

American University of Beirut
Minutes of the University Senate
Meeting of Friday, December 19, 2014

Present: H. Abu Khuzam, M. Ahmad (on invitation), M. Al-Ghoul, T. Amin, G. Araj, V. Araman, S. Chahine, A. Chalak, A. Dallal, Z. Dawy, J. DeJong, P. Dorman (chairing), I. El Hajj, N. Farajallah, E. Hitti, H. Huijjer, N. Hwalla, D. Jaalouk, S. Jabbour-Khoury, D. Jamali, S. Harb, H. Huijjer, S. Kanj, A. Kayssi, V. Khamis, P. McGreevy, H. Muhtasib (on invitation), H. Muller, W. Nasr, L. Nasreddine, T. Nizameddin, I. Nuwayhid, M. Salameh, S. Saleh, M. Sayegh, E. Shamma, M. Suidan, A. Yassine (on invitation), S. Zeineldine

Absent: B. Bashour*, M. Clinton, H. Diab, A. Dietrich,* F. Maalouf, A. Taher*

(* = regrets notified before meeting or on leave)

The meeting came to order at 2pm.

1) Approval of the minutes of November 28, 2014 The minutes of November 28 were approved with a minor amendment.

2) Observing a moment of silence

The President read a statement about Dr. Peter Heath, former Provost at AUB. A moment of silence was observed. Dean Suidan read a statement about Professor Pierre Azoury, former Professor in Engineering and the Department of Fine Arts and Art History, FAS. A moment of silence was observed. Dr. Lokman-Meho read a statement about Ms. Nawal Mekdashi Naamani, librarian at AUB. A moment of silence was observed. The President requested that the statements be sent to the respective families.

3) Chair's report

The President reported that the Policies and Procedures Review Committee (PPRC) had been reinvigorated and was co-chaired by N. Ghaddar and D. Baba with two faculty members, A. Abdulrahman and E. Hitti. The committee members have revamped procedures and its framework and developed a 20 page document on its own governance. They are categorizing policies and identifying champion and implementation offices. They have gathered information about the dates policies were initiated and last reviewed and how often they should be re-examined. The focus is on university-wide policies and ensuring there are no contradictions across policies. Secondly, concerning the long-term disability issue, the President reported that the administration had issued an RFP for all aspects of insurance. The current policies have been in effect for 5 years so it was timely to review them. Calculations of costs of offering these to faculty, staff and students will then be made. In discussion, a senator reminded the Senate of a motion the previous year that was unanimously approved to have two elected faculty members on the PPRC. While E. Hitti is a senator, A. Abdulrahman is not. Discussion followed about the lack of mechanism for electing members from the faculty-at-large. There had also been a suggestion that the SCFA chair and SSC chair serve as ex-officio on this committee. After some discussion, it was agreed *as an*

Action to take the issue to the SSC to recommend how to designate faculty representatives/Senators to this committee.

Another senator asked about whether faculty members' travel on vacation or on leave is covered under AUB insurance. The President stated that since AUB is not covered under the provisions of the U.S. Affordable Care Act, it is not compelled to do so.

4) Proposal from the Registrar for the 2015-16 academic calendar, winter session

M. Salameh presented the winter session dates for January 2015 and 2016 and noted that in January 2015 on a trial basis AUB would offer four courses. He stated that the advantages of offering the winter session were that it allowed students to make up for a missing or failed course. The January 2015 session will include 17 teaching days and a maximum credit load of 3 credits. The system will be available as of January to handle these four courses and arrangements have been made with the comptroller. A motion was made **to approve the calendar and proposed framework for the winter session 2015**. In discussion, concern was expressed that adding a winter session was equivalent to adding another semester and might detract from students' time for reflection as well as possibly mean less academic rigor in courses offered. Dean McGreevy stated that he would only approve certain types of courses for the winter session and would not allow faculty to teach a full load in the summer and regular semesters in addition to the winter session. Another senator noted that it is quite typical for universities to have this flexibility. Another cautioned that students may use this semester to circumvent a regulation that they cannot take less than 12 credits in regular semesters. The President stated that this is merely a framework and it is up to departments and Deans to decide whether courses are appropriate in this session. The Provost noted that this teaching would be outside of regular faculty loads. A revised motion was proposed **to accept the framework proposed by the Registrar to initiate 3 week winter session courses with specified deadlines and a maximum of 3 credits for students in 2015 on an experimental basis**.

