Minutes of the Regular Meeting of the Arts & Sciences Council
Thursday, November 9, 2017

Call to Order

Anita Layton (A&S Council Chair): Hello, welcome! I hope you are keeping dry. So we will start, like always, by approving the last meeting’s minutes. They are on Sakai. Any questions, comments? No? [The minutes were approved unanimously.]

Proposed Standing Committee on Faculty Teaching Development and Support

Next item of business: We are proposing a standing committee on teaching. The initial feedback is quite positive. The committee on teaching is supposed to do all these wonderful things for us: provide a faculty voice in evaluation, recognition of teaching, faculty hub for pedagogical resources, and all these wonderful things. I do have a few requests and questions about membership, on who’s going to be at the table. It’s a popular table and that’s a good thing. So the membership as proposed in October looks like this: we have a chair and six voting members, two from each division, and in addition, we want to have wide representation of our faculty so we want to require one voting member to be tenured/tenure track, one regular rank and one non-regular rank faculty. As ex officio, we have Arlie, Linda and a member of ECASC. That is the summary of the current membership, so the requests that I got regarding membership are these: to hardwire a faculty from the Writing Program as a voting member, one of the Humanities voting members. I have another request to consider that we should have an ex officio that focuses on assessment and another request to have an ex officio from the Learning Innovation Center, formerly CIT.

So how about we do it this way. We’ll make this committee a pending motion and that way we can discuss the merits of the committee. Then we will do each of these three requests as separate amendments. We will vote on each of the amendments and then at the end, we can vote on the possibly amended committee. Okay? So I need a motion for the committee [a motion was offered and seconded]. So, want to talk about the committee?

Alex Rosenberg (Philosophy): Is this a function now not discharged anywhere in the College?

Layton: I think the charges that we have written here for the committee are done somewhere in the College. I think the goal for the committee, correct me if I’m wrong, is to increase the role of us faculty in these areas.

Lee Willard (Trinity): My question is whether this might be an advisory board to the CIT as well? I was asking Sean does he have a …
Layton: We definitely want a very close collaborative relationship with CIT.

Willard: It seems like it duplicates some functions.

Sean Miller (CIT): We have partly an advisory board on online education that filters into us, but we don’t have a direct route for hearing from Trinity faculty other than creating our own groups, so this would be a good step for us to take.

Rosenberg: Let’s walk through the thing. “… shall provide a voice in evaluation and recognition of teaching at Duke.” So Matt, for example, perhaps you can advise us as to currently what the role is for faculty with regard to the design and delivery of course evaluation and if that role is inadequate in your opinion or in the opinion of faculty, then that would be an important duty for the faculty to exercise.

Matt Serra (Assessment): I can speak to that quite briefly, actually. Very recently with Arlie taking his current position, he has formed two boards, a board of DUS’s and a board of certificate directors. They both always vet any changes in course evaluation forms, processes, and so forth, and then they give feedback to my office.

Rosenberg: Are they also empowered to make suggestions to you about them?

Serra: Yes. That’s the whole point of the vetting. You should also know there is a current movement from the Vice Provost’s office to look at an off-the-shelf vendor to take over the process, but not necessarily the content of the form, so still that content will need to be vetted by some faculty.

Rosenberg: So when it comes to recognition of teaching, teaching awards, at present, what is the faculty role in distribution of the teaching awards?

Willard: I coordinate those for the deans. These are selected by … usually they are previous winners with the chair of the Arts & Sciences Council.

Rosenberg: So there already is a faculty role in that?

Willard: Yes

Rosenberg: Walking down the list, is it the view that there are faculty who are in a position to deliver important pedagogical resources to other colleagues and that this would be effective more efficiently by a committee of this kind?

Layton: So these suggestions are the results of the survey. Most of the faculty voiced a need to have a stronger voice in things like that. So my view of the committee is we form a committee with faculty that we trust representing different ranks and they can work with CIT for example.

Rosenberg: I just don’t see what expertise faculty could bring to this if they were simply elected by distribution.

Layton: So you’re concerned about how we select …

Rosenberg: Yes, specialists in the faculty who might be particularly well placed to add value wouldn’t necessarily be one of the faculty in your distribution and (inaudible).

Layton: So how would you do it?
Rosenberg: My own view is it wouldn’t be delivered by a faculty committee of this kind. But I don’t have an answer to that question. I’m just asking what it is about this proposal that would answer to these needs. Going to the next one, who is it now who makes decisions about teaching-related planning? I think the answer to that question is faculty in their departments.

Sherryl Broverman (Biology): That’s mostly infrastructure-related, wasn’t it? So that was mostly about building new classrooms and designing instructional spaces without talking to faculty. It’s not worded specifically about that.

Rosenberg: So faculty input to the Space Committee and those components of the University that are responsible for the development of buildings.

