

**ARTS, SCIENCES & ENGINEERING
FACULTY MEETING
COOLIDGE ROOM, BALLOU HALL
WEDNESDAY, DECEMBER 2, 2009**

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ANNOUNCEMENTS

PRESIDENT BACOW: I'd like to begin with announcements. Any announcements? I have one, but let me see if there are others.

The announcement that I have to make is that we're 'back to the future'. We have a return of Cathy Doheney, who is going to stand in for Jillian while Jillian becomes a mother yet again. Good luck and congratulations, Jillian. So Jillian, you're going to leave on December 4th, this Friday, and then Cathy, we've got you until March 22nd, something like that. Darcy Graybill is also going to be available to help the faculty also during this period of transition. This should be comfortable for everybody since you remember where all the bodies are buried, Cathy.

Any other announcements that anybody has?

REPORT ON THE NOVEMBER TRUSTEE MEETING

PRESIDENT BACOW: The first item on the agenda for new business is my report on the Trustees meeting, and as is always the case following a Trustees meeting, I like to just give the faculty a sense of what's going on. There are faculty representatives of all the major committees of the Board, but I'm not sure if that feedback loop always works so well in real-time, so let me try and give you an overview.

The format of the Trustees meeting is we begin, as we always do, with a plenary session on Friday, and this plenary session was actually focused on the good work that's being done by our

faculty colleagues at 200 Boston Avenue. We made a very conscious decision, since virtually all the time at the last three Trustees meetings were devoted to one topic. They were devoted to the financial circumstances that we found ourselves in due to the recession, and beginning in the fall when it became clear that we were going to have to make some serious mid-course corrections, to the February Trustees meeting, to the spring Trustees meeting, literally all that was devoted to issues that immediately fell out of the recession. We decided that we would, in fact, go back to the Trustees this year and focus on not finances, but on what we actually do, which is teaching and research.

One of the consequences, as some of you are aware, of the recession is that we've had to put some capital projects on hold, one of which was the Integrated Lab Complex. So we brought faculty in, and actually Barry Trimmer did a terrific presentation on behalf of the faculty who were working collaboratively at 200 Boston Avenue, together with one of his graduate students and one of his undergraduates, talking about the research that's going on there in soft body robots, biomedics, the degree to which faculty from Biology, from Electrical Engineering, from Computer Science, from Mechanical Engineering - all sorts of different parts of the university from around the campus were represented. They talked about the importance of the space and of having space which was contiguous to other faculty, the kind of serendipitous interactions which lead to interesting scholarship that would be difficult to imagine if people were, in fact, not co-located, as well as the impact the space is having on the number of undergraduates who are now involved in faculty research at 200 Boston Ave., which is interesting. I think Barry reported that there's something like 44 undergraduates who are engaged at this point in research there.

There were other faculty who were in attendance, because following that presentation, there was a lunch in which faculty located at 200 Boston Ave. and students, both undergraduate and graduate students, were situated with Trustees at all the tables.

I think it was a very good conversation, and it helped the Trustees understand candidly the importance of being able to build the Integrated Lab Complex, because we basically said, "Look at what we have been able to do with about 30,000 square feet of rented space, and look at the impact it's had on student engagement, look at the impact it's had on scholarship and research volume. Imagine what we could do with a little bit more -- a lot more, actually, a lot more."

What was also interesting was the number of people who have joined the faculty and out of necessity had to be located there because we didn't have enough space elsewhere, and how for many people there was an initial concern. We talked about this, about being exiled to Siberia, but what was once viewed as a liability now is viewed as an asset, and it's created a real community at 200 Boston Ave. I think it was a really good conversation for the Trustees to hear about the faculty and the student side of what's possible. I'm looking around to see if anybody is here who was there for that conversation on Friday who wants to comment.

Following the plenary session, we went into the committee meetings, and the Academic Affairs Committee meeting met with students who had created new student journals. I don't know if you want to say anything about that, Jamshed, that conversation.

PROVOST BHARUCHA: Jim Glaser had recommended several students who have been involved with starting or running student publications, and it was really, really awesome. I think

the Trustees were amazed to see students take such initiative. The *Tufts Historical Review* is a new journal started by students, which is really astounding.

PRESIDENT BACOW: There were four student publications: that one, *Discourse...*

PROVOST BHARUCHA: I can't remember all of them at the moment.

DEAN GLASER: *Tuftscope* and –

PRESIDENT BACOW: There was one more. But, again, this was continuing the theme of getting something other than finances --

DEAN GLASER: *Hemispheres*.

