

American University of Beirut
Final Minutes of the University Senate
Meeting of Thursday, May 24, 2018

Present: M. Abiad, H. Abou Araj, E. Al-Chaer, I. Baalbaki, J. Chaaban, A. Chalak, (R. Chedid (by invitation), L. Choueiri (by invitation), L. Daouk-Oyry, H. Diab, Z. Dawy (by invitation), N. Dumit, N. El-Cheikh, W. El-Hajj, D. Fleszar (by invitation), D. Gubara, M. Harajli, C. Harb, E. Hitti, G. Kanazi, S. Kanj-Shararah, R. Karami, A. Kayssi, F. Khuri (chairing), P. McGreevy, N. Melhem, R. Mohtar, H. Muller, W. Nasr, T. Nizameddin, S. Nouredine (for H. Huijjer), I. Nuwayhid, S. Sadek, M. Sayegh, E. Shammas, Y. Sidani (for S. Harvey), A. Shihadeh, J. Touma, S. Zeineldine

Absent: A. Abu-Alfa*, T. Ali, B. Bashour*, A. Chehab, S. El Fakhani, J. Touma, S. Harvey*, H. Huijjer*, M. Jurdi*, A. Olabi, R. Sharara-Chami*

(* = regrets notified before meeting)

The meeting was called to order at 2:03 p.m.

1) Approval of the minutes of April 27 and May 3, 2018

The minutes of April 27 were approved with minor amendments. The minutes of May 3 were approved as circulated.

2) Proposed change to procedures for placing new students into English composition courses

Dr. Dorota Fleszar and Dr. Riad Chedid gave a presentation to the senate on proposed changes to the way that new students are placed into English composition courses such and ENGL 203 as 204. Dr. Fleszar said that the rationale for the change is that the capacity to speak well and the capacity to write well are grounded in different skill sets and that the old placement method did not adequately reflect this distinction. The Communication Skills Program (CSP) was in a state of transition on this issue during the 2017-2018 academic year. As of the fall of 2017, the department began placing students into composition courses based on their scores on the essay section of the SAT. This was seen as an improvement over the use of the AUB-EN test which, as a proficiency test designed to assess the overall language competence of a test-taker, is not a proper tool for placing students into courses focused on proficiency in academic writing. That said, the members of the CSP consider the SAT essay section to be only a reasonable proxy for testing the levels of one's ability to think, read, and write critically and skillfully. In light of that, the CSP decided to have a better tool created. During the past year an expert was hired to develop a new writing test. That process is now complete and the CSP will begin administering this writing test in July 2018 for incoming students. **A motion was made to approve the proposal.** During the discussion a senator emphasized the importance of adequately publicizing these policy changes so that incoming students know what to expect. **Vote 2018-35. The motion was passed unanimously.**

3) Congratulations and thanks to Dr. Waddah Nasr

The president congratulated Dr. Waddah Nasr on his upcoming retirement and thanked him for his long and valued service to the university. The senate responded by giving Dr. Nasr a standing ovation.

4) Policies and procedures for the termination of tenure appointments

The president began this portion of the meeting by reading a statement on behalf of the BoT and the administration (see appendix I). There were four main points in that statement. First, that a successful tenure policy must meet the dual goals of extending rights and privileges to faculty but also to ensure that responsibilities are met and that accountability is maintained. Second, that the termination clause being proposed strikes a necessary and important balance between the aforementioned dual goals. Third, that the relative length of the proposed termination clause is a manifestation of the high level of protections of faculty rights built into the clause and the extensive and careful procedures that must be followed in any potential termination case. And, fourth, he emphasized that it is extremely unlikely that this clause will ever be invoked. The president closed his statement by charging senators to “debate the policy, to be respectful to one another and to all both inside the room and out, to do your best for AUB and for the faculty, and to vote your conscience at the end.” Associate Provosts Choueiri and Dawy presented the proposed policy to the senate. In that presentation, they explained that this document had been worked on by the Office of the Provost for many months and that it was developed through a process that involved benchmarking against peer institutions in the US to ensure best practices. The provost then explained that over the past two weeks an additional eight hours of work, spread out over three meetings with members of SCFA and SSC, had been given to the document in an attempt to address concerns of faculty members that had been related to members of those two committees. As a result of those three meetings, the current document has changes highlighted in yellow on which agreement had been reached, and changes highlighted in both blue and red on which agreement had not yet been reached but that the provost promised to follow up on with the BoT. **A motion was made to approve the document including the changes highlighted in yellow.**

