

Northwestern University
Minutes of the Faculty Senate
Videoconference
November 3, 2021

The Northwestern University Faculty Senate held its standing monthly meeting on November 3, 2021, over Zoom videoconference. President Robert Holmgren called the meeting to order at 5:01 p.m. A quorum was present.

The president noted that the minutes from the October 6, 2021, meeting were approved and entered into the record.

The president then began his report.

The president said there was a discussion at the October Senate meeting regarding gender-neutral bathrooms on campus. He said this matter was referred to the Social Responsibility Committee and they have prepared a resolution for consideration later in the meeting.

On October 19, the president said a meeting of the Faculty Assembly was held. After an address by President Schapiro, a panel discussed NU's COVID response and took questions from attendees. The second half of the meeting was devoted to an introduction and discussion on proposed amendments to the Faculty Assembly Bylaws. Lacking a quorum, the president said this issue has now come to the Senate for consideration.

The president said that Senate leadership held a meeting with Chancellor Rebecca Blank, who was announced as Northwestern University's next President. They discussed a number of faculty concerns, including salaries, staffing levels, and IT support. He indicated it was a very productive meeting.

The president said that all faculty have either received a COVID-19 vaccine or have medical or religious exemptions. Individuals with exemptions take COVID tests twice a week to remain in compliance with the University's guidelines.

The president concluded his report.

The president then opened the floor for questions related to his report.

Senator Kyle Henry asked if there were still regular meetings between the Senate leadership and the Provost Office. The president said the Senate leadership meets with the Provost Office twice a month. Senator Henry asked if a rundown of those meetings could be shared with the Senate. The president said yes and shared a recent concern Senate leaders raised with the Provost Office, which was the disingenuity of only sharing the number of students in quarantine who live on campus as opposed to sharing both students who live on campus and off.

Senator Hannah Feldman asked what concrete ideas were put on the table in the meeting with incoming President Rebecca Blank. The president said Chancellor Blank was sympathetic to the issues the Senate leaders raised, such as the fact that salaries have not been adjusted over a four-year period, how staffing levels and promotions have been hampered by budgetary issues, and how IT has been hit hard with cuts. He said Chancellor Blank was particularly cognizant of the issues with IT having made major advances in that area at the University of Wisconsin. The president added that it was a frank discussion of the issues the Senate leaders felt were important to address, and Chancellor Blank understood why faculty might be concerned. Senator Feldman asked if the cuts to library funds was also addressed. The president said that matter was raised with the central administration at the Fall Summit meeting. Senator Feldman then asked if there was a forum for sharing faculty concerns. The president said emailing him is fine. Senators may also bring issues to their standing committees, he said.

Senator Henry asked if minutes were kept at the meeting with the incoming University President and if the Senate resolutions from last year that have not been resolved were shared with Chancellor Blank. The president said the Executive Committee on the Senate held the Fall Summit with the current

University President and the Provost Office. Resolutions from last year, including the resolutions regarding the removal of retirement benefits, were discussed at the Fall Summit. The president added that the conversation with incoming president was informal given that she was adamant about not interfering with the current administration's work. She merely wanted to gather information to help her be better prepared when she begins later this year.

Senator Ana Aparicio said she is a new senator. She said it might be helpful to share when future (more formal) meetings with the new University President occur and then ask for feedback from the Senate on what issues faculty are most concerned about. The president said that was a great idea. He added that senators can always offer input through their committees because the chairs sit on the Executive Committee, which meets once a quarter with senior administrators.

The president introduced Combe Family Vice President for Athletics and Recreation Derrick Gragg. Dr. Gragg gave an overview of the Athletic Department. The slides for his presentation can be found [here](#).

Following Dr. Gragg's presentation, the president opened the floor for questions.

Senator Luís Amaral said he was discouraged by a few items that were missing from Dr. Gragg's presentation, such as the total budget for the Athletic Department, how much of that budget is spent on football, and where revenue for the budget comes from. Senator Amaral also compared the University's decision to fire and furlough employees at the beginning of the pandemic with the University's decision to raise the salary of the football coach, and he wondered what the parameters used to decide the amount of the football coach's salary. Dr. Gragg said the operating budget is approximately \$110 million. He said he believes that is in the lower third of the Big Ten conference. He did not have specifics on how the budget relates to football, but he did say football typically generates around 80-90% of an athletics budget. He said he was willing to get back with the faculty once he had been on the job longer and had a clear and accurate picture of the full budget. He also acknowledged the tough decisions administrators have to make when it comes to staffing, but understood why they fought to retain Coach Fitzgerald given his standing among football coaches.

