ACADEMIC SENATE

UNIVERSITY OF SOUTHERN CALIFORNIA

Meeting of October 23, 2019
Doheny Memorial Library, Room 121
2:00 - 4:00 p.m.

Present Online: B. Belcher, D. Armstrong, J. Parga, S. Fox (alternate for A. Mackay), M. Press (alternate for A. Wilcox)
Absent: C. Redfearn, G. Ulkumen, J.B Walker

AGENDA

Rebecca Lonergan, Academic Senate President, called the meeting to order at 2:06 pm.

Update from President Carol Folt
University President Carol Folt and Provost Charles Zukoski participated in a discussion with the Senate. President Folt stated they would like to be a part of as many Senate meetings as they can, as there is a lot to do together. She thanked everyone for a great turnout at the Presidential Inauguration. She felt this was a strong and powerful statement about how many people love this University. She added that the topics of her inauguration speech focused on certain things that she hopes to achieve and that she hopes to work with us in deciding USC's future priorities.

Folt is trying to reach out to all the units on campus. She has already met with her senior cabinet, the deans, and the Boards of Leaders of Marshall, Dornsife, and Keck. She hopes to visit all the schools, the other Boards, and various alumni groups by the end of 2020.

Regarding hiring, Folt has hired a lot of people, but she still needs to hire a few deans, an athletic director, legal counsel, and a head of development. During all the hiring searches, she was pleased to see the excitement and determination of everyone to be engaged and heard.

Folt asked the Senate to help her figure out how to accomplish our many goals during the upcoming years. For example, preventing sexual harassment must continue to be a priority. She is currently the co-chair of the Sexual Harassment Committee of the Association of American Universities (AAU). During that committee's meeting, she quickly realized how rapidly that area is changing, and that USC will need to ensure that everyone is properly trained so they know what they are legally required to do.

Folt asked if there were any questions, but none were offered.

Discussion regarding Proposed Resolution about Results of Puliafito Investigation
Lonergan opened the discussion by stating that some faculty, including a group called the Concerned Faculty, want to hear the results of the Puliafito investigation. The Dornsife senator Devin Griffiths brought a draft of a resolution to the Executive Board, who discussed it and then wrote the proposed resolution
that is being presented today. We need to decide if the Senate would like to vote on this resolution.

Paul Adler, Academic Vice President, provided some background for the proposed resolution. He began by stating that some faculty believe that the Puliafito scandal, along with other scandals, was experienced by many as an institutional betrayal and reflected a deep misalignment between the mission of the University, and its policies, structures, and models of leadership. He stated the purpose of this resolution would be to ask for a “diagnosis” before we engage the “treatment” of this problem. The goal would be to understand this scandal, the pain it caused, and a path forward. He acknowledged there may be some legal limits that will affect the extent of the material that can be disclosed.

Folt stated she agreed with the spirit of the resolution and understood why people felt this way. She reminded everyone that the Senate Executive Board had heard directly from the attorney who led the Puliafito investigation, likely in an attempt to share privileged information with faculty representatives after the investigation was completed. After that briefing, last year’s Executive Board sent an email to all faculty describing their general sense of the situation. However, there was never a written report prepared describing the findings of the investigation. Folt stated she would be at a loss as to what she would be expected to do if the Senate were to demand a written report, as one was never completed. Also, she would not want to put her name on an investigative report that had not been conducted under her leadership.

She added that, in the case of Puliafito, she believes that the involved people are gone, so she does not believe that we need to make additional personnel changes in response to this particular scandal. She mentioned that perhaps the attorney who led the investigation could be asked to come back and talk again, but that does not seem like a solution because the attorney already briefed the Executive Board. Another option would be to create a new investigative report, but that would mean that Folt would have to oversee a new and different re-investigation, which does not seem like a good use of resources or a good place to focus our collective efforts.