Vote 2015-15: The motion was approved 22, with 6 no votes and 3 abstentions.

5) Proposals from the Academic Development Committee:

a) New department of Industrial Engineering and Management

Z. Dawy, on behalf of the Academic Development Committee, stated that at its November 19 meeting the ADC had approved the two proposals under consideration. He made a motion **to establish a department of Industrial Engineering and Management** and introduced Dr. A. Yassine, coordinator of the program. The latter noted that the program currently has 9 full-time faculty members and offers three academic programs and therefore it is appropriate to consider it as a department. Dean Suidan clarified that what was being requested was the credibility of a department and that there are no cost implications. A senator asked if there will be a required ethics course, and Dr. Yassine replied that there is an in-house ethics course. Two senators from OSB expressed concern about some overlap with the management side of OSB which Dr. Yassine said had been addressed.

Vote 2015-16: The motion was approved unanimously.

b) New department of Chemical and Petroleum Engineering

Z. Dawy then introduced M. Ahmad, coordinator of the program. He explained that the program has what is required for a department including 8 faculty members, high demand for student enrolment, a high level of research output, and that both autonomy and shared governance were important. A

motion was made to approve the proposal. Dean Suidan noted that they already had their own budget, but this would give them more autonomy.

Vote 2015-17: The motion was approved unanimously.

6) Tenure

The President stated that he will convene a special session of the Senate in January before the regular January Senate meeting to discuss tenure.

7) Budget process and presentation

The Provost gave a powerpoint presentation on the process being undertaken by the budget committee of determining a budget in light of multiple priorities. The process started in September 2014 and is due to conclude in May 2015 with the final approval by the BoT. There had been five presentations to the committee by different units. Hala Muhtasib then gave a presentation on enrolment on the process being undertaken to link enrolment management to the budget. She noted that historically enrolment increases had been budget-driven rather than being based on strategic decisions, and that enrolment projections were prepared after budgetary assumptions had been made. In 2014 AUB had 8432 students (an increase of 1000 undergraduates from 2006), and 87% of these students are in FAS, FEA and OSB. Last year there had been a drop of about 100 freshman applications, so AUB had to increase the acceptance rate, but overall the quality of the pool was not compromised. AUB has a sophomore retention rate of more than 90% which is higher than other institutions. The objective of the process being undertaken is to align the budgetary and enrolment timelines and to advise the budget committee with an expected minimum and maximum number of students. In response to a question from a senator as to whether the freshman retention rate had changed since AUB included qualitative information in applications, H. Muhtasib responded that it was too early to assess. President Dorman stated that the next presentation to the Senate related to the budget would be on benefits, and that the task-force on faculty compensation would finish its work by early January. In response to a query from a senator about the impact on the three largest faculties' teaching resources, given cost increases, the President and the Provost underlined the importance of the process of budget revision and that it is an opportunity for faculties to defend their needs systematically. The Provost noted that the challenge is to aggregate the data meaningfully. A senator expressed concern that financial aid had not increased at the same rate as tuition; the President responded that 400 students are fully covered, and that the financial aid budget had increased from 13 to 32 million dollars in 4 years. He stressed that those who cannot afford AUB tuition rates should still be encouraged to apply. In response to a comment from a senator as to why the AUBMC is not represented on the budget committee, Dean Sayegh stated that AUBMC has a separate budget and its own finance group. S. Chahine stated that is he is chairing a committee on common budget items or allocations between AUB and AUBMC, and one of the things it will examine is the reason for suspending the allocation system in the last two years. Dean Sayegh explained that AUB and AUBMC operate on different business models that are consolidated at the level of the Chief Finance Officer and presented to the BOT as a unified document. AUBMC pays all bills that have invoices but then, in addition, there is a system for allocating joint expenses across campus and AUBMC.