Senator Henry asked Dr. Gragg about the efforts the Athletic Department is making to rectify some of the issues brought up during the Cheer Team incident last year, especially related to the three resolutions the Senate passed last year. Dr. Gragg said he has been on campus about sixty days. He said when he was hired they were wrapping up the internal investigation and he was unaware how information from that investigation was supposed to be disseminated. He said they put together several measures based on the recommendations from the report, including providing a more secure and safe environment for the Cheer Team by providing uniformed officers on the sidelines and anytime the cheerleaders are in transit, checking in more regularly with the Cheer Team, and including them in the exit interview process for all athletes. Dr. Gragg added that he would talk to General Counsel about sharing further information from the report.

Past President Therese McGuire thanked Dr. Gragg for joining the Senate and she expressed sincere optimism for his tenure at Northwestern. She said the Senate had shared the resolutions they passed with Dr. Gragg and the administration, and that the University had responded to nearly every measure in those resolutions. Past President McGuire said there was a [15-page letter](#) posted on the Office of Equity's website describing the contents of the internal investigation into the Cheer Team. She then asked about how the Athletics Department might be further integrated into the rest of the University. Dr. Gragg said one example of creating more synergy between the Athletics Department and the faculty was his choice to speak at this meeting. He said it's not often the case that Athletic Directors speak directly with the faculty, and he promised to do things differently. At Tulsa, Dr. Gragg said he had a Most Valuable Professor program that recognized student athletes' favorite professor at games. He also said he would be teaching a class and continuing to listen to all constituents. He said, most importantly, education comes first, always, and that value will not waver under his watch.

Senator Julie Marie Myatt said in her seven years in the Theatre Department she has had two athletes in her classes. She asked how her department can encourage more athletes to take their classes because the student athletes she had in the past were great. Dr. Gragg asked Senator Myatt to please follow up after the meeting with an email because he wants to make sure student athletes can major in the areas

they most prefer. He said sometimes they might need to break down some of the stigmas attached to a theatre class and he said he could use his voice to dispel some of those stigmas.

Senator Lois Hedman said she wondered if Dr. Gragg might review the Committee on Athletics and Recreation (CAR). Her concern was that committee reports directly to the University President, which might undermine transparency. Dr. Gragg said the CAR structure is different from schools he's worked at prior to Northwestern. He said he has addressed this with the committee's liaison to the University President.

Senator Josh Hauser asked if Dr. Gragg could expand on his presentation further by detailing what the Athletics Department is doing to support student athletes for careers after athletics. Dr. Gragg said the [Kabiller NU for Life Program](#) is centered around career development for student athletes. He said it begins their freshman year and steadily supports athletes until graduation. He said one challenge they've faced is getting student athletes to pursue Senator Hauser's profession (medicine). One reason, he said, might be the huge time commitment athletics requires coupled with the arduous challenge of the pre-med curriculum.

Senator Hao Zhang said he has had multiple student athletes in his class and he personally sensed they felt more pressure in their academic work compared to other students, and he wondered how the Athletics Department might support students who are placing a lot of pressure on themselves. Senator Zhang also wondered if the indoor football field is available for tours. Dr. Gragg said yes he would help facilitate a tour and would continue to monitor the other matter.

With no further questions, the president thanked Dr. Gragg for his informative presentation.

The Senate was then presented with a resolution from the Social Responsibility Committee. Senator and Social Responsibility Committee Chair Josh Hauser made a motion to approve the following resolution:

Whereas the University's own Gender Queer, Non-Binary, and Trans (GQNBT) Task Force Report recommended in 2019 in one of its Key Recommendations that '...Northwestern University ensure that University facilities [on all campuses] are safe spaces for trans and gender non-conforming individuals, including ensuring access to all-gender bathrooms', we resolve that, as soon as possible, and surely before the end of the Winter Quarter 2022, that the University's central administration:

- 1) Commit to updating [Northwestern's maps](#) so that they report the number of all-gender bathrooms for every University building (see contributed database [here](#)) and the closest building with an all-gender bathroom from every building;
- 2) Change signage for single stall bathrooms to all-gender, as has been done for some but not all single stall bathrooms on campus;
- 3) Deliver to the Faculty Senate a strategy and a timeline for adding all-gender bathrooms to all under-served campus buildings, ideally with all necessary permitting and construction work finished by end of Summer 2022;
- 4) Prioritize advocating for and surmounting any remaining city or state code restrictions that prevent adding all-gender bathrooms to campus buildings

The motion was seconded and the floor was then opened for discussion.

