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2 **ACADEMIC SENATE**
3

4 **UNIVERSITY OF SOUTHERN CALIFORNIA**

5 Meeting of October 23, 2019

6 Doheny Memorial Library, Room 121

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

9 **Present:** P. Adler, S. Ahmadi, M. Apostolos, Y. Bar-Cohen, B. Blair, S. Bucher, T.A. Brun, J. Cederbaum, D.
10 Crombecque, M. Crowley, M. Daniels-Rauterkus, G. Davison, S. Dincer (alternate for C. Park), E. Fife, R.
11 Filback, L. Gazette. D. Griffiths, L. Gross, S. Gupta, L. Holding, J. Israel, A. Imre, M. Jacobson (alternate for C.
12 Pike), G. Kung (alternate for D. Armstrong), R. Labaree, R. Lonergan, T.J. McCarthy, J. McLaughlin Gray
13 (alternate for C. Resnik), D. O'Leary, J. Parr, D. Pecchenino, G. Polidori, S. Rich, T. Sandmeier, A.U. Simon, C.
14 Tucker, T. Wattenbarger, S. Wickersheimer, T. Williams, A. Wu, G. Zada, A. Zoto

15 **Present Online:** B. Belcher, D. Armstrong, J. Parga, S. Fox (alternate for A. Mackay), M. Press (alternate for
16 A. Wilcox)

17 **Absent:** C. Redfearn, G. Ulkumen, J.B Walker

18 **Guests:** A. Armani, R. Cislowski, A. Elefano, C. Folt, K. Greenwood, M. Levine, B. Mico, C. Neuman, N.
19 Olmos, N. Warren, C. Zukoski
20

21 **AGENDA**
22

23 Rebecca Lonergan, Academic Senate President, called the meeting to order at 2:06 pm.
24

25 **Update from President Carol Folt**

26 University President Carol Folt and Provost Charles Zukoski participated in a discussion with the Senate.
27 President Folt stated they would like to be a part of as many Senate meetings as they can, as there is a lot
28 to do together. She thanked everyone for a great turnout at the Presidential Inauguration. She felt this was
29 a strong and powerful statement about how many people love this University. She added that the topics of
30 her inauguration speech focused on certain things that she hopes to achieve and that she hopes to work
31 with us in deciding USC's future priorities.
32

33 Folt is trying to reach out to all the units on campus. She has already met with her senior cabinet, the
34 deans, and the Boards of Leaders of Marshall, Dornsife, and Keck. She hopes to visit all the schools, the
35 other Boards, and various alumni groups by the end of 2020.
36

37 Regarding hiring, Folt has hired a lot of people, but she still needs to hire a few deans, an athletic director,
38 legal counsel, and a head of development. During all the hiring searches, she was pleased to see the
39 excitement and determination of everyone to be engaged and heard.
40

41 Folt asked the Senate to help her figure out how to accomplish our many goals during the upcoming years.
42 For example, preventing sexual harassment must continue to be a priority. She is currently the co-chair of
43 the Sexual Harassment Committee of the Association of American Universities (AAU). During that
44 committee's meeting, she quickly realized how rapidly that area is changing, and that USC will need to
45 ensure that everyone is properly trained so they know what they are legally required to do.
46

47 Folt asked if there were any questions, but none were offered.
48

49 **Discussion regarding Proposed Resolution about Results of Puliafito Investigation**

50 Lonergan opened the discussion by stating that some faculty, including a group called the Concerned
51 Faculty, want to hear the results of the Puliafito investigation. The Dornsife senator Devin Griffiths brought
52 a draft of a resolution to the Executive Board, who discussed it and then wrote the [proposed resolution](#)

53 that is being presented today. We need to decide if the Senate would like to vote on this resolution.

54
55 Paul Adler, Academic Vice President, provided some background for the proposed resolution. He began by
56 stating that some faculty believe that the Puliafito scandal, along with other scandals, was experienced by
57 many as an institutional betrayal and reflected a deep misalignment between the mission of the University,
58 and its policies, structures, and models of leadership. He stated the purpose of this resolution would be to
59 ask for a “diagnosis” before we engage the “treatment” of this problem. The goal would be to understand
60 this scandal, the pain it caused, and a path forward. He acknowledged there may be some legal limits that
61 will affect the extent of the material that can be disclosed.

62
63 Folt stated she agreed with the spirit of the resolution and understood why people felt this way. She
64 reminded everyone that the Senate Executive Board had heard directly from the attorney who led the
65 Puliafito investigation, likely in an attempt to share privileged information with faculty representatives
66 after the investigation was completed. After that briefing, last year’s Executive Board sent an email to all
67 faculty describing their general sense of the situation. However, there was never a written report prepared
68 describing the findings of the investigation. Folt stated she would be at a loss as to what she would be
69 expected to do if the Senate were to demand a written report, as one was never completed. Also, she
70 would not want to put her name on an investigative report that had not been conducted under her
71 leadership.