PRESIDENT BACOW: Thank you -- in front of the Trustees. And that prompted a conversation about how we engage our students, and one of the recommendations that came out of the Task Force on the Undergraduate Experience from years back was to try and create an intellectually more demanding environment for our students. The observation of that task force at the time was that many of our students seem to be much more engaged by their co-curricular activities than what they are necessarily doing in the classroom. We wanted the intellectual environment to be much more stimulating and engaging, and this was a representation of what has come out of that, as well as much higher involvement of the students in honors theses, in student research, and collaborating with faculty. This is another manifestation of that. So, that was the Academic Affairs Committee.

The University Advancement Committee spent a considerable amount of time talking about an issue which they then brought to the full Board on Saturday, which was a technical issue, but a very important issue, and that is how the university deals with what are called 'underwater endowments'. Massachusetts had a statute which stipulated that if the value of an endowment -- remember, a university endowment is nothing more than the integration of a whole series of smaller endowments. If somebody gives a gift which creates a research fund in music, and it's a named fund, that's one endowment. If they give a gift for a chair, that's a second endowed chair. The way the law read is that if the market value of the endowment was less than the historic dollar value of the gift at the time of the gift, the university was prohibited from distributing from that endowment. This law was intended to preserve the corpus of these funds in perpetuity. It was adopted at the time when people did not anticipate such widely fluctuating values in investments, and the impact of this law was quite dramatic last year, not just for us, but for everyone.

In fact, we've been successful in the course of this capital campaign in raising a lot of money for the endowment, virtually all of which has come in during the last five years. Given what happened to the market, it meant that all of those funds were, through a first approximation, underwater, and so we had gifts from donors that were supposed to support financial aid for new professorships as well as for other things, other programs, and we found ourselves where we were not legally allowed to distribute them.

The law has changed in Massachusetts, which gave institutions like ours more flexibility in distributing from underwater endowments, but it imposes an obligation upon the fiduciaries of the institution, the Board of Trustees, to act in a manner that is prudent. And so the questions became: What was the prudent rule in distributing from underwater endowments? When would we do so? Under what circumstances?

The trustees discussed the policy, discussed alternatives. One was not to do anything, but just to leave underwater endowments in place, not distribute from them, and hopefully allow them to return to their historic dollar value. That was one option which we were discussing, which creates issues not just for the programs that those underwater endowments are supposed to support, but also issues for donors, because we've taken their money, we promised to do something, and now we're not doing it. That's not great for donor relations, but it's also not good to take their money and spend it down so that what should have been a gift in perpetuity eventually is no longer there.

Striking the right balance proved to be the art in this process. So, one option was to do nothing, the second option was to just start distributing at the *pro forma* distribution rate, five percent, the current corpus, or to do something in between. Not surprisingly, the trustees elected to do something in between. The policy which they adopted, which I think is a good one and a sound one, has two components to it. For those activities where, because of belt-tightening on our part, the activity which the endowment was supposed to support can be sustained right now at the current *pro forma* distribution rate, we will start distributing. When we (inaudible) the cost of doing something, then we're going to distribute it at five percent, because we can argue, assuming our nine percent return in steady state, which remains to be seen, that will maintain the purchasing power of that endowment in perpetuity. In cases where that's not true, the Trustees adopted a sliding scale for distribution, and basically the amount that they distribute is a function of how underwater the endowment is. If something is only worth -- I think the number is something like 65 or 70 percent of its historic dollar value. Patricia?

EXECUTIVE VICE PRESIDENT CAMPBELL: 75 or below.

PRESIDENT BACOW: At 75 or below, we don't make any distribution. But at this point, almost all of our endowments are worth more than that, so we'll be distributing something from all of them. Then it goes to a relatively small amount and scales up to five percent as it approaches one hundred percent of its historic dollar value. The thing there is that if we are earning a *pro forma* nine percent of return, which is what we assume when we are in steady state, all of these endowments should return to their historic dollar value within five years, based upon this sliding scale.

That was a long discussion, but an important one for us because it will give the university more operating flexibility going forward because we're going to be able to make some distributions from this. That was the principal discussion in the Advancement Committee. I thought I saw Mary here. Did I miss anything? We discussed other things, but that was the principal discussion.

EXECUTIVE VICE PRESIDENT JEKA: Yes, that was the principal, but we also talked about

the subpoenas.