Senator Henry said he was pleased with the process: the committee's input strengthened the resolution greatly. He also added that stakeholders were very happy with the resolution.

President-Elect Ceci Rodgers thanked everyone for their hard work on the resolution. At Medill, she discovered that there was a separate effort to achieve some of the same goals. Thus, she thought this was a good time to bring this issue to the Senate once again.

Senator Barbara Newman said she is on the committee and glad to see the resolution in its final form. She expressed some concern about the timeline and how much construction was needed. Senator Hauser said it may be aspirational, but he thought it was worth asking for these results.

Senator Amaral said he was unconcerned about cost because using a bathroom is a basic human right.

Senator Henry said that an allocation of resources is related to what the University values. He said that's why he sees this resolution as a moral imperative.

With no further discussion, the senate voted to approve the above resolution from the Social Responsibility Committee.

Senator Mark Witte and Past President Therese McGuire presented the Senate with the [proposed amendments to the Faculty Assembly Bylaws](#). As the president mentioned earlier, these amendments came to the Senate after they were presented at the Faculty Assembly and there was not a quorum present.

Senator Witte gave a brief history of faculty governance at Northwestern. In January 2010, the Faculty Assembly and the Faculty Senate were formed from what was once the General Faculty Committee. The Faculty Assembly Bylaws have not been updated since then, and Senator Witte said that was the reason for the Governance Committee beginning to take a look at them three years ago. He said the Governance Committee made a good faith effort then to begin to better understand the Assembly Bylaws and look for ways they might be improved, like looking at what a quorum means, who are the faculty that should be included, what it means to legislate, if agenda need to be announced a month in advance, etc. By May 2019, the Governance Committee was pretty far along in these changes, he said, until the Office of Administration and Planning asked if they could hold off because the Board of Trustees was working on a revision of the University Statutes and did not want to revise the Statutes again. Earlier this year, the Office of Administration and Planning gave the go ahead and then the Senate leadership worked with the Office of Administration and Planning, the Provost Office, and General Counsel on another draft. Finally, the Governance Committee, Senator Witte said, voted to approve the changes in April 2021. The Faculty Assembly then received the proposed amendments a month in advance of its meeting in October. But, since the Faculty Assembly failed to make quorum, it now is up to the Senate to decide on the proposed amendments.

Past President McGuire then went article by article through the proposed changes and presented [rationale](#) for why each change was made. President McGuire then introduced former Senate President Baron Reed and former Governance Committee Chair Laurel Harbridge-Yong.

Professor Reed said that as Senate President he was one of the individuals pushing for changes to the Faculty Assembly Bylaws to be made. The immediate impetus, he said, was finding a way to have librarians represented in the Faculty Senate. It turned out to be difficult because the definition for Senate membership was set by the Faculty Assembly. He said they then discovered how cumbersome it was to change Faculty Assembly Bylaws. Unfortunately, he said the Faculty Assembly is not a very well designed body, and one of its problems is how difficult it is to amend. He said he was at the last Faculty Assembly meeting and he heard the objections to what was being proposed, but he had a different perspective coming in as a former Senate President. The Senate President is tasked with leading the Faculty Assembly, he said, and during his administration they made a good faith effort to increase attendance and participation, by, for example, changing the time and day it was held, providing different programming options that might be of interest to faculty like conversations with the Provost and panels on different themes, and even had catering. None of this worked, he said, and it became clear that achieving a quorum was nearly impossible. Therefore, he said, the Faculty Assembly could not be considered a functional legislative body with such little and sporadic attendance. In Professor Reed's view, the only two things the Faculty Assembly is good for is serving as a direct line of communication between the administration and faculty and as a body that can convey the full force of faculty opinion on simple questions, such as if a straight up or down vote is needed. He said the Faculty Assembly would have to be well in excess of the current quorum (10% of full-time faculty, or 408 faculty members in 2021) in order to play the latter role. He also claimed the Faculty Assembly is effectively undemocratic. If there is a quorum, a simple majority, or barely over 5% (200) of the faculty, can speak with the force of all full-time faculty members, which means it is not a direct democracy as some have claimed. Another point he made is that in direct democracies, when the issue is nuanced and complex, the results can be difficult to get around. He used the Brexit vote as an example. Shared governance, he said, should be grounded in deliberation, and the Faculty Assembly simply does not provide a space for continued deliberation like the Faculty Senate does with its standing committee structure, staggered three-year terms, and continuous detailed policy work.