On the other hand, Folt stated that the other two requests in the resolution—asking for a diagnosis of the underlying causes of the problems, and the lessons learned and changes that have been made—make more sense to her. Although she might not know all the policies in place in 2015 (at the time of the Puliafito problems), she probably could talk in general about the big areas where change has taken place and continues to be needed. She gave some examples, including the evaluation and selection of deans, the reporting of misconduct, and USC’s academic athletic admissions and advising programs. She added that, ideally, she could try to create a list of reforms that have been completed, especially given that we will need that kind of list for accreditation anyway. She admitted that investigating wrongdoing is important, but added that she does not believe this is the time to re-investigate Puliafito. Instead, it is the right time to look into the athletics admission issues, which are more recent, meaning that we have a better chance of figuring out what went wrong and make improvements. She concluded that she is basically saying “yes” to the second and third requests in the resolution, but does not feel able to say yes to the request that she release an investigative report concerning Puliafito. She hopes that if we do the other parts together, it could re-establish trust.

Lonergan asked for comments from the senators and other attendees. Griffiths commented that the handling of recent scandals has felt focused on liability management, rather than the research and teaching mission of the University. He proposed a resolution asking for the Puliafito investigative report because that investigation is already complete, rather than ongoing, and because the Chair of the Board of Trustees previously promised to “release the findings” of that report.

A comment was made that having the attorney who conducted the Puliafito investigation speak to the Executive Board was not enough to satisfy many faculty that the issues causing these events have been fixed. The speaker added that USC’s current representation by that same attorney in connection with the admissions scandal raises questions as to whether her investigation of Puliafito was truly independent. It
was noted that Penn State created and posted a detailed report online after their scandal, and although
USC is private, it is enough like a public entity that it owes its constituents more information.

A statement of appreciation was made about Folt’s commitment to communication and clarity, but the
speaker added that he was still uncertain if this commitment is truly shared by others within the
administration.

Folt responded by stating that USC has more than 200 lawsuits currently, so we need to be careful. We
need to pick the areas where we can make change, instead of starting with an issue where the involved
people are no longer here and there are no written records detailing what happened.

A member of the Keck Faculty Council stated that many Keck faculty still do not feel closure concerning the
Puliafito issue, and that there has not been enough clear communication about its resolution. He stated,
however, that it would be very much appreciated if Folt were to comply with the second and third requests
in the resolution.

A comment was made that the Senate should do what is in the best interest of the faculty, and that voting
on and passing this resolution “as-is” may not be in the best interest of the faculty due to putting Folt and
Zukoski in a difficulty position, which does not build trust. It was proposed we work together with them
instead to achieve the goals of the resolution without something that feels like demands and
confrontation.

A comment was made that, of the three requests in the resolution, the last two seem the most relevant
because they include what structures and conditions were or were not in place that led to the rehiring of
Puliafito, despite the fact that complaints had been made about him. Folt was asked if she would be able
to give a timeline for when she might be able to produce some kind of report.

A statement was made that word “administration” in the resolution could refer to the Board of Trustees
Chair Rick Caruso, and Folt was asked if she could urge him to produce a report. It was also noted that the
recently implemented email-deletion policy may not be wise, given that it would make a re-investigation of
older misconduct much more difficult.

Folt responded to the comments by stating she is not offended by the requests in the resolution because
she can see that faculty care deeply about the institution. She stated that her previous experience has
shown that creating a similar investigative report at UNC took over a year and cost $15M. She stated she
and Caruso talked about the Puliafito matter, and she believes he really wanted to have a report, but there
are many legal complications involved in publishing that kind of report. She can talk with Caruso again, but
as there was no original written report, we would still need to generate a new one. Folt surmised what
people really want to know is that this kind of issue will not happen again. She reiterated that she believes
that she could make a lot of progress fairly quickly in complying with the second and third requests in the
resolution. She stated even without a resolution, she would want to work towards gathering the
information involved in the second and third requests.

Lonergan stated she was rethinking the resolution. She was privy to the oral report the Senate Executive
Board received. She suggested instead of the resolution, the Senate should instead focus on helping
administration identify the “pain points” (e.g., dean appointments, reporting) and how to work through
them.

Folt was asked a question regarding the kind of information about current and ongoing issues that would
be available to faculty, given her previous statement about how discussing current issues is more effective
that focusing on issues from the past. Folt replied by discussing an example of how she handled the NCAA
issue at UNC by creating a committee with faculty, staff, and others to look at the process from recruitment
to applications and graduation. This committee came up with 70 reforms and an extensive document,
which shared how they were doing things, rather than specific names or instances. She believes that we
should be focusing on the involved problematic processes and how to reform these processes. She added
that the Tyndall case is still in the courts, so we will not be able to do much to investigate it right now, but
we can still fix our student health system.