PRESIDENT BACOW: In Administration and Finance, what Administration and Finance talks about is administration and finance, budgets, and once again, we returned actually to the budget that we are in the process of putting together going forward, and there, what I said to the Board is what I said in our town meetings, and that is that we are wrestling with trying to accomplish a number of objectives in this year's budget.

The first is that we need to meet our obligation to our students, to meet their full financial need for next year, but we know that that's going to increase yet again, because unemployment continues to be high. In fact, it's the last thing that recovers in a recovery, and financial aid is largely a function of unemployment. So, the returning classes are likely to be needier yet.

Second, we need to try and keep tuition increases down. In this environment, it's very, very difficult to ask families to pay significantly more. We tried to keep it down last year, and we're going to do our best to keep it down again this year.

Third is, as I said in the town meeting, I would like to be in a position where we give people in the university raises. People work really hard, in many cases we've lost some people so others have had to cover multiple positions, and it would be very demoralizing if we had to freeze salaries for another year. There are a number of institutions that have already announced that they are freezing salaries two years in a row. If we are able to give a raise, it will be a small one, but I think it's important, and we want to try and do that.

The fourth point is that we want to try and maintain our forward momentum with our academic plans and programs. We've hired some extraordinary faculty this past year. It's a buyer's market for faculty, especially at a time when other institutions continue to cut back on faculty hiring. We want to still be able to move forward with faculty hiring this year. Again, perhaps on a reduced scale relative to what it's been before the recession, but I think that this is a great time to be recruiting the next generation of our faculty colleagues.

So, we just basically laid that out for them. There was an extended discussion also about the endowment, changes that we've made to -- tweaks to our investment policy, what kinds of assumptions we should make going forward in terms of return, but that was pretty much what happened at Administration and Finance. Roger, you were there. Did I forget anything?

PROF. TOBIN: No. There was also discussion of the underwater issue.

PRESIDENT BACOW: Yes, but it was not as (inaudible) as it was at the other one. I should point out that we invited the faculty representatives to stay for the executive session, as we did last year, so that everybody knows what's going on in terms of finances. Friday night, actually -- I'll just mention it -- we had a bit of a celebration for Linda Dixon, because it was her last Board meeting, and then at the full Trustees meeting the next day, there were two substantive issues which were discussed by the Board. The Board at this meeting also does its farewell to retiree Trustees and welcomes new Trustees, so that takes a bit of time.

There were two substantive issues that were brought to the full Board. One was the underwater endowment, which the whole Board then had to adopt formally, which it did. The second was the report of the ad hoc committee of the Board, which had taken the work of the Task Force on Freedom of Expression under consideration over the course of the summer. They saw that, actually, in the spring, when Jim Stern and I had asked an ad hoc committee of the Board to work with the task force, and this consisted of all the academic members on the Board of Trustees with one addition. So that meant Varney Hintlian, Kathy McCartney, Joanne Gowa, Steve Goldstein, and Fred Tauber.

PROVOST BHARUCHA: Ioannis.

PRESIDENT BACOW: And Ioannis Miaoulis. So, all folks who understand academic process and these kinds of issues. Then we added one more member to that committee, and that was Bill O'Reilly, and Bill served on the committee because he was a president of the Student Senate when he was a student here, so we thought he represented an interesting perspective from the Trustees. They met with the task force in the spring when you guys were still in a draft stage and provided feedback to the task force at least at that point, and then they did what academics do, given the opportunity to review a document. They tweaked it a bit, but I think mainly tightened it. But if you would publish it in the *Daily*, it's also available on the Trustee website. Certainly the spirit of it is, I think, consistent with that which was recommended by the task force itself, and not surprisingly, it has, at least in the student press, received mixed reviews. I say 'not surprisingly' because this is an issue with which people can disagree. But the Board, I think, substantially embraced the view that was presented by the task force, with some pretty minor edits.

So, that's what went on at the Trustees meeting. If anybody has any questions, I'd be happy to answer them.

PROF. HOWE: Was there any discussion to alleviate 200 Boston Ave. of the impact of the Green Line extension to Route 16 that might occur, and how that will affect 200 Boston Ave.?

PRESIDENT BACOW: I don't think we discussed it in that context, but there has been discussion in another context, outside the Trustees meeting really, but maybe we should fill you in on those conversations. Mary, do you want to respond? We've been working with the state, and we've also been working with Bill Cummings to insure that 200 Boston Ave. is not taken.

VICE PRESIDENT JEKA: I didn't quite hear the question, but I gather it was that if the Green Line extension was going to happen, how far is it going to go?

PRESIDENT BACOW: Yes, and the impact it might have on 200 Boston Ave.