Serra: I think what this committee is meant to be is an advisory committee, not a decision or rule-making committee, and that if they identify pedagogical resources that might be useful to the faculty at Duke or a subset of faculty, they could advise those groups or services on campus to provide those. If there’s some need for a teaching-related space, then they would advise the Space Committee and so on about those needs. But it would be the faculty identifying those needs by virtue of communicating issues with other faculty, bringing them altogether and pushing forward the agenda of the faculty.

Cary Moskovitz (TWP): Following up on Alex’s question, what I’m wondering in looking at this again is whether or not faculty who would have the interest or expertise can consider the issues of evaluation, which is a politically sensitive one, a complicated one, wouldn’t necessarily be the same people who would be interested and prepared to address things like choices of buildings and classroom spaces, right. Also, since the CIT has, I just learned today, been rebranded more formally as a teaching hub, it seems to me that that happening parallel with this, maybe there’s a little of a timed misstep to assign that particular thing to this committee as something else is happening in parallel. So I don’t know if it’s worth thinking about the number of different things that would likely be taken up by this same group of people and, coming back to Alex’s question, what would constitute meaningful membership in that?

Jesse Hunt (Aerospace/Military Science): There’s an implied problem statement here. There’s data and I think the implied problem statement isn’t well understood. I think at a basic level, you need to look at that problem statement and what you’re trying to answer to determine if this is the right function and fit based on other mechanisms that are provided by the university. I don’t know what you’re trying to answer, what was the question, right? I imagine there’s data that states this would be a benefit, that that might be valid, but with that, what are you trying to solve? What things are insufficient presently and what gap would this fill? That should be clearly listed out from that problem statement.

David Malone (Education): So the consensus is that faculty voice is absent from these processes, is not as substantial as it should be. That’s the problem we’re addressing.

Layton: That was the result of a survey that was conducted spring of 2016.

Malone: I was thinking – and some of Alex’s comments made me think about this – some of our committees actually have oversight, like maybe the Courses Committee. They don’t just provide input or voice, they make decisions about this. And we often hear in here that faculty own the curriculum; part of the curriculum is the courses and evaluation of the courses. So why wouldn’t it say, “shall provide oversight of evaluation and recognition of teaching” as opposed to just a voice in it.

Layton: What does that mean in practice?
Malone: Yeah, I think if this committee were to come into existence, it would be very helpful for it to immediately be doing a self assessment of where it sees these gaps and then report back to this Council on what the problem is and how it’s being addressed because in some ways I feel we’ve relinquished this ownership of the curriculum as a Council and we actually as a Council should have committees that do oversee evaluation of courses and recognition of teaching.

Ruth Day (Psychology and Neuroscience): I have to repeat something I said awhile back and that is this Council has had a committee on teaching for a long time. It even goes back decades. The only reason it isn’t in our awareness now is that a former chair let it slide. So I think it’s wonderful that Mike Munger and everybody else did their assessment to find out what current faculty viewed the needs are and current faculty should be involved in developing and doing various things about teaching, but this could just be taken off the shelf. I don’t know why we have to have a new named committee, we already have one, it’s just on hiatus by somebody’s mistakes. Reconstitute that committee, sort of like David was saying, and then let them look at all the results of the survey that these people did and put it together and come back to the Council, given CIT has redefined itself and so on and so forth. But it’s true, the faculty own the curriculum, the curriculum has a lot to do with teaching.

Willard: From a historical perspective, Phil Costanzo was the last chair of this committee. We had trouble with faculty participation and there was not enough meaty agenda and so the committee dissolved itself. It was not something that just slipped. But there are a lot of different things now that go on in teaching and so I didn’t say that to start with because I think it’s a whole different world, but from a historical perspective, it didn’t just fade away.

Day: Can I just comment to that? I was on that committee when it did fade away and the faculty I knew wanted to participate and the chair didn’t call meetings for a year or two, so we have different memories on it. (inaudible)

Inge Walther (German): I would like to piggyback on what Alex said and what David said because it’s not clear to me in this proposal whether if this committee were to get re-established or whatever or if the old committee got reconstituted with this charge, then would that replace, would they have a standing agenda to look at courses, would that physically substitute or take over from what Matt is doing with course evaluations or what Lee Willard is doing with teaching awards. Would it replace that? Would this body then take over those functions? Would they have oversight? Somebody has to be in charge, so would this committee be in charge because that would something I could see would be valuable because every other committee that’s a standing committee is in charge of something. Basically the Curriculum Committee, the Courses Committee …

Lee Baker (Cultural Anthropology): Study Abroad …

Walther: The Study Abroad Committee, so unless this is in charge, it’s going to be difficult to come up with an agenda or the agenda will be dependent on the chair setting an agenda, but if they were actually in charge of course evaluations, of teaching awards, of looking for (inaudible) CIT, then I think it would have a regular agenda and not be dependent on the chair to say, “Oh, we don’t have any agenda so we’re not going to meet.”

Layton: We’ll table this and think about that.