8) Open Letter to Administration (version of 11/12/2014)

The President stated that the letter had been discussed at the Board of Deans and he and the deans take exception to some of its wording, particularly implying inaction on the part of the administration.

He argued that the issues should be dealt with on the same evidence-based approach faculty members take to their research. He then provided a point by point reply to the issues raised in the open letter (contained in a statement subsequently circulated to the AUB community in an email of December 19, 2014) (see appendix). He concluded by saying that the accreditation body had stated that the AUB is a model university and in full compliance with all federal regulations. He expressed respect for the quality of the faculty and the need for the administration and faculty to work together towards self-improvement. A. Kayssi commented that there is wide agreement on 4 out of 5 of the issues raised in the open letter, with the remaining issue being the faculty contract. A protracted discussion then ensued about the nature of the difference, which lies in the specification of the benefits which are “locked” by the contract. Senators expressed the view that while education and housing are secured for the duration of faculty contracts, HIP and retirement plans, while available to faculty, were not. A senator asked why the administration does not accept the version of the contract approved by the Senate, but both the President and Provost responded that it would not be acceptable to the BoT as it impinges on their legal and financial responsibilities. Another senator asked whether it was possible for those signing new contract to use the last version both sides agreed on. Another senator took issue with this wording, arguing the version had been parachuted by the BoT and not mutually agreed. It was pointed out that the October 2014 version reflected a year and a half of negotiations between the administration and faculty representatives. The dilemma persisted about how faculty joining AUB, as well as those signing new contracts or those who reverted to the old contract, could benefit from interim gains in the wording of the contract. A senator asked if the administration is open to continuing the negotiations. Dean Sayegh made **a motion (that was seconded) to allow the President to reinstate the faculty contract which was the latest version approved by the BoT and establish a task-force to investigate further revisions focused on the issues of HIP and retirement. It was pointed out that this motion is effectively rescinding a previous motion that passed in the November 28, 2014 senate meeting and requires a 2/3 vote. The motion was not voted on due to lack of quorum.**

The meeting was adjourned at 5:10 pm.

Minutes recorded by J. DeJong, Secretary of the Senate

APPENDIX

December 11, 2014

Open Letter to the Administration

The past few years have seen a steep deterioration in Faculty satisfaction with the management of University affairs. To this day, the University is operating without a sound and integrated budgeting plan, the Faculty remains without a mutually agreed upon contract (let alone tenure), and sensitive internal data continues to leak to third parties. Senior officers brought much harm to the University through poor legal advice (e.g. VP Legal Affairs on Faculty Contracts), bad practices (e.g. COO on AUB’s planned Cisco deal), allegations of

corruption (e.g. KPMG's investigation of AUBMC), conflict with students (e.g. over 40% tuition fees increase in 4 years), and direct violations of privacy rights (e.g. Internal Auditor's mishandling of AUB Exchange data, and "AUB Leaks"), to name a few.

Faculty members, in all goodwill, tirelessly worked with the Administration to help address issues of effective shared governance, job security, fairness in compensation, transparency, and accountability (e.g. Senate Committee on Faculty Affairs, Faculty Working Group on Data Privacy, Tuition and Budget Committee, Tenure Task Force, etc.). Faculty members worked patiently to provide constructive comments and recommendations, and shared them in private communications, in open letters, in town hall meetings, through the Senate, and with the Board of Trustees. Yet, Faculty concerns remain largely unanswered, and Faculty demands and efforts continue to be ignored.