VICE PRESIDENT JEKA: Well, I think 200 Boston Ave., the latest iteration of 200 Boston Ave., is that it is probably -- the latest document shows it was subject to being taken, but the word we're getting from the state and the word we're getting from Bill Cummings, who has been actually very actively lobbying for it to stay, is that they're not going to touch it. It is one of the reasons why the Green Line extension currently is going to stop here on College Ave., at Boston Ave. That's going to be the end of the line for now. The most recent document says it's going to

stop on Boston Ave., and not complete the piece between Boston Ave. and Route 16, which is where a lot of people would like it to go. Some people would not like it to go there. There's some logic to it going there, because Route 16 is a feeder for people coming and taking the T, but it's become too expensive and too politically controversial for them to extend it there. They've sort of said, "Enough, we don't want this to stop the whole project." So, they're going to stop it at Boston Ave. and re-open the Boston Ave. to Route 16 discussion after they've completed this. Now, this could change any minute, but the latest -- and I spoke to Bill Cummings about this several weeks ago -- is that 200 Boston Ave. is not going to be taken, that they've figured out an engineering solution around the building where they can make it work.

PRESIDENT BACOW: I'm going to make a prediction. My prediction is that they're supposed to complete the extension to Boston and College Avenues by 2014. It's going to take longer, and I'll go out on a limb on that. But it will happen, and if you ask me what the over-under is in terms of it being completed, I'd say 2017. Equal odds that it's done before versus after 2017. Once the extension to Boston/College Ave. is completed -- here's my next prediction -- everybody in this room will be retired before it's extended beyond there. Most of you will remember the debate over the Red Line extension. Remember, was it going to go beyond Alewife to Arlington? There was a discussion, "Well, we'll consider that after we get to Alewife," and we haven't heard much about it since. Someday it may happen, but not in our lifetime.

VICE PRESIDENT JEKA: It's the residents that are in that neighborhood that really don't want this thing.

PRESIDENT BACOW: But also, it takes so much to muster the will and to assemble the resources and go through the pain of one of these construction projects that once they finish this, this generation of political leaders will declare victory. They will leave it to somebody else, and it will be at least another thirty years before it's extended.

VICE PRESIDENT JEKA: Bill Rawn, who did the master plans of this campus, and we've worked with him on locating some potential development sites, we're working with him again to look at it, because there's going to have to be some rebuilding around the bridge on Boston Ave. The question is once we have this opportunity, should we take advantage of it to see how we want to treat the potential development site? Do we want the air rights, different things like that? We'll probably just sit down with him and say, "Gee, maybe this might be a good time to build a walkway or something like that," or maybe some potential commercial purposes with the station, a Starbucks or something like that. There's potential there. Once you're building, you might as well build more.

PRESIDENT BACOW: The real potential is to create a deck over the line which in effect connects the upper campus and this campus with what's down below, and if you deck it like that, then you do have a development site. There might be a minor taking if they're going to need some of our land, and in an ideal world, we would negotiate something where in exchange for the taking that they're going to do we would get the air rights over that, where conceivably you could put another building.

We don't have a lot of building sites on campus. If you go back and take a look at the master plan that he did four or five years ago for us, you will see it shows that as a potential building site for the university where you could put a lab building, you could put a classroom building, you could put a dormitory. If something's going to be there, we would like to control it instead of somebody else. So Teresa, have we answered your question?

PROF. HOWE: Yes, except that I'm assuming that whether it's to Route 16 or to Boston Ave., they have to have room to turn around the trolley.

PRESIDENT BACOW: Actually, that problem is solved. They have a solution.

VICE PRESIDENT JEKA: It doesn't necessarily turn around. It just reverses.

PRESIDENT BACOW: All they need is something with a little (inaudible), and they bring it back, so they don't need to turn around. Any other questions about the Trustees meeting? Okay, thank you.

PROPOSED BYLAW CHANGE FOR ELECTIONS TO ARTS, SCIENCES & ENGINEERING FACULTY COMMITTEES

PRESIDENT BACOW: The next item on the agenda is Roger. You're up with proposed bylaw changes for elections.

PROF. TOBIN: I'm here representing the Executive Committee. I've lost track of which stage this is, but the next stage in our year-long effort is to make it possible to modify the election procedures to permit electronic balloting. This requires a bylaw change to the bylaws relating to elections. After some discussion, we elected not to make the bylaw change one that would implement a particular form of elections, thinking that we might decide that we don't like it and we want to go back to traditional methods, or new methods might become available. Maybe we'll eventually be doing it on cell phones or something. So instead, what we chose to do is to try to write the bylaw to permit the Committee on Committees to propose new forms of secure election procedures, which would then have to be voted on by this faculty in order to adopt a new procedure or to change an existing procedure.