Proxy Voting
Okay, let’s do proxy voting. So the current bylaw, we want you all to be here, so members have to be present in order to physically vote. If members aren’t here, the alternate can vote. If you are both not here, then you don’t get to vote. So I think it was in September that we talked about allowing absentee voting, which is different than proxy. The idea there was that members could send their vote in before the meeting to Mary and get that counted. People who were present at that meeting weren’t too enthusiastic about it so someone, I forgot who it was, proposed that we talk about proxy voting. So here it is. Let’s see if you like this better:

**D. Voting Rights:** Members of the Council shall serve and vote in person. In the absence of the member, the duly appointed alternate can vote. In the absence of both the member and alternate, a proxy appointed by the member can vote. Each elected Member of the Council shall have one vote on issues before the Council in its meetings. Ex-officio Members have no voting rights in the Council. Proxy votes are not permitted. The Chair shall not vote except in the case of a tie vote.

The highlighted are the parts that will be changed in the bylaws. So basically, if the member and the alternate are not available, then they can knight somebody to come here and participate in the discussion and vote. What do you think?

**Broverman:** Do we want a proxy appointed by the member or the chair of the unit?

**Layton:** When we discussed it, it was member. I’m happy to – do you think a chair is better?

**Mark Chaves (Sociology):** I like the idea of the chair appointing. To me the idea of proxy implies that somebody present could have two votes. I’m not here, but I could ask my colleague whom I know is going to be here to vote both for himself and my proxy vote, and I think that should be clarified. So I would introduce a friendly amendment with wording something like “another alternate can be appointed by the chair of the unit to attend and vote” to make clear that it’s not … because anybody can carry a proxy as the word implies.

**Layton:** So how do you want to word this? A proxy appointed by …

**Chaves:** I wouldn’t use the word “proxy” personally.

**Willard:** What about a one-time alternate?

**Chaves:** A temporary alternate, a third alternate appointed by the chair of the unit or the director of the unit can attend and vote.

**Rosenberg:** As someone who was opposed to the original proposal, I find this much more satisfactory and addresses concerns I voiced about the first approach and I think alternates were even suggested. Now it’s good. My main concern is that the Arts & Sciences Council be as fully powerful in faculty governance as possible and that requires attendance. This encourages attendance.

**Micaela Janan (Classical Studies):** Why are we crossing out proxy votes when you seem to have come to the conclusion that you don’t want them anyway?

**Layton:** This is proxy voting. So the temporary alternate is basically a proxy.

**Janan:** What I understand proxy voting to be is you essentially vote at a distance ..
Layton: That would be absentee votes. We aren’t doing absentee because absentee can’t participate in discussion.

Rosenberg: The title “proxy voting” there is irrelevant and we’re simply amending the voting rights clause.

Janan: Got it.

Layton: Any other questions? If not, should we vote on this procedure? We have ballots. To get this approved, we need two thirds approval.

[The following bylaw change was approved 24-0.]

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Referenda

Layton: Moving on. Faculty referenda. Imagine a very important vote passed Council but barely, so like 2U or BluePrint got a very, very thin line. I don’t know, 10 to 10 and then the chair said yes. So that is not exactly a good thing because it makes you wonder whether the vote, while approved by Council, has the underlying faculty support. So one way to affirm that vote is to do it through a faculty referendum: direct democracy, one person one vote. So you have the benefit of encouraging faculty participation in Arts & Sciences business. So let’s see what we are proposing. We are not proposing to do this for every single vote because we don’t have time for that and because Mary would quit on me. So for that to happen, we need two things: both of those top two points are necessary conditions. It needs to be a very, very close vote, less than or equal to 60 percent, and plus you need to get petitions in the form of signatures of at least 10 percent of the Arts & Sciences voting faculty, and by that the bylaws mean regular rank faculty. So what happens after the referendum? If it receives less than a majority vote, then the Council vote is killed. If it receives majority, then the Council vote gains legitimacy. So this is how it is worded, the proposed change in our bylaws. Let’s take a look at it:

III. K. Faculty Referenda
The Arts & Sciences Faculty can, by a vote of the members at large, affirm or veto votes taken by the Arts & Sciences Council. A general A&S Faculty vote is required when the Arts & Sciences Council passes a motion with a majority less than or equal to 60%, and a petition containing valid electronic signatures of at least 10% A&S faculty eligible to vote is received by ECASC. The wording of the referendum shall take exactly the same form as the motion passed by the Arts & Sciences Council. If the referendum receives less than a majority vote, the vote of the Arts & Sciences Council is nullified, provided the following conditions are also met: (a) proper direct notice is given to all faculty eligible to vote and (b) the vote includes a quorum of at least 40% of faculty eligible to vote.
This is basically what I said. We will require a faculty vote if two things happen: you pass a motion with less than or equal to 60 percent and enough faculty feel the need for a referendum, at least 10 percent, and then you do a referendum with the exact wording and if the referendum receives less than the majority vote, then you nullify the Council vote.