72
73 She added that, in the case of Puliafito, she believes that the involved people are gone, so she does not
74 believe that we need to make additional personnel changes in response to this particular scandal. She
75 mentioned that perhaps the attorney who led the investigation could be asked to come back and talk
76 again, but that does not seem like a solution because the attorney already briefed the Executive Board.
77 Another option would be to create a new investigative report, but that would mean that Folt would have to
78 oversee a new and different re-investigation, which does not seem like a good use of resources or a good
79 place to focus our collective efforts.

80
81 On the other hand, Folt stated that the other two requests in the resolution—asking for a diagnosis of the
82 underlying causes of the problems, and the lessons learned and changes that have been made—make
83 more sense to her. Although she might not know all the policies in place in 2015 (at the time of the
84 Puliafito problems), she probably could talk in general about the big areas where change has taken place
85 and continues to be needed. She gave some examples, including the evaluation and selection of deans, the
86 reporting of misconduct, and USC’s academic athletic admissions and advising programs. She added that,
87 ideally, she could try to create a list of reforms that have been completed, especially given that we will
88 need that kind of list for accreditation anyway. She admitted that investigating wrongdoing is important,
89 but added that she does not believe this is the time to re-investigate Puliafito. Instead, it is the right time to
90 look into the athletics admission issues, which are more recent, meaning that we have a better chance of
91 figuring out what went wrong and make improvements. She concluded that she is basically saying “yes” to
92 the second and third requests in the resolution, but does not feel able to say yes to the request that she
93 release an investigative report concerning Puliafito. She hopes that if we do the other parts together, it
94 could re-establish trust.

95
96 Lonergan asked for comments from the senators and other attendees. Griffiths commented that the
97 handling of recent scandals has felt focused on liability management, rather than the research and teaching
98 mission of the University. He proposed a resolution asking for the Puliafito investigative report because
99 that investigation is already complete, rather than ongoing, and because the Chair of the Board of Trustees
100 previously promised to “release the findings” of that report.

101
102 A comment was made that having the attorney who conducted the Puliafito investigation speak to the
103 Executive Board was not enough to satisfy many faculty that the issues causing these events have been
104 fixed. The speaker added that USC’s current representation by that same attorney in connection with the
105 admissions scandal raises questions as to whether her investigation of Puliafito was truly independent. It

106 was noted that Penn State created and posted a detailed report online after their scandal, and although
107 USC is private, it is enough like a public entity that it owes its constituents more information.

108
109 A statement of appreciation was made about Folt's commitment to communication and clarity, but the
110 speaker added that he was still uncertain if this commitment is truly shared by others within the
111 administration.

112
113 Folt responded by stating that USC has more than 200 lawsuits currently, so we need to be careful. We
114 need to pick the areas where we can make change, instead of starting with an issue where the involved
115 people are no longer here and there are no written records detailing what happened.

116
117 A member of the Keck Faculty Council stated that many Keck faculty still do not feel closure concerning the
118 Puliafito issue, and that there has not been enough clear communication about its resolution. He stated,
119 however, that it would be very much appreciated if Folt were to comply with the second and third requests
120 in the resolution.

121
122 A comment was made that the Senate should do what is in the best interest of the faculty, and that voting
123 on and passing this resolution "as-is" may not be in the best interest of the faculty due to putting Folt and
124 Zukoski in a difficult position, which does not build trust. It was proposed we work together with them
125 instead to achieve the goals of the resolution without something that feels like demands and
126 confrontation.

127
128 A comment was made that, of the three requests in the resolution, the last two seem the most relevant
129 because they include what structures and conditions were or were not in place that led to the rehiring of
130 Puliafito, despite the fact that complaints had been made about him. Folt was asked if she would be able
131 to give a timeline for when she might be able to produce some kind of report.

132
133 A statement was made that word "administration" in the resolution could refer to the Board of Trustees
134 Chair Rick Caruso, and Folt was asked if she could urge him to produce a report. It was also noted that the
135 recently implemented email-deletion policy may not be wise, given that it would make a re-investigation of
136 older misconduct much more difficult.

137
138 Folt responded to the comments by stating she is not offended by the requests in the resolution because
139 she can see that faculty care deeply about the institution. She stated that her previous experience has
140 shown that creating a similar investigative report at UNC took over a year and cost \$15M. She stated she
141 and Caruso talked about the Puliafito matter, and she believes he really wanted to have a report, but there
142 are many legal complications involved in publishing that kind of report. She can talk with Caruso again, but
143 as there was no original written report, we would still need to generate a new one. Folt surmised what
144 people really want to know is that this kind of issue will not happen again. She reiterated that she believes
145 that she could make a lot of progress fairly quickly in complying with the second and third requests in the
146 resolution. She stated even without a resolution, she would want to work towards gathering the
147 information involved in the second and third requests.

148
149 Lonergan stated she was rethinking the resolution. She was privy to the oral report the Senate Executive
150 Board received. She suggested instead of the resolution, the Senate should instead focus on helping
151 administration identify the "pain points" (e.g., dean appointments, reporting) and how to work through
152 them.

