Northwestern University Minutes of the Faculty Senate Guild Lounge and Videoconference April 12, 2023

The Northwestern University Faculty Senate held its standing monthly meeting on April 12, 2023, in the Scott Hall's Guild Lounge and over Zoom videoconference. President Ceci Rodgers called the meeting to order at 5:02 p.m. A quorum was present.

The president noted that the minutes from the March 8, 2023, meeting were approved electronically and entered into the record.

The president then began her report.

In their bi-weekly meeting with the Associate Provost Sumit Dhar and Provost Kathleen Hagerty, the president said the Senate leadership received the following updates:

- For the current Salary Equity Study, the Provost's Office is convening a focus group
 for the NTE salary equity study to identify any unique or additional variables that
 should be considered beyond the data being compiled for the tenure-line study. The
 focus group will be drawn from the Faculty Senate's NTE committee and the
 Organization for Women Faculty's NTE Committee.
- Separately, the president said the Provost's Office is commissioning an independent study of childcare resources at Northwestern, which is expected to be completed over the summer. The Senate's Salary and Benefits Committee under Chair Bob McDonald has been in close contact with the associate provost for faculty to track the university's progress on this issue. She said the Salary and Benefits Committee in 2018 issued a report that found there was room for improvement in Northwestern's childcare options when compared with its peers.

• The NTE Committee under Chair Anne Waller is working to improve communication between NTE reps and their constituents. To that end, the Senate requested and received a current contact list of benefits-eligible NTE faculty for each school. She said that in many schools, it simply isn't clear which faculty are NTE, based on their titles on the school websites. The NTE school representatives will have access to their school's contact list, which should improve two-way communication.

The president said a call for candidates for the positions of Faculty Senate President-Elect will be made at the May meeting. Senate Bylaws state that the Executive Committee functions as a nominations committee, and may bring one or more nominations to the Senate floor at the penultimate Senate meeting. Nominations may also come directly from the floor. She added that all candidates must prepare a written statement to be distributed to the Senate prior to the June meeting.

Beginning next week, the president said emails will be sent to departments and schools up for a senatorial election. Faculty senators serve a three year term with the potential for a second. She said senators in a department or school with an upcoming election—along with their chair or requisite associate dean—will be notified. Elections should be complete by the June meeting. She also requested senators in those departments do everything they can to help shepherd this process along.

Lastly, the president addressed a concern about the level of discourse at the last meeting. One of the Senators used the F-Bomb while addressing Sarah Klaper, the director of the Ombuds Office. The profanity was used in support of the office. She said some of those present may not have noticed it was used at all. However, other faculty and administrators did notice and found the use of the profanity offensive.

The president reaffirmed the Senate's commitment to free speech, engaged discussion, and debate. She stressed that the Senate must also be committed to high-quality discourse that is reasoned, respectful of others, and effective within the institution, which also is why the Senate is not just an

expressive forum, and why the Senate follows Roberts Rules of Order and relies on committees to prepare proposals for sound deliberation.

The president said it was noteworthy the f-word was used during the presentation from the Ombuds Office. She said that office exists in part because it was first proposed by the Senate, which then lobbied heavily for its creation for several years, and was directly involved in its design and the hiring of its director. She said that was an important policy achievement in an area where the Senate had no legislative authority. She added that the Senate should be proud of that, and that it also was achieved because of the stature of the Senate as a deliberative body representing faculty values and interests—a reputation that the Senate should not take lightly or diminish by allowing the erosion of decorum.

She ended with a statement affirming the principles that support speaking together and asked that in the future all senators respect the rules the Senate has agreed on and at all times maintain a courteous tone.

The president concluded her report and opened the floor for questions.

Senator Luis Amaral said that Robert's Rules of Order seems to carry an inordinate amount of importance. He disagreed with that opinion claiming there are other ways to run a constructive meeting. He added that Robert's is used to silence contrarian opinions and that it stifles discussion.

The president said the Faculty Senate's own Bylaws state that meetings will follow Robert's Rules of Order.