**Rosenberg:** I would like to amend the motion to strike the clause “passes a motion with a majority less than or equal to 60 percent” so that the motion reads “for any action of the Academic Council, referendum is permissible” and of course this is just a matter of simple democracy. The Arts & Sciences Council may pass by unanimity a motion that is amenable to the interests of the majority of faculty and under those circumstances, they should have the recourse of a referendum. But I should also like to add another amendment that the majority overturning must be a majority of the actual total number of Arts & Sciences faculty, not the majority of the faculty voting. Two amendments: one to strike the 60 percent and two to make the requirement of a majority of the actual total number of faculty in the College of Arts & Sciences, and I mean tenure track, tenured and regular rank.

**Layton:** Thank you.

**Janan:** What would be the means of voting? The reason I’m asking is that very often meetings with these hot controversies come at the very end of a semester, with maybe an extraordinary meeting and so people have plans to consider. They have plans to go away, they don’t have access to voting and that could skew the results.

**Layton:** I don’t do the technology for Council but that can be done electronically, like how you all vote for Council chair. It can be done.

**Rosenberg:** I haven’t heard seconds for my two amendments.

**Layton:** I think the procedure is I need to get a motion and then you can propose the amendments.

**Ed Iversen (Statistics):** The effect of this is to secure a second vote with a different weighting of academic units. I just wanted to make sure that’s the intended effect.

**Layton:** You want to see the weighting? I actually anticipating this. I had a slide hidden, so here you go, here’s your weighting.

The first graph is your Council members, divided by division (15 Humanities, 10 Social Sciences and 9 Natural Sciences) up to 36 and the second is the actual regular rank and tenure track faculty by division (215 Humanities, 221 Social Sciences, 227 Natural Sciences).

**Charlotte Clark (NSOE):** That does include Nicholas and Sanford?

**Layton:** No.

**Baker:** As someone who grew up in Oregon where many people govern by raising their hands and these referendum are interesting in really kind of complicated ways, I guess I just don’t what the problem you’re trying to solve is. Usually referendums are for something, why can’t we have referendums for something?

**Layton:** You can look at it as a way to veto the Council or you can look at it as a way of this is confirming the Council vote.
Baker: But if I come with a new initiative and say, “let’s get 10 percent and have a referendum” and just bypass Arts & Sciences Council?

Layton: No, that’s a totally different thing.

Baker: That’s what a referendum is. So maybe if you could articulate the goal?

Layton: The goal as I see it is either to approve a very close vote. Imagine 2U, right, it got passed by 10 to 10 and the Council chair voted yes, how would that look. So I would wonder does this vote which is yes by the Council take into account what faculty want? And we can do a referendum, and oh, hello, we have more than a majority of all the faculty voting then (inaudible).

Rosenberg: If I could address Lee’s point, which I think is a good one, it is open to a member of the faculty and a member of the Arts & Sciences Council to make a proposal to Arts & Sciences Council. If the proposal were rejected, then this mechanism would allow the proposer to attempt to secure by referendum consideration of the same positive proposal by the whole faculty.

Layton: Are you talking about a proposal that was rejected by Council? That is not how it’s worded.

Rosenberg: Then it should be worded so that any action by Council is open to a referendum.

Layton: How do people feel about that?

Cary Moskovitz (TWP): My only main concern and maybe it’s an obvious one but that we really try to privilege having people be in the room and that a lot of these things are really complicated, with multiple political and pragmatic ramifications and if a vote comes down and then we send it out and then it’s voted on by people which happens in a referendum generally is less informed. I’m just wondering if there’s a way we can tie even if it’s trivial to a responsibility to read whatever documents and sign off on whatever documents before you are allowed to vote, which of course just makes it more complicated. But just thinking about the number of really contentious votes we’ve had and how easy it would be to not understand what was at stake if you hadn’t been in those conversations, and I guess that’s the danger of it.

Jose María Rodríguez-García (Romance Studies): Addressing what you just said, Cary, I think that if the faculty at large would know that there is the second vote by referendum, that might actually motivate people a little bit to keep you informed. I look at the issue from both sides and also what Lee said about referendum taking place before a governing body actually votes on the issue, that’s not actually how it works because whenever a new democracy wants to approve the constitution, first you need the congress to vote, then you submit it for a referendum. I think that having a potentially contentious issue that affects the university at large, having it validated first by a governance body composed of faculty who are obviously more directly informed and engaged through multiple meetings where this issue has been discussed. That’s good in itself, but having it validated by the faculty at large, I think it sanctions in a very positive way the decision or actually reverse the decision if faculty feel that their voices were not heard enough. I think that having that two-state system of voting just for certain issues is a good idea. I’m not so sure about the percentages, but I don’t really have a position on that, but I like the general idea. I really do.

