

**American University of Beirut**  
**Final Minutes of the University Senate**  
**Meeting of Friday, November 24, 2017**

**Present:** M. Abiad, H. Abou Araj, A. Abu-Alfa, F. Abu Salem, E. Al-Chaer, I. Baalbaki, B. Bashour, J. Chaaban, A. Chalak, A. Chehab, Z. Dawy (by invitation), L. Daouk-Oyry, H. Diab, N. El-Cheikh, S. El Fakhani, W. El-Hajj, Z. Ghazzal (for M. Sayegh), D. Gubara, M. Harajli, C. Harb, A. Harutyunyan, S. Harvey, E. Hitti, H. Huijjer, M. Jurdi, R. Karami, A. Kayssi, F. Khuri (chairing), P. McGreevy, N. Melhem, H. Muller, W. Nasr, T. Nizameddin, I. Nuwayhid, A. Olabi, S. Sadek, E. Shamma, R. Sharara-Chami, A. Shihadeh, S. Zeineldine

**Absent:** N. Dumit\*, G. Kanazi\*, S. Kanj-Shararah\*, M. Sayegh\*

(\* = regrets notified before meeting)

The meeting came to order at 2:02 p.m.

**1) Approval of the minutes of October 25, 2017**

The minutes were approved with minor amendments.

**2) Report on the Board of Trustees meeting of November 2017**

The President explained that one of the main purposes of the November meeting is to lay the groundwork for the January and March meetings where the focus moves on to such issues as hiring and promotion. There are many smaller meetings in November and a wider range of matters are addressed. The President noted that the International Advisory Committee made several recommendations in light of the current political situation in Lebanon and the region. He also complimented Dean Nadia El-Cheikh on her address to the board on the role of women at AUB. Finally, the President reminded the Senate that this BoT meeting was the very first one which included a faculty representative and invited Dr. Salah Sadek to make some remarks. Dr. Sadek said his experience was generally positive and that the Academic Affairs Committee seemed to value his contributions to the discussion.

**3) Appointment and term of Chairpersons**

Dr. Eveline Hitti of the Faculty of Medicine (FM) brought up an issue to the Senate that had been discussed at length on the Senate Steering Committee during the 2016-2017 academic year. She began by noting that it is common practice in FM to do advertised searches, involving both external and internal candidates, for department and program chairs and that this is not the standard practice in some other faculties. Dr. Hitti encouraged the Senate to discuss how chairpersons are selected across AUB in an effort to identify the best practices. She then gave a brief presentation which highlighted the search methods and term limits for chairpersons at several prominent faculties of medicine in the U.S. (see appendix I). During the discussion, a Senator from the philosophy department said that in their field selecting a chair from the current members of the department was very much the expected way of doing things, and that when a department does advertise a search for a chair, it sends a clear signal that the department is dysfunctional and needs someone to come in from outside to fix its problems. Dean El-Cheikh said that this was also the case in the field of history and she went on to note two logistical hurdles with advertised external searches: (1) they are expensive, and (2) the question of whether a new line would need to be opened up to accommodate the newly hired chair would have to be addressed in each case. Dr. Hitti remarked that the fact that advertising an external search sends a signal of dysfunctionality

might not be a prohibitive consideration in all cases because the fact of the matter is that there are some dysfunctional departments and programs at AUB. She added that some very large departments might be best served by someone with substantial administrative experience and it might be that there is no such individual among the current faculty. Another Senator stressed the positive role that grooming internal leaders can play and explained that he attended a good workshop in New York focused on developing orientation and training programs for newly appointed chairs to be done before their terms begin. The President said that another variable is how chairships are viewed in different parts of the university: in some departments they are seen as a burden while in others they are seen as opportunities to push research in new directions and perhaps as a stepping stone toward a career in academic administration. So carrying out external searches for chairs could be a recruitment asset, at least in some fields. The President also said that he has heard from chairs at AUB who feel they are asked to take on lots of responsibilities but often feel that they do not have sufficient authority or resources to adequately discharge those responsibilities, so perhaps it would be optimal to look for ways to further empower chairs. **A motion was made to set-up a task force to assess the current practices of selecting chairs at AUB, to look for opportunities to find a better balance between responsibilities and authority for existing chairs, and to assess whether we should develop an internal leadership program. Vote 2018-12. The motion was passed unanimously.** Dr. Hitti and Dean Nuwayhid agreed to co-chair the task force.