The president then introduced Peter Barris, Chair of Northwestern's of Board of Trustees.

Mr. Barris thanked the Senate for the invitation. He also said he recognizes and values the time senators take to serve as representatives of the faculty, and he expressed appreciation for their service.

Mr. Barris said he recently took over as Board Chair this academic year. He then gave brief history of how he got to where he is now. Mr. Barris said he grew up in Chicago, moved briefly with his family to Ohio during high school, before enrolling at Northwestern, where he studied electrical engineering and was involved in many activities across campus. He then shared his history in the

corporate world as first an executive before moving on to venture capitalism. His investment firm, New Enterprise Associates, has been an early investor in many prominent companies, including Groupon, Salesforce, WebMD, and the parent company of TikTok. Mr. Barris said he also serves on several other boards, including the Brookings Institution, a Chicago-based company named P-33, and Incutel. He said he also serves on the McCormick Advisory Board, but he and his wife have likewise supported the Bienen School of Music, undergraduate scholarships for Chicago Public School students, and other areas. He said he has served on Northwestern's Board of Trustees since 2001. He was Vice Chair of the Board for eight years, notably leading the Presidential Search Committee that ultimately chose current University President Michael Schill.

After giving that background, Mr. Barris turned his attention to Northwestern and its Board. He said Northwestern is thriving, and that faculty continue to drive Northwestern's success. He recognized the talented and diverse undergraduate classes year over year, and noted the admittance rate, which will be at approximately 7% this year, the most competitive in University history. He also acknowledge Northwestern's top 10 U.S. News and World Report ranking and its global ranking, which is between 24-32 depending on the ranking system. Mr. Barris expressed excitement over the growth of sponsored research, the importance of which he said cannot be understated given the University's role in a healthy democracy. Northwestern's education of the next generation is moving the world to a better place, he said. The Board understands this importance, and it remains one of the primary reasons Trustees want to serve at Northwestern. Mr. Barris said Northwestern, once a good university, is now a great university. He stressed that Northwestern's ambition now is to become an iconic university.

Mr. Barris then spoke about the Board's priorities. He said the Board's primary focus will be supporting President Schill's development and implementation of the strategic priorities he sets for the University. In March, he said President Schill presented a preliminary plan to the Board that was very well-received. The Board's role, Mr. Barris said, is to understand and implement President Schill's vision. In terms of budgetary oversight, he said that the administration sets the overall operating budget at the University—the Board reviews and ultimately approves that budget. The process begins by looking at key drivers like tuition rate, endowment payout, and compensation growth, amongst many others, he said. The administration then works with leaders at each of the schools to determine what the overall budget for the University will be, and this takes place in the

Resource Planning Workgroup, which the Chair of the Faculty Senate's Budget and Planning committee serves on. Mr. Barris said the Board's Finance Committee is there to support the administration in this planning process throughout the year. Mr. Barris added that the Board approves key elements that impact the operating budget, like a responsible endowment payout guideline, which operates under the principle of intergenerational equity. He said the Board is also very involved in setting tuition and room and boards, and setting associated fees. Overall, he said it is a combination of administration planning and Board oversight.

Mr. Barris then spoke about capital priorities, which, similar to the operating budget, is set by the administration and approved by the Board. He said the Board's Education and Properties Committee provides counsel on the campus master plan and major capital projects. The Board considers factors such as long-term campus planning, various needs for new or renovated spaces, budget and scope, the building's design and how it fits with campus architecture, and ensuring the campus has adequate utilities and other infrastructure across campus. A key component of this, he said, is funding. The Board set in place guidelines for fundraising and gift "cash-in-hand" requirements before a capital project begins. Mr. Barris said these projects reflect the Board's commitment to research, academics, and students, including the buildout of Mudd Hall, the Jacobs Center renovation, and Ryan Field.