Janan: We’re passing around the word “faculty” here and faculty will, and yet there’s a shift between the demographic that would be polled by this and the demographic (inaudible). Here, each department gets one vote which means also that non-tenure track non-regular rank faculty also get a voice, at least theoretically, to determine what the department (inaudible). If the bar graph that you showed before (inaudible) is going to be the benchmark, then it’s only going to be a certain subset of the faculty who
have a voice and it won’t be the senatorial model whereby one department, one vote, it will be a headcount and that’s going to make a difference in the weight of these votes. I also agree with what Cary said. People need to be in here, in on the discussion, present in the flesh, because people change their mind.

Baker: I would like to call on Mike Munger to opine about the different types of governments and this mixing two different types of governments (cross talk).

Mike Munger (Political Science): If we are unable to decide today, I would be happy to do that at a future meeting.

Catherine Admay (Sanford): Anita, I’m not sure I understood what you were saying. Is it the case that the School of the Environment and the Sanford School would be represented in the senatorial model, but the faculty of the School of the Environment and the Sanford School would not be represented in the one professor-one vote model?

Layton: Honestly, right now, yes, and that was not intentional. I just hadn’t thought about it, because the way it’s written, it is yes because it’s voting members of the Arts & Sciences Council faculty.

Admay: That would radically increase the size of the SS bar.

Rosenberg: It’s easily remedied. Simply identify eligible voters to be in any department which is represented in the Arts & Sciences Council.

Layton: Okay, so, let’s take a look at this. We don’t have to vote on this today but there are various amendments being proposed so how about we make this a pending motion and then we will look at the amendments, maybe vote on the amendments, so that maybe at the end of this meeting or next meeting, we can actually vote on an amended motion, okay? So anyone want to give me a motion?

Rosenberg: You want a motion to adopt this wording?

Layton: Yes, then you can add your amendments. That’s my reading of Roberts Rules of Order.

[The motion was moved and seconded.]

Okay, give me an amendment on it.

Rosenberg: First amendment that the words “with a majority of less than or equal to 60 percent and” may be struck so that it now reads “when the Arts & Sciences Council passes a motion, a petition containing valid electronic signatures of at least 60 percent eligible shall be …” I’m not sure that it makes grammatical sense simply by striking, but the sense that I am proposing is simply that there not be a specific plurality in play or majority.

Layton: Do we want to talk about this?

Moskovitz: Yes, because doesn’t it now say there must be whatever.

Broverman: It says it’s required.

Layton: This is saying there is one necessary condition to start a referendum which is 10 percent vote.
Broverman: Further up it says a faculty vote is required whenever we have a (crosstalk)

Layton: Oh, you’re right.

Moskovitz: Alex so are you suggesting that rather than have a threshold that Council can decide if they want to send it to the faculty?

Rosenberg: No. I’m suggesting that for any action of the Council, there may be recourse to a referendum in part of the fact so that no judgment is required regarding what counts as a narrowly passed motion.

Moskovitz: So how is it decided … what’s the mechanism?

Rosenberg: A faculty member may, by securing 10 percent of the faculty to a petition presenting it to the Academic Council would require a referendum of the entire faculty regarding the action of the Council.

Steve Asher (Psychology and Neuroscience): Is there a time limit for doing this? Alex or anyone else? Is this like you get three months or you get a year and a half? I’m serious.

Rosenberg: That’s an interesting question to which I don’t have an answer.

Munger: It’s probably unsurprising that I have been invited to speak. There are two different philosophical claims here. One is that the general faculty be given a veto over legislation that is passed that is against their will. The other is that there is a general other way for legislation to be passed. That is the referendum and there’s another way to amend bylaws or adopt policies. That second is not part of what we’re talking about, but it could be later added, so let’s put that aside. The question is how to give the faculty a veto over bad action or just incorrect, unrepresentative action? So that means it has to be prompted by the passage of some specific thing that has to be vetoed and then it would have to be followed by some time limit. And it takes a little while to get signatures from 10 percent of the faculty, so we can’t just assume there will be general outrage and it will all happen in two days. So some period would be required to inform, so a month? So some time period to be decided. Any time a matter is voted on and adopted here, and presumably if it is voted down there is no remedial action to be taken, if it’s voted yes, and that’s the start date, two months from that date, it becomes valid or sustained if no 10 percent petition has been received. There’s a question of what happens in the meantime, is it enforced or not, so in basically an appeal process, is it held in abeyance, then we’d also have to have a vote. So it seems to me you’re going to have to wait to have this re-worded. I’d be happy to try to help to re-word it along those lines.

Layton: We need some direction on what we are …

Munger: Well I think we have established that the difficulty is we want to have ability to veto an actual piece of legislation. So the second question we’re going to take up about Alex’s quorum, it’s an enormous burden to expect 50 percent plus one of the entire faculty. That’s really privileging this body…

Rosenberg: It was intended.

Munger: If it’s intended, it’s okay, I just want to make sure everyone else understands. This is much weaker in terms of the ability of the faculty; it requires 21 percent, in effect, so one half plus one percent of 40 percent is all that is required. That would require 50 percent plus one of the entire faculty and it might be hard to get them to vote. If you’re worried, well it may be you intended to privilege the status quo, I just wanted to note that feature.
Rosenberg: I did.