#### **4) Update on GA appointments, duties and remunerations**

The chair of the Graduate Council, Dr. Zaher Dawy, gave a presentation to the Senate on the ongoing efforts to find a way to better utilize the available funds for supporting and subsidizing graduate study at AUB (**see appendix II**). The Provost emphasized that this is not a new effort but, rather, one that has been in motion since the inception of the new administration two years ago. Dr. Dawy acknowledged that there has been increased awareness, and scrutiny, of this process since the decision in May of 2017 to remove the GA stipend, but encouraged Senators to see this as an ongoing and multi-tiered process and directed attention towards the three years of data that has been collected on graduate student workloads. During discussion, a Senator from MSFEA expressed concern that his faculty admitted 35 highly qualified applicants to their graduate program but since there were only 13 GA-slots available, they lost many of those applicants to other universities. The President and the Provost said that the total number of GAs in MSFEA is actually up this year, so the issue was with an increased number of new admissions. The Dean of MSFEA concurred about the total number of GAs being up, but said that the issue was complicated and agreed to meet with the concerned Senator in another forum so that the discussion could proceed. Another Senator asked about the way the cost of giving GAs to students were depicted in Dr. Dawy's presentation to the Senate. As a GA is primarily a tuition remission, if there are open spaces in the relevant graduate classes, then additional GA-supported students can be added at no additional cost to the university. And, in fact, not allotting more GA slots can have the unforeseen and unanticipated effect of raising costs. The Senator gave the example of the computer science department. When they have a good graduate student for whom there is no GA to offer, they will try to find them a TA-ship or some other way of making AUB's fairly costly tuition more manageable. But in such a case, AUB hiring a TA is an additional cost whereas granting a GA to a student who will enter classes that have open space for them is not an additional cost. The President said that one of the administration's major initiatives was based on faith in the faculty that he now worries may have been misplaced. When the annual research budget was raised to \$4,000,000 one of the hopes was that faculty members would write research proposals which would include meaningful and relatively well-paid work for graduate students. A Senator said that not all departments have access to, or need for, research grants; as many scholars in the humanities do their research in archives and libraries. The President

replied that the lack of research grant applications from faculty in the humanities was of concern to the administration. A number of Senators expressed the worry that the administration was operating with a conception of research that was inapplicable to some fields. The President reiterated his view that faculty in the humanities should be applying for research grants and noted that multiple calls for grants specifically for such faculty had been sent out, with very little response.

Another Senator asked why the Senate was not informed of the decision to remove the GA stipend before that change was enacted. The President replied that the strategic reallocation of the \$600,000 from graduate student stipends to faculty research funds was in the budget presentation in April 21, 2017. Several Senators said they did not recall this being covered in that meeting. The President said that it was indeed in the presentation, remarked that no one discussed it, but reiterated that it was there and suggested that Senators could go look at the pdf slides from the presentation if they wanted to verify this. The secretary of the Senate noted that this was not possible, at least by looking at the minutes posted online, since in the discussion of what should and should not be included minutes, it was decided that specific budgetary information would not be included. Another Senator asked to see the slide from Dr. Dawy's presentation on the GA and GRA policies and asked about the strike-through in the phrase "Fellowships covering tuition remission and stipend in the form of graduate assistantships...". Dr. Dawy said that after the change in policy, that slide had to be changed to reflect the current policy. Another Senator held up a print-out from the university's webpage on GA and GRA policies, noted that on that page the words "and stipend" were removed from the phrase "Fellowships covering tuition remission and stipend in the form of graduate assistantships..." on May 5, 2017. This Senator went on to say that making such a policy change without going through the proper procedures, including bringing it to the Senate, was a violation of AUB's policies on changing policies, and asked the Provost why his office did not follow the established procedure. The Provost replied in two ways: first, he said that he did not know there was a rule saying proposed changes to policy needed to be brought before the Senate before being implemented and, second, he emphasized that all his work on this issue had been done in good faith and he objected to the implicit accusation of underhanded activity. At this point the President invoked his privilege as chair of the meeting to table this issue in the interest of leaving time to get to other important matters, such as tenure. He also urged the members of the Senate to try to avoid taking a pejorative tone when asking questions about why things were done in a certain way. He said this Senate has the opportunity to get a lot of important work done, but it will not be able to if discussions keep devolving into squabbling and allocations of blame.