Financially, Mr. Barris said the University is in reasonable shape. He said the University should break even or perhaps have a small surplus. Nonetheless, he said the Board is intent on funding the various priorities President Schill is working on. In that regard, a merit pool for faculty and staff continues to be a priority of President Schill for the FY2024 budget. He said he also is aware of the Provost's Office's undertaking of a salary equity study, which will inform decisions related to salary.

Additionally, Mr. Barris said the Board's Executive Committee has been attentive of the research enterprise. Vice President of Research Milan Mrksich recently presented to the Board, focusing on scale, eminence, and impact in research at Northwestern and how Northwestern compares to its peers. During the March Board meeting, the Chan-Zuckerberg Biohub was announced, a collaboration between UChicago, University of Illinois, and Northwestern. He said he sees the power of the advancement of the research ecosystem in Chicago and how it benefits all the institutions involved.

Mr. Barris said student mental health, well-being, and success remains a top priority for the Board. He said the Board is gravely concerned about the downward trend in student mental health. He said they are finding ways to continually understand this trend and, importantly, how Northwestern can respond to it.

Mr. Barris noted the Board is carefully watching the Supreme Court's decision on Affirmative Action. He said the Board's Executive Committee will be discussing the implications of that case, and, regardless of the case's outcome, how to continue to foster diversity on campus.

For athletics, which Mr. Barris said is an integral part of Northwestern, the Board continues to focus on Big Ten realignment, the implications of changes to Name, Image, and Likeness rules, and the advent of the transfer portal and collectives.

Another area the Board is focusing on is undergraduate financial aid, a topic at the Board's last Executive Committee meeting, Mr. Barris said. He noted that Northwestern is an outlier with regard to allocation of undergraduate aid from unrestricted dollars (operating funds, not endowed funds). He acknowledged the incredible strides in significantly improving financial aid, but he stressed the Board's attention to the implications on the budget and how to manage that going forward.

Mr. Barris said the Board continues to grow internationally, and likewise continues to develop Northwestern's international strategy.

Mr. Barris said the Board is in the midst of a program review. He said the approval and implementation of these findings will be a catalyst for advancing the University's mission. Moving forward, he said they intend to do more frequent reviews. The process begins with an analysis of pure Board data and review of peer institutions. On the latter, he said the Board spoke with other Board members at Stanford, Johns Hopkins, UChicago, Duke, among others, about their structure, their practices, and their challenges. They also conducted a survey and focus group within the Northwestern Board. The review can be described, Mr. Barris said, in terms of purpose. He said the Board has a governance role, a philanthropic purpose, an ambassadorship purpose, and bringing different disciplines to the table for key decisions. He admitted Northwestern's Board is large compared to others. He said this structure has served the University well to date, but that doesn't mean changes won't be made once the review is complete. For example, he said they are considering

making committees smaller. Also, the Executive Committee is getting a close look at its charter and overall format. Mr. Barris added that the Board is looking to deepen its skill inventory and to diversify in order to operate at an optimum level. He said they will also strive to be transparent about leadership roles and how they are determined at the Board level.

The president then opened the floor for questions.

President-Elect Regan Thomson asked if the Board would be willing to share with the Senate the major changes they made after their review is complete. Mr. Barris immediately agreed to do so. He said he views the Senate having knowledge of how the Board operates as a positive thing.

Senator Jon Guryan asked if Mr. Barris could share a little more about the fundraising related to the Jacobs Center and what the potential timing will be for that capital project. Mr. Barris said he doesn't have a lot of insight into where NU stands in terms of fundraising for the Jacobs Center renovations. He said, however, he is aware of initial discussions for contributions. But when those will be complete is unclear.

Senator Barbara Newman asked what options Northwestern might have to maintain and increase diversity if the Supreme Court does strike down Affirmative Action. Mr. Barris said Northwestern intends to maintain its diversity no matter the decision, but he's not familiar with the specifics of what actions the University could take to ensure that outcome. President Schill was in attendance and said the University has a working group determining potential next steps. He added that it will be difficult because using income and geography are not foolproof options to ensure a racially diverse class.