The way the Administration is handling Faculty Contracts is upsetting. Negotiations dragged for more than a year and a half only to abruptly end with an administrative ultimatum: either "our contract" or the old (current) one. While the latter contains demeaning language and allows termination without cause, the former allows the Administration to change Faculty benefits, including health insurance (HIP) and retirement plans (Plans A/B) without notice, without Faculty consent, and within the limited duration of the contract. These, of course, are unacceptable, prejudicial, and offensive. Faculty representatives in the Senate thus recommended a slightly modified contract template that locked HIP and Plan A/B benefits for at least the duration of the contract (Senate vote 28-11-2014: Unanimous in favor, 6 abstentions). Yet, the Administration continues to reject the Senate's recommendation, and wants to coerce the Faculty into accepting its contractual terms.

Furthermore, Faculty members are deeply concerned by the opacity of the University budgeting process, and have yet to see the Administration's transparent and full account of past, current and future budgets of AUB (Campus and AUBMC). The Senate has communicated the necessity of curtailing cost and waste, especially administrative. A "Tuition and Budget Committee" was set up in the Spring term of 2014, and after reviewing some available data, recommended immediate savings of several million USD. We have yet to see these recommendations implemented.

The recently published [Accreditation Report](#) to Faculty, Administrators, Trustees, and Students (2014) applauded Faculty for their contribution to the University, but directed attention to three outstanding administrative issues that require resolution before March 1, 2016: 1) the University's position on tenure, 2) Shared governance with Faculty, and 3) Integrated and sound budgeting. As is abundantly clear, the University's reputation and accreditation are at stake, and as such, the Faculty cannot remain silent or sidelined, and actions must be taken.

Consequently, we, the undersigned Faculty of the American University of Beirut, call on the AUB Administration to respect our rights as key stakeholders in this University, and to:

- 1) Present the University draft budget for 2015-2016 for discussion during the Senate meeting of February 27, 2015, and clarify how the recommendations of the “Budget and Tuition Committee” were addressed.
- 2) Redress the injustice whereby administrators are paid above the US median, while faculty members are paid well below. The Administration should commit to adjusting Faculty salaries, and share with the Senate its plan to do so during the Senate meeting of February 27, 2015.
- 3) Follow through the recommendations of the second Tenure Task Force, and make the adoption of tenure a key strategic goal for the University.
- 4) Uphold the recent Senate vote on Faculty Contracts (November 28, 2014), and show appreciation of the Faculty by committing not to alter key benefits without Faculty consent, and for the duration of their contract.
- 5) Hold all persons responsible for the repeated breaches of data privacy accountable, and provide regular updates on the integrity and security of the IT environment to the Faculty. The Faculty must be concretely reassured about the security of their data.

We are deeply concerned for the welfare and future of our institution, and are saddened yet angry to have been forced to this threshold. We believe that the financial standing of AUB is threatened by current spending, and fear that delays in addressing the concerns of the Accreditation Report will threaten the reputation and academic standing of this University. We, as Faculty, cannot remain idle, and we will take all the needed steps to protect the University, and to protect our rights as Faculty and partners in the good governance of this institution.

Administration’s Response to the Open Letter

December 19, 2014

Dear AUB Faculty,

At this afternoon’s Senate meeting, discussion was held on an open letter to the administration that was previously circulated to the faculty at large, and I write to you now, together with the Board of Deans, the senior administrative body of the University. Before addressing the specifics of the open letter, let us first affirm our utmost respect for AUB’s diverse and talented faculty. AUB is known, above all, for the superior educational experience it provides our students and the quality of its medical care. This speaks specifically to the caliber of those of you who teach, research, practice medicine, and participate in the administration of the University. We are proud of the achievements that we continue to make together to advance AUB’s mission in Lebanon and the region.

While fully respecting the rights of faculty members to advocate for the University's improvement and for their professional interests and welfare, we feel it is important to hold such discussions to the same standards of evidence to which we hold ourselves in academic discourse. In this regard we take exception to several of the assertions in the open letter. We are compelled to write because we believe that the interests of AUB are not best served by misinformation, conjecture, or imputations of inaction when so much is being done to address most of the concerns noted in this statement.