#### **5) Approval of amendments to the Bylaws of the Faculties as approved by MSFEA**

MSFEA Associate Dean Ayman Kayssi explained that two of the four changes were made necessary by the introduction of the program in Biomedical Engineering, one is needed to accommodate the name change to Maroun Semaan Faculty of Engineering and Architecture, and the fourth is intended to create an employment rank in MSFEA above Instructor for individuals with many years of experience but without a terminal degree (**see appendix III**). In response to a question from the President, Dean Shihadeh made the clarification that there is no route from the position of Senior Instructor to either of the two ranks of Lecturer or any of the three ranks of Professor, as all five of those are reserved for holders of terminal degrees. **A motion was made to approve the four sets of changes to the bylaws of the faculties. Vote 2018-13. The motion was passed unanimously.**

## **6) Update on the first cycle of the tenure process and implementation guidelines**

The President and the Provost gave this update jointly. They said that 107 in-post and eligible full Professors have applied for tenure in this first year of the process, their application dossiers have been distributed to appropriately qualified external referees, and a meeting of the UPTC has been scheduled for March 7<sup>th</sup>-10<sup>th</sup> in New York during which the tenure applications will be discussed and recommendation to the BoT will be made. They explained that the President, the Provost, and all the academic Deans have also submitted tenure applications and that those will be processed before those of the in-post full Professors. This is made necessary by a procedural constraint: only a person with tenure can recommend another person for tenure. Finally, the President addressed the decision to overturn the previously agreed upon rule that members of the TDC were not to apply for tenure during this first round. AUB's legal consultants argued that not allowing them to apply amounted to a form of unfair discrimination and could potentially expose the university to legal challenges. The BoT agreed with these arguments. Some of the TDC members did decide to apply for tenure this year and some did not. In the course of discussion, the issue arose of where tenure applicants might be able to go if they have a grievance. The President said that we can't set up a separate grievance committee made of AUB faculty for this first cycle, because then you'd have non-tenured people assessing the grievances of applicants for tenure. He expressed hope that a subset of the UPTC might agree to serve the function of a grievance committee should the need arise.

## **7) Other Business**

A Senator raised the issue of the Dean's warnings recently given to thirteen graduate students. He said he was glad to see the letter from the Board of Deans (BoD) earlier that day which announced the decision to remove the secondary punishment of removing the GAs from those of the thirteen who had one. But he asked why the Dean's warnings themselves were not removed, and expressed the view that these warnings still amounted to disciplinary over-reach because they appeared to be targeting students for what was essentially expressing disagreement over policy via peaceful protest. **A motion was made for the Senate to recommend to the President, the Provost, and the Dean of Students that the Dean's warnings to the thirteen students be removed.**

During the discussion, the President stated for the record that the Dean's warnings were not given to students for protesting but, rather, they were given for (a) not getting permission to set up the tent in the first place, (b) setting up the tent anyway, and (c) not removing the tent after being told to. The Senator took issue with all three of these points. He said (a) the idea of an "approved protest" is practically an oxymoron, (b) bringing in temporary shelter to facilitate a sit-in is a recognized method of civil disobedience, and (c) the Dean's warnings and disciplinary actions were issued 90 minutes after the order to remove the tent was given, allowing students little time to comply. Some Senators expressed disagreement with the proposition that erecting a tent should be classified as an exercise of free speech. There was a substantial amount of debate on this point but no consensus was reached. Another Senator said that she felt she did not know all the relevant factors that went into the administration's decision to remove the tent, that we have no reason to assume that the decision was not made in good faith, and concluded with a request for the administration to elaborate on the decision to remove the tent. The President thanked the Senator for this request and emphasized that this was the first time in this contentious process that anyone had thought to ask him why he had made the decision. Some Senators expressed confusion at this claim, in light of the fact that an email was sent from the Office of the President explaining the rationale for the decision. The President, Provost and Dean of Students said that not all of the relevant factors were disclosed in that email, and that this withholding of information was done for the sake of prudence and safety. The Provost said that many undergraduates had come to his office