Willard: So I just want to think about the kinds of things we vote on and that includes majors and certificates. So 66 faculty could then … I’m just saying usually we vote on something, we congratulate the folks, it goes into the Bulletin and it’s available for students. So some of the things we vote on, this would cause a temporal issue so just to be aware of.

Rosenberg: I think that good sense can be expected to prevail. Most matters before this Council are not controversial. So in answer to one of Lee’s questions, my understanding, suspicion, belief is that this resolution was motivated by the prospect of the passage of the new curriculum by a very narrow vote and the anxiety that therefore might be produced. Am I mistaken?

Layton: Not necessarily. This was passed on to me three years ago. That was after 2U. So anything that’s a big ticket thing that is passed barely, then you worry about legitimacy. I waited to bring it up until now because, look, we don’t have any big ticket item on the horizon so if you want to change the voting system, this is the best time.

Baker: So the big ticket item and legitimacy … we either pass it by one or even if it comes down to a tie and the chair votes, and it’s 100 percent legitimate. Maybe we should get some polling to show that? I’m still sort of confused in terms of … to me, it’s not about the legitimacy of the actual petition or the motion, it’s about the legitimacy of Arts & Sciences Council because if the faculty isn’t going to give us the authority to make a decision and pass it by one and it’s legitimate, then I think that’s making us less legitimate as a body. It should just be by one majority and that should be it. That’s the process of governance.

Moskovitz: Another question here, going back to Mike’s point which is, let’s imagine we set a one-month deadline for showing up with signatures, then we don’t know until that point that somebody’s planning on doing that, so it seems like we would need to have a short window of a week, three days, or something, with an intent, right? Because unless we have some short window of intent thing, we would have to hold every vote until that period of time to find out if somebody’s going to submit the signatures.

Malone: So when this is re-written, I think Professor Admay made a good point. A lot of attention has to be paid to who’s voting because a lot of our work deals with undergraduate education and what do we have four schools now that are involved in undergraduate education and we have representatives on this body. So just the use of the term “Arts & Sciences faculty vote,” we’d have to be very intentional about who that includes. Do we intend to include Sanford, Pratt, Nicholas, Arts & Sciences, the entire faculty. I’m not arguing about what we should include, but we just have to be very intentional.

Hunt: I think the way it is presently written is not representative of what Arts & Sciences Council represents, specifically the aero, military, and naval sciences would not be included in that language either such as the other institutions as well, so you’re bringing some aggregate of the voting body to what it represents.

Chaves: I’m puzzled. I’m wondering about the rationale for allowing this only for a passed motion as opposed to a failed motion. I don’t quite get why that would be the case. Thinking about the curriculum, a very possible political scenario was for it to fail by a small margin, which could have been very controversial and especially given the disproportionate representation of certain divisions that one could imagine a majority of the faculty could have been in favor of. So I guess I was wondering what the rationale was … it’s kind of back to Lee’s point before about if you’re going to allow a referendum to make policy, why limit it to this narrow thing? I guess a possible rationale is that passing things changes
things and so it’s a bias towards the status quo or something like that. Maybe that’s the answer. I’m puzzled by that.

**Jeff Forbes (Computer Science):** You want it to be simple, you know exactly what you’re doing, and by doing this, you’re not putting anything else in motion, you’re just stopping.

**Munger:** Professor Layton is in a difficult position because this is something she inherited from even before her time on ECASC. I was on ECASC then and this was designed to be an answer to a very specific problem; what if 2U had passed? Well we all know that we hate that (inaudible) a minority but they were convinced that there would have been a majority of others who would come along, so it’s precisely the status quo that changes to the status quo require more consent because we’re already at the status quo and so we have rules that privilege it. So the question was how to try to work this out. I think it’s gone through several iterations and it’ll go through apparently at least one more.

**Layton:** It’s not clear to me the direction this takes?

**Munger:** It might be this is a solution that lacks a problem of sufficient value to worry about.

**Admay:** I’m really trying to think about the point I think you were making about the shadow that this puts over us on any kind of work we’d be doing in Council and that we would know that we were operating in the shadow of this referendum occurring. So at the governance level, I’m thinking back to the curriculum discussion we had and one thing that I thought was really interesting at the governance level then was that some departments took a vote in the department to decide what to do at the department level and then the representative came forward and said, “This is what the department told me to do, it’s not what I want to do,” right? And so if we were to change this in order to include a referendum possibility, we would in fact change whatever the governance models are for the departments. So if a department wants to instruct representative this is how you’re going to vote on these close votes, the department would make a decision as a department and that would involve whatever tradeoffs are happening in the department as opposed to all the faculty at large. I’m just thinking from a departmental point of view how departments would regard this governance change.

**Rosenberg:** I have heard enough considerations about potential complications from this proposal to advocate we vote against the motion and end discussion and fine tuning.