153
154 Folt was asked a question regarding the kind of information about current and ongoing issues that would
155 be available to faculty, given her previous statement about how discussing current issues is more effective
156 than focusing on issues from the past. Folt replied by discussing an example of how she handled the NCAA
157 issue at UNC by creating a committee with faculty, staff, and others to look at the process from recruitment
158 to applications and graduation. This committee came up with 70 reforms and an extensive document,

159 which shared how they were doing things, rather than specific names or instances. She believes that we
160 should be focusing on the involved problematic processes and how to reform these processes. She added
161 that the Tyndall case is still in the courts, so we will not be able to do much to investigate it right now, but
162 we can still fix our student health system.

163
164 Adler clarified the resolution was not looking for the type of investigation that Folt referenced; instead, the
165 wording on the resolution was purposefully left open for interpretation, and the request is to look at what
166 happened, why it happened, and how we'll work together to move forward.

167
168 An opinion was voiced that the Executive Board should stop accepting privileged invitations to these
169 reports, as it puts those members in a difficult position. Lonergan responded by stating she understands
170 the distrust that this could create, but to balance the privacy and confidentiality issues with a desire for
171 some faculty involvement, there needs to be a limited number of faculty involved. Having the elected
172 faculty representatives fulfill that role makes sense. She stated the fiduciary duty of leaders sometimes
173 involves confidential information, which we are unable to broadcast widely, like in the case of the email
174 that was sent out after the oral briefing on the Puliafito investigation. Yaniv Bar-Cohen, Immediate Past
175 President, supported this statement, and added we now face the question of whether we need to know
176 the details of what happened, or if our priority should be determining what needs to change to move
177 forward.

178
179 A suggestion was made that the Senate create a written list of issues that are known or contributed to the
180 recent scandals. Lonergan supported this idea, stating this may help Folt and Zukoski especially in light of
181 there being no written report from the Puliafito investigation.

182
183 An observation was made that there is little communication about the decision-making process in dean
184 searches and recommendations, particularly when the search committee's recommended candidate is not
185 chosen.

186
187 A member of the Keck Faculty Council stated the "pain points" around Puliafito were regarding dean
188 appointments, reappointments, and recruitment, as well as siloed offices that do not share information.
189 She stated institutional memory is short, so having things in writing is very helpful. Another Keck Faculty
190 Council member commented that not everyone who was involved in the Puliafito issue is gone, and that we
191 should ensure there are policies in place to not give people discretion about what gets reported or acted
192 upon.

193
194 Folt responded by stating that she agrees that addressing these "pain points" is what we all want and
195 should work towards. She would like to work with us to get a list that can get us moving forward quickly.
196 She mentioned that all universities are dealing with how to improve their policies regarding the handling of
197 misconduct complaints (whether found to have merit or not) and whether to make those complaints
198 available to future employers.

199
200 A concern was voiced that the Senate is not an investigative body, and we should not assume this role on
201 an ad hoc basis, but it is clear that we need better investigations when issues occur. It was suggested that
202 there be a direct line from "lessons learned" (e.g., cultural and systemic problems identified) to policy
203 changes that come forward, to ensure these changes actually address the previous problems.

204
205 Jennifer Parga, Co-Chair of the Committee on Information Services (CIS), clarified the [18-month email](#)
206 [deletion policy](#) and stated if people want to save their emails, they can move them to any folder they
207 create and the emails will all be saved. She stated she will take the feedback from the Senate today to the
208 next CIS meeting.

209
210 Lonergan guided a discussion regarding whether the Senate should vote on this resolution at the meeting.
211 Questions were asked if there were alternatives to voting at this meeting, if the authors can rescind the

212 resolution and present something else, or if a second to the motion can ask for friendly amendments or
213 points of discussion. Lonergan recommended we wait and try to rewrite the resolution.

214
215 Larry Gross made a motion to vote on the resolution, but offered to rescind that motion if there was a
216 commitment to continue this discussion at the next Senate meeting. No objections were made to tabling
217 the discussion for next meeting.

218
219 Folt thanked the Senate for this discussion, stating she remains optimistic.

220
221 **Approval of September Senate meeting draft minutes**
222 Ashley Uyeshiro Simon, Secretary General, presented the September 2019 draft minutes for discussion and
223 approval.

224
225 *Jessica Parr moved to approve the minutes; Brent Blair seconded. Motion passed with 31 in favor, 0*
226 *opposed, and 4 abstentions.*

227
228 **Explanation of upcoming Nominating Committee Election**

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

235
236 All other agenda items were tabled for next meeting.

237
238 **Announcements**

- 239 a) Oct. 28, 2019: Trojan Council is sponsoring an open "University Forum" on Oct. 28 (4:00 to 6:00pm)
240 at the Tutor Campus Center and live streamed to HSC.
241 b) Nov. 20, 2019: Next Senate meeting, including election of Nominating Committee (4 Senators will
242 be elected)

243
244 **Adjournment**

245 Meeting was adjourned at 4:00 pm.

246
247 Respectfully submitted,

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250
251
252

253 Ashley Uyeshiro Simon
254 Secretary General of the Academic Senate