to complain about the protesters' shoes being on the ground outside the tent because this looked uncivilized. The Dean of Students reiterated that no action was taken against any students for protesting and that the issue pertained to the tent and the students in the tent. He said there were multiple incidents of students passing by the tent and making rude comments and the students in the tent responding aggressively. So removing the tent was, in part, motivated out of a sense of concern for the safety of those in the tent. Some Senators said they thought that concern seemed inconsistent with the issuance of the Dean's warnings. Another Senator asked, if the issue was the tent not being taken down and there were two people in the tent, then why were thirteen Dean's warnings issued? A second Senator pointed out that this was explained in the email from the President's office. The head of security had made a list of those students who were involved in setting up and maintaining the tent during the week that it was up. The first Senator said this sort of clandestine information gathering by security personnel felt ominous. Another Senator said that we have a duty to educate our students to be social and political activists and that the sense of fear around this incident works against that goal. This Senator had talked to good students who had decided to drop out of the protest movement out of fear of losing their GA funding. The Dean of Students spoke against the motion saying that, if passed, it risked setting a precedent for students coming to the Senate asking for an intervention each time a disciplinary sanction was issued. Several Senators reiterated the view that setting up a tent is not an act of speech or legitimate protest and that it violated university rules. Another Senator said that the sympathy he had for this protest movement had dissipated when he read the statement the group issued in response to the letter from the BoD. He characterized the student group's response as irresponsible and unnecessarily aggressive.

A Senator said she felt there was consensus on two points: (1) that the refusal to take down the tent was a violation, and (b) that a Dean's warning was a disproportionate sanction for that violation. **A substitute motion was made for the Senate to recommend to the President to ask the Dean of Students to reconsider the Dean's warnings to the thirteen students in pursuit of an appropriate balance between the severity of the punishment and the nature of the infraction.** Dean Harvey spoke in favor of the substitute motion, saying that it is important that the Senate makes a statement not as a fractured body, but as a unified one, and that he could not vote in favor of the original motion because it effectively set the Senate against the BoD and the rest of the administration. A Senator said that the Senate is a fractured body right now, with one group being very concerned about an instance of summarily silencing voices of dissent and another group opting to value order and rule enforcement over freedom of speech. Dean Shihadeh spoke in favor of the original motion, stating that passing it could be part of a process forward that had been put into motion by the BOD statement issued earlier in the day which vacated the harshest aspect of the sanctions. He stated that passing the resolution now would allow the Senate to affirm that student activism is a normal feature of a healthy university campus, and that following the passage of the resolution, faculty members close to the students could help bring this chapter to a close by advising the students to appeal Dean's warnings. A Senator spoke in favor of the substitute motion saying that students need to understand that there are consequences to violating university rules and that passing the original motion would encourage an anarchic atmosphere. A second Senator emphasized that the Senate is a weak body in that all it can do is make recommendations and that there is no obligation, on behalf of the President or any other administrator, to comply with those recommendations. In other words, our actions are basically symbolic and, in light of that, we ought to try to make the clearest symbolic gesture we can. The Senator added that the substitute motion is muddled and weak and would not send a very clear message, so he recommends the Senate approve the original motion. Dean Nuwayhid spoke in favor of the substitute motion with the

caveat that Dean’s warnings are discussed in the BoD and that there was a healthy discussion about this issue the first time around and that this discussion and debate would continue during any reconsideration of the warnings. The secretary of the Senate read out both the substitute motion and the original motion. The President explained that, by our rules of order, we must vote on the substitute motion first. If the substitute motion passes, then the process comes to an end. If the substitute motion is defeated, then we will vote on the original motion. **Vote 2018-14. The substitute motion was passed by a vote of 22-10-2.**

The meeting was adjourned at 6:40 pm.

(Minutes recorded by H. Muller, Secretary of the Senate)

**Appendix I:** Appointment and term of Chairpersons



2- CHAIR  
APPOINTMENT POLIC

**Appendix II:** Update on GA appointments, duties and remunerations



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**Appendix III:** Amendments to the Bylaws of the Faculties as approved by MSFEA



AmendBylaws.pdf