**Layton:** That’s fine with me. I’m hoping to get a bit more directions to …

**Munger:** He’s calling the question.

**Rosenberg:** (cross talk) against it. As Lee pointed out, it’s the responsibility of this Council to act on behalf of the faculty and moves and supports a motion by one vote, it has by majority re-endorsed that policy and that should suffice for the governance of the Arts & Sciences Council. That’s my own view.

**Munger:** Professor Rosenberg is raising a point of order where in effect he’s calling the question and he’s asking that we vote and we vote it down. That means he’s asking you not to table it for the next meeting, if I understand it.

**Rosenberg:** Correct.

**Munger:** He’s asking that it be voted on today and that it be voted down.

**Broverman:** Do you need it to be seconded?
Layton: What is the procedure?

Rosenberg: Generally it’s a non-debatable motion but I think that Roberts Rules is in the present context a guide only to be used in moments of heat and controversy and I’m certainly open to debate on the motion without treating it as a motion.

Munger: If I may, the claim is he thinks we’ve talked about this enough and that we should vote it down and not have it tabled. It is up to you to decide whether you’re going to vote on that or move on to something else

Layton: I say we should move on.

Munger: Well that means you’re rejecting his motion and you’re going to table it. It has to be clear that that’s what you’re doing. You’re tabling it.

Layton: Alright so let’s vote this down as Alex suggested. We have ballots or let’s do it by voice. All in favor?

Rosenberg: In favor of killing the motion?

Baker: The whole kit and caboodle or just your amendments?

Forbes: Are we voting on what’s on the screen without any amendments or …

Rosenberg: We’re voting against the motion without any amendments?

Layton: Do you want to vote against it?

Janan: Can you clarify the vote, please?

Rosenberg: This is a vote to reject this faculty referendum.

Munger: If I may, it is cleaner to say “this has been moved and seconded. We’re going to vote on it.” If you agree with Alex’s proposal, vote no. If you want to take this … (cross talk) The decision is to go ahead with this process, and that might mean you table it, we make further amendments today. The alternative is he called the question on a point of order saying that we should vote no on this. So I would word it a yes means we’re going to continue and a no means you agree with Alex.

Layton: Does discussion mean today?

Munger: We will continue the process.

Asher: It seems to me if we vote yes on this, then we’ve just approved it. We’re going down the path of amending it or maybe improving it, but we’ve just approved it.

Munger: An alternative would be to say we’re going to vote on Alex’s point of order which says I would like to end this discussion and we’re going to vote to table it permanently, so that would be a yes. If we are going to continue it, that would be no.

(cross talk)
Layton: How about this. We’re going to table this and you all think about it. Send me your comments and requests, what you want to do.

Janan: No. I think we should do it the way (inaudible) we should vote on it, not (inaudible)

Layton: Okay. Fine.

Walther: Then somebody has to make a motion and somebody has to second it.

Rosenberg: I make a non-debatable motion that this proposal be rejected and not subject to further amendment.

[Motion was seconded]

Walther: So it’s been moved and seconded. Now what happens.

(?) But the previous one was also moved and seconded.

Munger: This is a point of order and therefore privileged.

Baker: What are we actually voting on?

Moskovitz: Can you go back to the screen where you were typing and type something so people know what it says?

Rosenberg: the motion is to terminate debate and not further discuss a resolution regarding referendum

Layton: for this meeting

(?) No, forever.

Layton: Forever?

Rosenberg: This resolution.

Moskovitz: So if you vote no, that means discussion can continue but you are not voting yes on the proposal.

Rosenberg: Correct.

(cross talk)

Rosenberg: I wish to apologize to my colleagues. I didn’t think that my expression would make the vote so complicated … I just said we found enough problems with this proposal that it shouldn’t be subject to fine tuning and amendment, we should just go back entirely to the drawing board.

Layton: Okay, all in favor of not discussing any further? Opposed? Abstention? The motion to not discuss this proposal passed 22-2-0.

Curriculum Discussion
Layton: Final item: curriculum! A few of you have asked me basically are we gearing up for another big curriculum reform? Has the Council formed a new committee to lead the effort or has ECASC been deputized to do this? The answer is no, no, and no. So ECASC had considered conducting a faculty survey but then it is not clear to us who is in the best position to formulate the questions or analyze the results. What is clear to us is if any curriculum reform or addition is successful, you need to be appreciated by you. So if you or your colleagues have ideas, you need to reach out to us – me and ECASC – and we’ll be happy to discuss … Yes, Micaela?

Janan: I propose a different model which is number one to debate openly amongst ourselves do we want curriculum reform? It seems to me it was never exactly made clear to me what the problems that curriculum reform was supposed to address. And because I didn’t know what the problems were, it didn’t occur to me that that was the only recourse (inaudible). Even the process of that discussion, you have the opportunity to change each other’s minds, to hear objections, to offer criticisms, to offer different ideas about how we go about this in case we do want curriculum reform. At least we’d have a clear idea of what the problems are we’re addressing and determining the methods by which we will gather information to guide us because the institution is set up to gather information and those posing the questions can have an unconscious way of shaping the answers. We want to have as unbiased information as we possibly can and I don’t think individual communications to ECASC allows the opportunity for critique and open discussion.