Senator June McKoy suggested Northwestern review how it approaches legacy admissions in each of the schools. In Feinberg, she said they are looking at language as a method of admissions, and she suggested the broader University also consider that. She stressed how vital it is for the University to not give up despite the challenges it may face if the court strikes down Affirmative Action.

Senator Amaral said transparency is extremely important. Yet, he said there is a lot of information the faculty does not know about the Board of Trustees. He listed examples like not knowing how many charter trustees there are, who serves on the Board's Executive Committee, who chairs the different committees, or even what committees the Board has. He said this information is crucial for

accountability, and with that in mind, he asked if the Board is considering changing its approach to information sharing. Mr. Barris said he, personally, is all about transparency. Mr. Barris was even more frank: he wasn't aware the information Senator Amaral listed was unavailable to faculty. He said could not think of a reason to keep such information hidden. He also promised to share these facts with the Board for further consideration.

Senator Martin Lariviere asked for Mr. Barris' impression on the current state of relationships between Northwestern and its employees, in particular its faculty. Mr. Barris said the financial crisis the University endured followed by the quick succession into the pandemic created enormous challenges. He said he is aware of consternation around pension withholdings and what's being done about salary competitiveness. He said he also knows salary is a top priority for President Schill. Mr. Barris said he knows there's concern and dissatisfaction on these kinds of topics, but he hopes there is also a lot of pride among the faculty regarding what the University has accomplished in recent years.

Senator Fred Turek said he believes the Board to be quite transparent—he searched the names and titles for each of the Board members before the Senate's luncheon with the Board last November.

Senator Mark Witte said faculty have to sign conflict of interest forms stating what they do outside the University and for the University. He asked if the Board has to do the same. Mr. Barris said the Board has very strict policies regarding conflict of interest, particularly as it pertains to investments. He said there is a policy that any conflicts have to be reported by the Trustees, and if a Trustee is investing in, for example, technology that is an outgrowth of something done at Northwestern, then the University goes through a detailed process to ensure there is no conflict. He said the endowment has invested in funds Trustees may be partners in and there is another process to ensure there is no conflict there. Mr. Barris said they've designed systems to avoid conflicts as much as possible and to alert them immediately if a conflict does arise.

With no further questions, the president thanked Mr. Barris for joining the Senate.

The Senate then considered a resolution concerning reducing death of migrating and non-migrating birds from Social Responsibility Committee. Senator Celia O'Brien offered some <u>background and</u>

<u>insight</u> into the committee's process. A motion was then made and seconded to approve the following resolution:

WHEREAS Northwestern has expressed a strong commitment to sustainability and sound environmental policy;

WHEREAS Evanston's City Council adopted a Bird Friendly Building Design Ordinance in September 2022, which proposed new buildings adopt measures such as plastic film on windows to reduce their risk to birds;

WHEREAS Judy Pollock, president of the Chicago Audubon Society and member of Bird-Friendly Evanston, has stated that some of Evanston's most dangerous buildings for birds were built on Northwestern's campus;

WHEREAS the Associated Student Government's Sustainability Committee's October 2022 Petition to Make Mudd Library Bird Safe notes that "Every year, over 700 birds are killed or injured by flying into buildings at Northwestern as they migrate in the fall and spring. This is because birds do not understand windows; when they see a reflection of a lake, trees, or sky, they believe they can safely continue flying;"

WHEREAS patterned plastic film with dense enough patterns reduces bird collisions by discouraging birds from trying to fly through the gaps;

WHEREAS the ASG's Sustainability Committee's October 2022 Petition to Make Mudd Library Bird Safe has received "857 student signatures for the petition, 35 of which were submitted on behalf of a student organization" and the ASG Senate passed resolution on legislation on February 2023 aiming to reduce bird collisions with Mudd Library;

WHEREAS Northwestern University expressed a commitment to implement strategies to reduce bird collisions on campus in its "Bird-Friendly Action Plan" updated in March 2019, and has installed bird-friendly measures at Ryan Fieldhouse, Walter Athletics Center, Kellogg Global Hub, Frances Searle, and Segal Visitors Center landscape plans;