In addition, in the process, we also changed a couple of other things. For example, we discovered that for many years we've been in violation of our bylaws, which required that the nominations occur at the first regular meeting of the faculty in the spring, when, in fact, we've always been doing it the second. Presumably, all of our elected committees have been illegal for the last fifteen years.

So we changed some things like that, and we also changed some other wording. One change was to make it, or at least open the possibility, that Jillian or Cathy, or whoever as the case may be, might not have to give us all twenty pages of lists of people eligible for every committee. She could perhaps send that by email, or maybe even put it on the website, rather than handing us those sheets that go straight into the recycling bins.

As I understand the procedure, we can have a discussion today, but we're not going to vote on this today. This will be held over to the February 4th meeting, when I'm sure you'll all be back here again to vote on this crucial issue. At that time, I believe the Committee on Committees will be prepared to introduce a proposal to actually implement electronic voting, if that's what they choose to do, and if this bylaw should pass. I guess I'll open this up to any questions.

PRESIDENT BACOW: You're making a motion?

PROF. TOBIN: I'm making a motion.

PRESIDENT BACOW: We need a second.

FACULTY MEMBER: Second.

PRESIDENT BACOW: Okay, now the floor is open for discussion. We might as well be kosher. Questions, comments?

PROF. JOHNSON: Vida Johnson, German, Russian, Asian. Actually, I have a sentence in the central paragraph, in the middle sentence, "The Secretary of the Faculty shall send to each faculty member a list of the nominees for each committee..." Does it mean the potential nominees?

PROF. TOBIN: No, it means a list of actual nominees.

PROF. JOHNSON: "...at least one week before the meeting at which elections are scheduled..." That, I understand, but I don't understand the following: "...or before the opening of balloting and at least one week before the close of balloting."

PROF. TOBIN: Well, the idea here is that should we implement electronic voting so that it doesn't occur at a meeting. There will be some period at which that process is opened, and there will be a date on which the balloting closes. This is to insure that the nominees are made available to the faculty before balloting opens, and also to specify a minimum time that could elapse between that point and the close of balloting.

It's a bit of an awkward phrasing. We initially had contemplated asking for a certain period ahead of the opening of balloting, but the Committee on Committees felt that that would make their schedule extremely tight, and so this rather awkward wording was agreed upon to accomplish that.

PRESIDENT BACOW: Other questions, comments?

PROF. TOBIN: We'll do this in February.

PRESIDENT BACOW: Yes, we'll hold it over until February. Thanks, Roger.

REPORT ON PROPOSED BYLAW CHANGES FOR THE SCHOOL OF

ENGINEERING

PREISENT BACOW: Wayne, you're up for a report on the proposed bylaw change for the School of Engineering.

PROF. CHUDYK: Thank you. I hope you all have the handout that went with today. Dean Abriola asked me to report on this. There's no real vote that this body has to take. This is just for informational purposes, so you know what we did. It's essentially two major changes. The Professor of the Practice is something that's been used for several years by us. We've made two changes. One of them is that there's no time limit now on how long someone can be Professor of the Practice. The other one is just formalizing voting ability of these people. That's about it. Are there any questions?

DEAN GLASER: The last item here is that the AAUP does not object to this type of position. Is that our AAUP or the national AAUP?

PROF. CHUDYK: Based on some of the documents that are accessible on AAUP, it looks like you can find, if you search there, their general procedures for reviewing this and seems to make it such that we were in line with that. There's nothing formal that's been done by the Tufts AAUP chapter, although we have discussed it in our Executive Committee.

PRESIDENT BACOW: Other questions? Thank you for your report, Wayne.

PROF. CHUDYK: Thank you for the turkey sandwich.

PRESIDENT BACOW: When Wayne came in, he said, "Turkey yet again?" I said, "Recycling."

We have a relatively light agenda, and that's the formal agenda. Is there any other new business to come before the faculty? If not, I wish everybody a good end of the semester, and hope it is uneventful. Good luck in getting papers graded, exams graded, proposals in, reports written. I wish everybody a happy holiday, and I hope you'll come to our holiday party.

All those in favor of adjourning, say aye.

MEETING ADJOURNED

Respectfully Submitted,

Catherine Doheney for Jillian Dubman
Secretary of the Faculty for Arts, Sciences & Engineering