin Bonaventure Hotel & Suites, DTLA; Topic TBD.

**Adjournment**

Meeting was adjourned at 3:57 pm.

Respectfully submitted,

Ashley Uyeshiro Simon
Secretary General of the Academic Senate