WHEREAS bird-friendly measures have yet to be taken at Mudd Library and the Allen Center, despite a study showing they are among the top three buildings with the highest recorded collisions;

WHEREAS research on effective ways to reduce bird-building collisions is evolving;

BE IT RESOLVED, that the Faculty Senate requests the university take immediate steps to install bird-friendly window film at Mudd Library and the Allen Center as soon as resources are available, to utilize inexpensive stop-gap measures while waiting for said resources to be available, and to undertake regular reviews of the effectiveness of the bird-friendly measures approximately every five years to ensure Northwestern remains a committed steward of the Lake Michigan migratory bird flyway.

The president then opened the floor for discussion.

During discussion, there were three friendly amendments proposed and accepted: remove "window film" and replace with "measures", change "Mudd Library" to "Mudd Hall," and remove the word "inexpensive."

The Senate then approved the following resolution:

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Following that, the president asked if there was any new business.

Senator Amaral said he drafted two resolutions he sent to the Senate's Executive Committee prior to this meeting, and that he expected the resolutions to ultimately be sent to committee given their complexity. However, he also wanted to share the resolutions with the Senate before then. The first

resolution concerns staffing in the ombuds office. A motion was made and seconded to discuss what follows:

WHEREAS the Faculty Senate has strongly advocated for the creation of the Office of the Ombudsperson (hereafter 'the Office');

WHEREAS the University's leadership was responsive to the Senate's recommendation and hired an outstanding individual to head the Office;

WHEREAS the Office has been a tremendous success and is clearly meeting a need;

WHEREAS the Office is inadequately staffed to meet the demand for services;

BE IT RESOLVED, that the Faculty Senate requests that the leaders of the University make every possible effort to promptly add two Assistant Ombudsperson positions at the Office.

The president then opened the floor for discussion.

President-Elect Thomson said the specificity of the number of people being added was what gave him pause.

Senator Amaral said he is perfectly happy with a change to a less specific number.

Senator Guryan said it strikes him as strange for the Faculty Senate to be considering adding to one part of the University and not the other. He said there are lot of areas where faculty presume there could be more staff, but it doesn't seem appropriate the Senate to be weighing in on such matters without doing a full evaluation of what all the needs are across the campus. For that reason, he said he was opposed to the resolution.

Senator Witte said he did not think it was inappropriate for the Senate to consider this office given that it advocated for its creation and it's such an integral office for faculty's relation to the University.

Senator Amaral agreed with Senator Witte. He added that this is an individual who serves the entire University.

Senator Newman said she shared Senator Amaral's sense that Ombudsperson Klaper is very effective. She then asked if the Office of the Ombudsperson is having a program review anytime soon. President Schill said he didn't know what the exact schedule for review of that office, but since it is brand new, he doubted it would be reviewed in the near future. He echoed Senator Guryan's comments about the complexity of staffing and the difficulty for the Senate to see the whole enterprise.

On a different topic, Senator Uttal spoke about awarding tenure to new deans. He said the SESP faculty had less than 24 hours to vote on his tenure. He said that violated bylaws, processes, and the spirit of tenure. Nevertheless, since it was such an excellent candidate, he said everyone voted in favor of tenure—he made very clear he thought the individual deserved tenure. Still, he wanted to make clear that important and appropriate review measures should be taken.

Senator Amaral then made a motion to vote on the ombuds resolution. The motion was seconded. The president then opened the floor for discussion.

Senator Mark Johnson said he thought there wouldn't be a vote on this. As a general rule, he questioned items being brought up so recently without asking his constituents.

President-Elect Thomson said that an item brought up during business typically needs deeper review. He said a senator can make a motion to send to committee for further review.

Senator Amaral said items being voted upon should be sent at least two weeks in advance so senators have time to discuss with their constituents.

Senator Mark McCareins made a motion to send the resolution to committee. The motion was seconded and approved without discussion.