First, the exhaustive investigation ordered by the trustees, through independent legal counsel and a forensic team from KPMG India, has failed to discover any evidence that would support allegations of corruption at AUB or AUBMC. Second, the actions by the University Auditor have been assiduously aligned with current policy guidelines. As the Senate knows, the development of the Privacy Policy has been a step forward in refining those guidelines and is in response to the recommendations of the Faculty Working Group on IT Data Privacy, convened by the President. Third, it is inaccurate to say that the administration has been unresponsive to faculty concerns. In fact, in the open letter, the authors and signatories detail a partial list of committees, task forces and work groups that were convened by the administration—in the spirit of shared governance—to ensure faculty participation in addressing substantive issues affecting faculty members and their colleagues across AUB. Fourth, the administration has adopted and implemented the vast majority of recommendations of the University Senate and Faculty Task Forces over the last years. [link: [Senate Vote Logs 2007-present](#)] In particular, the Task Forces on Tenure and Faculty Compensation have been charged by the President in direct advocacy of faculty members' work and legitimate concerns on these issues.

The five major issues listed in the statement are in fact being addressed by the administration, often with full participation by members of the faculty. In most instances, they require intensive collective effort and patience before we can move forward.

1. University Budget - The Budget and Tuition Fee Commission appointed by the President last year was an ad hoc committee with a limited brief, and was focused on proposing suggestions to moderate the tuition increase. It deliberated for just one week and then delivered several recommendations. By implementing some of the Commission's realistic recommendations and adopting other measures, it was possible to introduce a modest tuition increase for the current fiscal year.

Following debates last spring about the university's budget, the administration also committed to developing a rigorous budgeting process that is transparent and provides opportunities for participation and input by the University community. A 19-member university-wide Budget Committee started intensive work in September. Along with several sub-committees, the Committee has been making steady progress, and is expected to generate a comprehensive and evidence-driven budget that better aligns planning with budgeting. Although this process commenced before we received the review report of the Middle States Commission on Higher Education (MSCHE), it will help meet the recommendation of the MSCHE. [links: [Budget Committee charge and composition](#) and [Budget Calendar](#)]

2. Faculty Compensation - Late in the spring semester of 2014, a Task Force on Faculty Compensation comprised of faculty and administrators was created by the President to study faculty compensation (salaries *and* benefits) and to benchmark AUB's compensation scale against international and regional standards. The Task Force has done extensive work and is expected to finish its report and present its recommendations in early January. The committee will propose a three- to five-year compensation plan and will also recommend a compensation policy. The documented findings and recommendations of this Task Force will be shared with the university community and will propose ways of addressing the concerns of faculty related to compensation. We invite you to read the Task Force charge. [link: [Task Force on Faculty Compensation charge and composition](#)]

3. Tenure - More than two years ago, the Tenure Task Force was charged by the President to assess tenure and the impact of its reintroduction at AUB. The Task Force finished an initial draft of its report and recommendations in the fall of 2013. The report has since been discussed with trustees, in the Board of Deans, and with the faculty at town hall meetings. The discussions will continue in the Senate. The trustees will be further discussing the report this winter and plan to bring these discussions to a conclusion no later than the spring of 2016, thereby satisfying the MSCHE recommendation of resolving the tenure question, one way or the other, within the context of shared governance. Again, we invite you to read the charge of the Second Task Force on Tenure as well as its report. [links: [Second Task Force on Tenure charge and composition](#) and [Report of the Task Force](#)]

The prospect of reinstating tenure at AUB is far more significant than many of the issues raised in the open letter. The current administration initiated the process, has advocated for tenure with trustees and faculty, and is ready to bring it to the trustees this spring. If AUB reinstates tenure, it will instantly raise the University's academic profile as an institution willing to take distinctive decisions based not on expediency but rather on its long-term commitments to liberal arts education and innovative research.

