

**American University of Beirut**  
**Minutes of the University Senate**  
**Meeting of Friday, November 28, 2014**

**Present:** H. Abu Khuzam, M. Al-Ghoul, T. Amin, G. Araj , V. Araman, H. Artail (on invitation), S. Chahine, A. Chalak, M. Clinton, A. Dallal, Z. Dawy, J. DeJong, A. Dietrich, P. Dorman (chairing), I. El Hajj, N. Farajallah, , N. Hwalla, D. Jaalouk, S. Jabbour-Khoury, A. Jaffa (representing VP Sayegh), D. Jamali, H. Huijer, S. Kanj, A. Kayssi, V. Khamis, F. Maalouf, P. McGreevy, H. Muller, W. Nasr, L. Nasreddine, T. Nizameddin, I. Nuwayhid, M. Salameh, S. Saleh, E. Shamma, M. Suidan, A. Taher, S. Zeineldine

**Absent:** B. Bashour\*, H. Diab, S. Harb\*, E. Hitti

(\* = regrets notified before meeting or on leave)

The meeting came to order at 2pm.

**1) Approval of the minutes of October 31, 2014** The minutes of October 31 were approved with a minor amendment sent earlier via email.

**2) Updates**

**a. Update on BOT Meeting**

The President briefed the meeting about decisions made at the recent BoT meeting in New York. Two new trustees were appointed – Deedee McMullan Corradini and Charif D. Souki. Two faculty appointments were approved, one in FHS and one in FM. The change in name of the Civilization Sequence Program to Civilization Studies Program was approved. The faculty workload policy was approved. In answer to a query as to whether it was renamed teaching workload policy the President stated that it had not been as was in line with other institutions. The audit report for fiscal year 2014 was approved, noting that for the second time in a row it was submitted in time and that AUB had no material weaknesses. Significant time at the BoT meeting was spent in discussing the leak of confidential AUB documents published in Al Akhbar newspaper. Given that the entailed theft and publication of proprietary and confidential information violated both Lebanese and US law, AUB is reserving its legal options and is investigating the leak. AUB had been advised to delay any public statements in view of the legal implications. A senator commented that it would be important to issue the eventual press release in Arabic as well as English. A question was asked as to whether the documents and emails had been tampered with, and the President replied that some had. Strong concern was expressed by several senators about whether AUB emails and information (including confidential patient data at AUBMC) are safe. The President stated that a trustee, a former CEO at Hewlett-Packard, had stated that it is impossible to have foolproof systems. Senators stated that there is a need for an independent entity beyond IT at AUB to strengthen the system and one stated that an IT emergency status should be declared. There is an urgent need for the supportive policies to the IT policies as was discussed earlier in the Senate and that policy rectification should be both an urgent priority of the CIO against deadlines. The President confirmed that this of highest priority among the CIO's tasks and that the IT investigation would be independent. In response to queries about its timeline and composition of the investigation the President said this was not yet clear. Another senator

commented that while security is a critical issue, a second issue brought up by the incident is that internal documents should not be embarrassing to the reputation of AUB, which is not a commercial entity but committed in principle. Another senator asked if the BoT had addressed the issues between Upper Administration and the Board raised by the leaked documents. The President responded that the BoT did not discuss conjectural issues and that since the leak was of over 1200 pages of documents, trustees did not have a chance to review all the leaked information before the meeting and that a legal team had been charged with so doing. Dean Suidan stated that at his previous university one had the option of deleting emails from the server which could have prevented some of the problems. Another senator commented that there is a need to look at the motivation for the medical center being prominent. Another senator stated that the incident has exposed the weak IT capabilities and that the lawyer is giving an impression that the documents are authentic. A senator commented that the event provides an opportunity to learn about AUB's weaknesses as an institution and to improve the way it operates.

The President asked the Provost to brief the Senate about the budget process that was also discussed at the BoT meeting. The Provost stated that at its November 20 2014 meeting the Middle States Commission for Higher Education affirmed its acceptance of AUB's June 2014 report and asked for a monitoring report to be submitted by April 1, 2016. The relevant documents are posted on the Provost's and the Accreditation websites. The Provost stated that this was good news but a lot of work remains to be done. To meet the recommendations of the Middle States report, AUB has invigorated the process of budgeting in order to ensure a rational and transparent process. A committee of 19 members has been meeting regularly since the summer. In response to queries as to whether the budget would be presented to the Senate, the President stated that although the Senate does not approve the budget, it is important to share its broad outlines so that all understand the challenges and constraints to having a robust budget in a volatile climate. Several concerns were raised by senators about the nature of faculty involvement in budgeting at the departmental level. One senator asked how members can contribute more to academic planning without knowing more about budgets at the departmental level (not including information on individual salaries) since financial and academic issues are inter-dependent. The President responded that there had been several enlightening presentations at the BoD and some of these should be scheduled for the Senate. The President also noted that it was important to look carefully at how financial allocations are made across the campus and AUBMC and to have a unified budget.

#### **b. Update on Approved Motions**

The President deferred this item to later in the meeting but in the event it was not covered for lack of time.