Senator Amaral then began discussion on a second <u>resolution</u> related to the Board of Trustees and its compliance with University Statutes. He passed out hard copies of a report he did on the Board, and also shared it over email. He said the Board does not list Charter Trustees—who they are, how long they've served, what committees they serve on, etc.—on their website. He also reiterated his

earlier point about the lack of sharing Board committee membership on the website and stressed how the non-disclosure of these items contributes to a lack of transparency and accountability. He also pointed out the irregular size of the Board compared to other institutions. He said he wanted to discuss these points and did not expect the resolution to be voted upon that evening.

Past President Bob Holmgren said the Board Chair just spoke to the Senate and stated his commitment to transparency. He said he was one of the seven faculty members on the search for the new University President, and he lauded Mr. Barris for his transparency during that process. He said the Senate should give the new chair a chance to consider their review and respond after that.

President-Elect Thomson echoed Past President Bob Holmgren's comments. He added that his general take on resolutions is to gather information first before the Senate brings it to the floor for discussion.

Senator Newman agreed with President-Elect Thomson's statement. She said she does not believe the Senate should pass what amounts to a vote of no confidence in the Board of Trustees. She did thank Senator Amaral for keeping the Senate on its toes. She said she thought it might be useful to share the portion on non-compliance with the program review committee so they may consider these issues without having to pass a resolution. She also thought the Board could expand their website to add more information given that the Chair of the Board just stated he was all for transparency.

Senator Amaral said he sees the wisdom in what has been shared. However, he said he is worried the Senate is being reactive rather than proactive. He views the Senate as a place where faculty refine the values of the University and then communicate those values to other parts of the University. He then questioned why the Senate wasn't more concerned about this seeming lack of transparency. He said it was not a personal criticism, but an expression of what the faculty expects.

Senator Penelope Deutscher said, as a new member, she's had a very positive experience with the committee structure this year, as a mechanism for reflection, efficiency, and patience. She said the Educational Affairs Committee worked through the difference between calling for additional resources and calling for a review of adequate resources. She said she welcomed that process, and

that she welcomed the suggestion that, except for urgent measures, it's good to utilize the committee structure.

Senator McKoy said she is concerned about the resolution's current framing, in that it lacks nuance and tends to be overly negative. She said a resolution like this could cause a chasm between the Senate and the Board, which she thought would be a shame given that she believes both sides are working towards the good of the University.

Senator Uttal said that during the program review process there usually is an outside group that comes in. He suggested, if that is the case, then senators or Senate leadership could meet with them and share their concerns.

Senator Johnson said the resolution seems to have more questions than answers. He said they are good questions that he wants to know the answers to.

President Schill said he did not see this as a big issue. He said the Board Secretary could join the Senate and explain how the Board operates. He also suggested waiting until the changes that are taking place go into effect. He said that who sits on the Board, and who votes, should be known.

Senator Amaral said he finished his report last summer. Then he sent it to the Board and several others. He said he hoped the Senate would have found answers by now.

Senator Julie Marie Myatt said this was the first time she had been in person to a Faculty Senate meeting since the pandemic began. She said she appreciated Senator Amaral's passion for these issues, but she felt he was hijacking meetings this year. She said that on the heels of the pandemic, there is so much to be done at the University. She asked for all to assume best intentions because there are many people in the room who represent even more people, and they all have a commitment to Northwestern. She hoped we can work together and move forward.

Senator Jack Tumblin said he sees some legitimate questions in the resolution that could be answered in committee. He likewise wanted to know the answers to these questions. The website, he

said, does not have any information on Charter Trustees. He thought actions to improve the transparency were worthwhile.

Senator Thrasos Pappas said he believes it is important, one way or another, for the faculty to give some input, before decisions are made, to the Board during their review process.

Senator Newman said it is a valid point that composition and structure of the Board should be in compliance with the University Statutes. She said there are two solutions to that—reform the structure or reform the Statutes.

The president then asked if there was any other new business. Seeing none, the meeting adjourned at 6:57 p.m.

Respectfully submitted,

Jared Spitz

Secretary to the Faculty Senate