During the discussion a senator asked if we have the right to revisit this document and ask for changes in the future. Another senator said that the motion, as stated, does not guarantee that we will see this document again. Dean Shihadeh made a point of clarification by saying that this document will have to come back to the senate because some of the text actually belongs in the contract letter, so when the contract comes up we will address this again because it will need to be edited in tandem with the contract; but we need to pass some policy at the current moment so that the process can go forward. The president said that he was confident this policy can be amended and that the BoT will see the passage of the motion as a good faith effort. They know there are some concerns, but we need an applicable document to move forward. A senator from the Faculty of Medicine (FM) thanked SCFA and SSC for all their hard work but asked the members of those two committees and her fellow senators to be mindful of whom it is we are trying to protect with this document. In her opinion, far too much focus has been given to thinking about the rights and interests of potential bad actors whose actions would go beyond the very high thresholds set out in the proposed policy. She asked that we remember that the institution needs to be protected too. Sexual abusers, thieves, and fraudsters can really hurt us; and they have in the past. She concluded by saying that this is especially relevant in FM, where many faculty will be tenure in-eligible; we do not want to end up in a situation where there is no recourse if a tenured person is doing those things. Another senator said she thought the balance of concerns being raised in this discussion was off-center. Since the 19th century, it has been understood that the purpose of tenure is to guarantee intellectual and academic freedom and to protect faculty from being persecuted for political or other ideological reasons. The president said that he very much agreed with that statement and that was why tenure would be good for AUB. He urged senators to remember that and to not let the perfect be the enemy of the good and endanger tenure by failing to approve this document because of concerns over details that would very likely never be relevant.

The discussion then turned to the part of the document that covers what happens to tenured faculty in the event that their academic unit is closed down. A senator requested that the word “all” be added before “reasonable efforts” in the sentence “The president shall make reasonable efforts to place each affected faculty member in another suitable position in the university.” The president and provost agreed to that change. Another senator noted that we have been talking about this agenda item for over an hour already, but we had seemingly made no progress toward making a decision. **A substitute motion was made to recommend that the president present this document, including the changes highlighted in yellow, to the BoT and request that the BoT consider the suggested changes highlighted in blue and green.**

In the discussion of the substitute motion, a senator raised the following additional concerns that he felt are not addressed by the suggestions already in the policy document. First, the document is a hybrid of policy, procedure, and contractual language. It would make it clearer and easier to read if it is separated into three: keeping the policy, moving the procedures to an appendix or a separate document, and removing the contractual language and put in it the contract. Second, there is legal language that raises concerns: for example, “without any further liability to the university”, “including but not limited to”, “welfare of the university”, etc. Third, the faculty member’s rights should be spelled out clearly in a separate paragraph (e.g. right to have legal counsel, the support of another faculty member, and full access to all documents). And, fourth, the language for termination due to discontinuance of an academic unit should be improved to reflect that AUB will spare no effort in trying to place faculty in other units, especially as a policy on discontinuance does not currently exist at AUB. The chair of the meeting called the question. A senator requested that the vote be done by secret ballot because of the sensitivity of the issue. **Vote 2018-36. The substitute motion was passed by a vote of 23-8-0.** The president thanked the senators for their efforts and for voting their conscience by not abstaining.

The meeting was adjourned at 4:15 pm.

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

Appendix I: Statement on Tenure Termination Policy



Statement on
Tenure Termination