4. Faculty Contracts - The administration has been engaged in good faith negotiations regarding faculty contracts with significant results to date. The suggestion that the administration confronted faculty with an ultimatum on the benefits issue is unfair and untrue. The scheduled vote on the contract was postponed twice (May and October of this year), when members of the Senate or Senate Steering Committee and the Senate Committee on Faculty Affairs requested more time to reflect on the terms; the vote was then placed on the agenda of the Senate meeting of November 28.

Only weeks prior to that meeting, however, faculty negotiators, for the first time, proposed added wording to the paragraphs on the health and retirement plans that would unacceptably limit the trustees' fiduciary responsibilities and legal mandate for the long-term sustainability of university operations. The President personally explained to the faculty negotiators—and, as the minutes of the November 28 meeting show, to the members of the Senate as well—that these final proposed changes were not acceptable. Nonetheless, the senators voted in favor of the added wording. Otherwise, most of the requests made by faculty representatives were accommodated, and we believe the second version of the contract is dramatically better than the older one.

To honor the hard negotiations that have taken place between faculty and administrators, and exercising his prerogative regarding Senate actions, the President has decided to instate the draft contract template of October 23, 2014, minus emendations, as the operative faculty contract going forward, a decision that is unanimously supported by the undersigned Board of Deans. This version, for the first time, contains listed benefits that are guaranteed for the duration of the contract, including both housing and education. While locking in these interim gains for the faculty, the President remains open to discussions concerning alternate wording for the health and retirement plans.

5. IT Security – There are many international examples of major universities (Harvard, Yale) and companies (Sony Pictures) that have had their IT systems penetrated or their data compromised. A motivated hacker can penetrate even the most elaborate and sophisticated cyber-defense system. The administration responded immediately to the recent theft of proprietary documents from AUB, and is conducting a criminal investigation by a highly experienced external cyber-forensics team. The university is rigorously investigating all aspects of the breach and its implications. The administration can assure you that the spirit and the letter of the Senate-approved Privacy Policy are upheld at AUB. It is fully committed to ensuring that our network is as secure as technology and resources will allow.

We conclude by noting that the periodic review of AUB’s accreditation status across all fourteen standards covering administrative, financial, and academic spheres, asserted in unprecedented terms that “AUB is a model university, and in many ways.” MSCHE also confirmed that AUB is in full compliance with all accreditation-relevant federal regulations, an emerging and challenging aspect of the accreditation process. [links: [Periodic Review Report June 2014](#) and [MSCHE Peer Reviewers’ Report](#)] Let us not ignore these encomiums, as we also dedicate ourselves to self-improvement. The way forward is through collaboration and a shared vision of proper university governance, which this administration has done its best to champion.

We share your abiding loyalty to AUB and a commitment to upholding the legacy of excellence that we inherited. We believe the road forward is best traveled in the spirit of cooperation, collaboration, and coordination. This administration will continue to engage faculty and students in issues touching on their interests and wellbeing, in the certain conviction that together, we are AUB.

Peter Dorman, President

The Board of Deans

Ahmad Dallal, Provost

Mohamed Sayegh, Vice President for Medical Affairs / Raja N. Khoury Dean of the Faculty of Medicine

Hassan Diab, Vice President for Regional External Programs

Richard Brow, Vice President for University Advancement

Patrick McGreevy, Dean of the Faculty of Arts and Sciences

Nahla Hwalla, Dean of the Faculty of Agriculture and Food Sciences

Makram Suidan, Dean of the Faculty of Engineering and Architecture

Iman Nuwayhid, Dean of the Faculty of Health Sciences

Salim Chahine, Acting Dean of the Suliman S. Olayan School of Business

Huda Abu Saad Huijjer, Director of the Hariri School of Nursing

Talal Nizameddin, Dean of Student Affairs