### **3) Proposal from the University Committee on Student Affairs (attachment)**

H. Artail on behalf of the UCSA presented the decision of that committee after a year of deliberations to expand its functions to the additional four mentioned in the attachment. **A motion was made to approve the document.** One senator asked the view of the Dean of Student Affairs who responded that he was in favor of the expanded functions and that it provided for a two-way learning process between faculty and students. Dean Nuwayhid expressed concern about how the functions would be operationalized especially that the committee is made up of busy faculty members, and that the extended mandate of the committee might overlap with other functions. H. Artail gave examples of

how it could be operationalized and although he agreed was ambitious, stated it was worth trying. Dean Hwalla asked if the old functions were eliminated and suggested instead that they be added. One senator noted that the committee could play a useful role in simplifying students' multiple interactions with many bodies. The President asked if the committee could address the recurrent problem of plagiarism and cheating. Dean McGreevy noted that he had previously reported to the Senate on an initiative in FAS, and that CTL was also developing a program to educate the community about the complex issues resolved.

*Action item: the committee working on plagiarism to connect with H. Artail and UCSA*

**Vote 2015-12: The motion was approved with the 6 functions (2 old and 4 new)**

#### **4) Proposed University Calendar 2015–16**

M. Salameh presented the proposed calendar noting that there are 80 teaching and 3 reading period days in the fall and 78 teaching and 3 reading period days in the spring. **A motion was made to approve the proposed calendar.** In discussion, several amendments were suggested and agreed, namely to add a reading period to the summer, to end classes in the fall term Dec 7 and leave Dec 8- 10 as reading period, to have 8 days final exams and vacation to start Monday Dec 21 for students and to extend until January 2, 2016.

**Vote 2015-13: The motion was approved unanimously.**

*Action item: It was agreed that M. Salameh would report back to the Senate about the question about registration for intensive courses in the January period.*

#### **5) Final recommendation from SCFA on faculty contract (attachment)**

E. Shammas, as chair of the SCFA, briefed the Senate about the history of discussion over the faculty contract and the major milestones. In the fall of 2014, 3 changes recommended by the SCFA (including locking 2 benefits – HIP and pension for duration of faculty members' contracts) were rejected by the President who stated that they limit BoT flexibility. During the last week, the SCFA and SSC had called for an urgent town hall meeting of faculty members. As a result, the SCFA recommendation was to introduce three sentences which members felt was a good compromise. **A senator made a motion to accept the SCFA recommendation.** The President commended the committee for working in good faith but noted that it is not a process where both parties will get all that they want – there is a need for both to compromise. Some recommended changes limit the BoT direction to make changes when health care costs are soaring. He also pointed out that the proposed faculty contract does lock education and housing benefits, which is an improvement. Two senators noted that AUB policies and procedures allow the administration to change benefits without faculty consultation, and that revisions made to the contract were to ensure the BoT has to consult with faculty. Another senator stated that the language of policies is unilateral and policies needed to be dated and revisions archived. The President stated that he supports aligning the policies with the faculty contract. Several senators asked whether, if there were improvements in benefits during the duration of contracts, faculty members would be eligible for these and the answer was yes. The Provost stated that this faculty contract is far better than the old one, that he had personally experienced many changes in health-care benefits in different universities, and that the university is constantly faced with financial challenges. Both the Provost and the President emphasized that the four main benefits – housing, education, health insurance, and retirement plan – as a matter of practice fall into two distinct categories. While housing and education benefits remain fixed, both the health insurance premiums and the terms of retirement plan contributions must be flexible as

a matter of fiscal necessity. The President said that although the Senate's official capacity is an advisory one, he made the decision to recommend to the BOT whichever of the two contract options the Senate would vote to support. One option is going back to the old contract (the one faculty members are currently working under). The second option is the new version of the contract that has been approved by the BOT Executive Committee. Senators raised the issue of three parts of the contract where they wanted the phrase "among other things" inserted. The President responded that he would not recommend a contract with these additions because this leaves it open for an unspecified group of items to be "lumped in" along with the items that are specified. Various Senators said that the real issue is that the contract being proposed by the administration allows for health insurance and the retirement plans to be unilaterally removed from the contract, and that there is a historical precedent of this type of thing actually happening. It is understandable that HIP premiums may change, but they want to guard against any major changes or loss of these most important benefits. Both the Provost and the President emphasized that the reason health insurance and retirement are not listed under the benefits section of the contract is that they are listed under fixed terms: so that there is in fact no possibility of them being removed. The Provost said that the contract commits the university to providing a retirement plan and a health care plan, which faculty members can join if they wish; the contract does not allow for removal of these plans, but their specific terms are not locked. Several senators expressed skepticism about this, again citing historical precedent. The President reiterated that he would not endorse the new contract with the three proposed changes in it, but that he would like to continue to show good faith and see if a compromise can be found on the wording. A motion was made **to approve the version of the contract with the three proposed changes in it.**

**Vote 2015-14: The motion passed by a vote of 20 for, 0 against, and 6 abstentions.**

Item 6 was not discussed for lack of time.

The meeting was adjourned at 4:30 pm.

Minutes recorded by J. DeJong, Secretary of the Senate (with assistance of Dr. H. Muller after 4pm)