Professor Harbridge-Yong said she is a member of the Political Science Department and that she served as Chair of the Governance Committee during the 2018-19 academic year. She recapped the origins of this proposal shared earlier in the meeting. When she was initially working on this proposal with the Governance Committee, there were two areas she felt were housekeeping: getting faculty titles right to ensure all full-time faculty were included and corrections to Senate-related titles that didn't match in the Assembly Bylaws. The third set of revisions she said was where the disagreement then and now emerges as faculty thought about the purpose of the Faculty Assembly. Her recollection was committee members were aware that removing the line "ultimate legislative body" would be potentially controversial and certainly a substantive change. They worked through questions about whether the Senate, which has elected representatives from each department, was a better forum for governance than the Faculty Assembly, which only needs 10% of the faculty to speak for the other 90%. Professor Harbridge-Yong said the majority of the committee viewed removing the line "ultimate legislative body" as a warranted and practical change given how difficult it was to interpret language. However, she stated that she believed the characterization of such a change as housekeeping rather than substantive misrepresents what, in her view, is a substantive change. She also said there is some overlap in what the Governance Committee was working on in 2018-19 and the current proposal. But, during her tenure the committee was not involved in changes about the purpose of the Assembly in Article 1 and the addition of the term "nonbinding." She said the disagreements between the two sides—for and against the proposed amendments—boils down to interpretive differences. Professor Harbridge-Yong said she has colleagues who read "ultimate legislative body" as a check on the Senate. Conversely, there are those in the Senate, she said, who rightfully point out that the Assembly does not legislate. She also pointed to a similar rift in the term "nonbinding." She argued then for more time for faculty to go back to their departments to deliberate these amendments further.

The president thanked those who presented and then opened the floor for discussion.

Senator Amaral said the Faculty Assembly is essentially a dead body, and he understood that people in the Senate have spent a lot of time and energy trying to keep it alive. He wondered if there is a better use of the faculty's time than keeping the current structure going. He said senators need to do more to

listen to faculty by running a survey. He expressed concern about faculty participation being valued by the administration. He said it would be more useful for the Senate to think about ways to truly listen to faculty.

Senator Henry said he saw several paths to moving forward. He recommended separating housekeeping changes and substantive changes into two separate drafts. He also said colleagues of his don't see why the term "nonbinding" needs to be spelled out if it is implicit. Colleagues also mentioned to him their concern that the University President might not have to attend Assembly meetings.

President-Elect Ceci Rodgers said she appreciated the presentations from Professor Reed and Professor Harbridge-Yong. She said removing the phrase "ultimate legislative body" is housekeeping in her mind because the Assembly cannot legislate except to change its own Bylaws. All the Assembly can really do is recommend, and she said that function is still preserved in these changes.

Senator Ezra Getzler said he didn't see any reason why the word "nonbinding" could not be removed. He also made a clarifying statement: the Faculty Senate, in addition to its co-signing the Faculty Handbook, also awards honorary degrees and therefore has a second important legislative function. He then made a motion to remove the phrase "nonbinding recommendations and."

The motion was seconded and the president then opened the floor for discussion.

Senator Witte said there is confusion about whether these resolutions are binding or not. Since there was confusion, the insertion was intended to correct that.

Past President McGuire spoke against the motion. She said the phrase "nonbinding" clarifies a fact rather than leaves it open to interpretation.

Senator Feldman said the confusion about the term "nonbinding" should be deliberated further. She said however, as a new senator, she was surprised so much time was spent on this topic rather than other more substantive issues.

The president then noted that the meeting was scheduled to end in two minutes and a motion would either need to be made to extend the meeting or adjourn the meeting and return to the item raised by Senator Getzler in January.

A motion was made and seconded to adjourn the meeting. The Senate approved that motion and the meeting adjourned at 7:01 p.m.

Respectfully submitted,

Jared Spitz

Secretary to the Faculty Senate