Adler clarified the resolution was not looking for the type of investigation that Folt referenced; instead, the
wording on the resolution was purposefully left open for interpretation, and the request is to look at what
happened, why it happened, and how we’ll work together to move forward.

An opinion was voiced that the Executive Board should stop accepting privileged invitations to these
reports, as it puts those members in a difficult position. Lonergan responded by stating she understands
the distrust that this could create, but to balance the privacy and confidentiality issues with a desire for
some faculty involvement, there needs to be a limited number of faculty involved. Having the elected
faculty representatives fulfill that role makes sense. She stated the fiduciary duty of leaders sometimes
involves confidential information, which we are unable to broadcast widely, like in the case of the email
that was sent out after the oral briefing on the Puliafito investigation. Yaniv Bar-Cohen, Immediate Past
President, supported this statement, and added we now face the question of whether we need to know
the details of what happened, or if our priority should be determining what needs to change to move
forward.

A suggestion was made that the Senate create a written list of issues that are known or contributed to the
recent scandals. Lonergan supported this idea, stating this may help Folt and Zukoski especially in light of
there being no written report from the Puliafito investigation.

An observation was made that there is little communication about the decision-making process in dean
searches and recommendations, particularly when the search committee’s recommended candidate is not
chosen.

A member of the Keck Faculty Council stated the “pain points” around Puliafito were regarding dean
appointments, reappointments, and recruitment, as well as siloed offices that do not share information.
She stated institutional memory is short, so having things in writing is very helpful. Another Keck Faculty
Council member commented that not everyone who was involved in the Puliafito issue is gone, and that we
should ensure there are policies in place to not give people discretion about what gets reported or acted
upon.

Folt responded by stating that she agrees that addressing these “pain points” is what we all want and
should work towards. She would like to work with us to get a list that can get us moving forward quickly.
She mentioned that all universities are dealing with how to improve their policies regarding the handling of
misconduct complaints (whether found to have merit or not) and whether to make those complaints
available to future employers.

A concern was voiced that the Senate is not an investigative body, and we should not assume this role on
an ad hoc basis, but it is clear that we need better investigations when issues occur. It was suggested that
there be a direct line from “lessons learned” (e.g., cultural and systemic problems identified) to policy
changes that come forward, to ensure these changes actually address the previous problems.

Jennifer Parga, Co-Chair of the Committee on Information Services (CIS), clarified the 18-month email
deletion policy and stated if people want to save their emails, they can move them to any folder they
create and the emails will all be saved. She stated she will take the feedback from the Senate today to the
next CIS meeting.

Lonergan guided a discussion regarding whether the Senate should vote on this resolution at the meeting.
Questions were asked if there were alternatives to voting at this meeting, if the authors can rescind the
resolution and present something else, or if a second to the motion can ask for friendly amendments or points of discussion. Lonergan recommended we wait and try to rewrite the resolution.

Larry Gross made a motion to vote on the resolution, but offered to rescind that motion if there was a commitment to continue this discussion at the next Senate meeting. No objections were made to tabling the discussion for next meeting.

Folt thanked the Senate for this discussion, stating she remains optimistic.

**Approval of September Senate meeting draft minutes**

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

_Jessica Parr moved to approve the minutes; Brent Blair seconded. Motion passed with 31 in favor, 0 opposed, and 4 abstentions._

**Explanation of upcoming Nominating Committee Election**

Adler explained the process and purpose for the upcoming Nominating Committee elections. He noted that the Nominating Committee’s charge is to create a committee that will decide on a slate of Executive Board candidates. Four members of the current Executive Board will be on the Committee, but there are four open slots that need to be voted upon. There are people who agreed to run, but Senators can also nominate other senators or self-nominate to be on the Nominating Committee. Adler asked Senators to review the candidate profiles before the next meeting.

All other agenda items were tabled for next meeting.

**Announcements**

a) Oct. 28, 2019: Trojan Council is sponsoring an open “University Forum” on Oct. 28 (4:00 to 6:00pm) at the Tutor Campus Center and live streamed to HSC.

b) Nov. 20, 2019: Next Senate meeting, including election of Nominating Committee (4 Senators will be elected)

**Adjournment**

Meeting was adjourned at 4:00 pm.

Respectfully submitted,

Ashley Uyeshiro Simon
Secretary General of the Academic Senate