Layton: So how about we start as you propose. So what do you want to talk about? Do you want to talk about whether there should be a curriculum reform? What the current issues are? Okay. How about we start there? Micaela, you want to tell me what you think?

Janan: The only thing I heard was the students don’t like the curriculum, although it was not clear to me how that information was gathered. If it means a box-checking mentality, I don’t know that curriculum reform is the way to address it. Again, how was that information obtained? Is curriculum the way to address that? That was basically what I heard but it all seemed very fuzzy.

Moskovitz: Just maybe another way to look at it, Micaela. It seemed to me, at least the conversations we had involved some issues that were holistically conceptual about the curriculum and other things that were more piecemeal and could be handled theoretically separately from having some universal decision about philosophy. Like for instance what might happen with first year and if there should be more of a kind of engaged program. Some of those things could be handled completely independently from other decisions, right. Some of the issues with curriculum my own particular interests related to, the writing requirements have real problems that I think have needed to be addressed for a long time that aren’t necessarily only addressed holistically, so I think maybe coming back to Anita’s point, these things might be able to happen simultaneously where if there are people that feel there’s a particular aspect of curriculum that doesn’t require reforming holistically what’s going on, maybe we could advance to the Council those ideas and I think those could also be beneficial because one of the challenges that I saw were there were so many different conceptual things going on in the previous model, it was hard to grapple with all of them and feel sufficiently informed about all of them at the same time and so maybe if there turns out to be more discreet elements to be addressed to see if there are ways of addressing particular problems people have identified in the curriculum, maybe there are proposals that could be brought that the faculty could agree on then at least those pieces could be moved forward and people could be thinking about those things rather than trying to make big decisions simultaneously.

Janan: (inaudible). Discussing this in this body means I get to take it back to my department as a model for …
**Moskovitz:** Exactly. My point was only that people could bring specific issues or proposals of things to work on to this body to be discussed independently of deciding if we should have major reform and what that would involve.

**Willard:** I regret that Valerie’s not here, the Trinity Board is here and Arlie’s been on a development trip. But my understanding of where things stand from Valerie’s perspective is that we were going to engage the chairs in curricular discussion and I have been present at two of those meetings, where Valerie has asked them to go back and look at and have conversations in the departments focusing on what’s working well, what’s not working well and the last meeting, she’s asked chairs to look particularly with the first two years – who’s teaching the courses, who are the best teachers, are students satisfied with their first two years, how does this lead to coherent pathways? So those discussions have just begun in two meetings that I know of, so we’re in a formative – and Leo’s here, other chairs I don’t know, but my understanding is we’re in a formative process now just beginning conversations because many departments have not had conversations about their major and non-major curriculum.

**Leo Ching (AMES):** So we actually went back to the department because even though the department voted against the Blue Print, we actually supported a lot of the conceptualization and the ideas. So what we have been doing now is going back to the Blue Print and actually thinking about pathways, about first year and second year experiences and try to come up with some way that we can actually not just throw away the Blue Print, but use it as a blue print to begin the new conversation because I think it’s very difficult just to individually try to deal with these issues and all write, as somebody said just write an email to ECASC and try to … I think it has to start from the department and open up and maybe bring some of those issues to the Council for further discussion. But I think, at least my department, we are basically going back to Blue Print and we might not be happy with some of the particular issues pertaining to language requirements or writing or what not, but I think people supported the spirit that was behind the revision.

**Janan:** Let me ask when and what’s the most recent chairs meeting because my chair made my department – there may have been a miscommunication – his impression he was being told by Dean Ashby to stand down. The chairs were being told sit on the sidelines …

**Willard:** That’s not correct.

**Ching:** That’s not the message. The message was we’re not going to dictate … you have to take ownership, right? In other words, we start with each department because each department has different priorities and a different sort of relationship to the entire curriculum. We have to think from the department but also from the larger curriculum because it’s not just our department that’s going to be affected. So I think a lot of the back and forth is going to be a conversation as you suggested, but I think that Valerie’s message was very clear that we need to not stay on the sideline but not sort of pretend that nothing has happened but rather have discussions with faculty to see what we’re doing well in the department, what can be improved and maybe that can line up with the larger curriculum issues.

**Janan:** Are they still involving DUS’s? That was early on.

**Willard:** Yes, that is supposed to be the topic of conversation in the DUS Council and the certificate board. So my understanding is this is not a blue print discussion, it’s a discussion of how can we do the best we can for our undergraduates and there are a lot of things we can give short of a major curriculum overhaul. So I think the point was to get faculty involved in discussing their teaching and their program.
Layton: Anything else? Okay. The flexible alternative vote was approved unanimously. You all liked it, so there you go, we got something done. Thank you and I will see you in December.