Draft Minutes for Vanderbilt University Faculty Senate Meeting Jan. 14

Call to Order
A meeting of Vanderbilt Faculty Senate was held on January 14, 2021 on Zoom. It began at 4:10 pm and was presided over by Chair Catherine McTamaney, with Vice Chair Ben Harris as secretary.

Attendees


Guests in attendance: Adriana Bialostozky, Jessica Brotherson, Alissa Hare, Queen Henry-Okafor, Angelica Hooten, Martha Jones, Christine Konradi, Paul Laibinis, Owen McGuinness, Elizabeth Meadows, Melanie Moran, Jeffry Nyman, Kim Petrie, Joe Rando, Claus Schneider, Linda Sealy, Stacy Sherrod, Eric Skaar, Tara Todd, Benigno Trigo, Johnathan Waters, Lauren Woodward, and Alice Zingman

Members not in attendance: Victor Anderson, Brian Bachman, Andre Churchwell, Mario Crucini, Graham Hemingway, Nathan Green, Eric Grogan, and Laura Nairon

Quorum as specified in the Faculty Senate Constitution (revised 4/5/2019) Article II.B.1. was met with the recorded attendance of 53 voting members of the Faculty Senate.

Approval of Minutes
A motion to approve the minutes of the previous December 4th meeting was made by Chair McTamaney and seconded by Vice Chair Harris. Chair McTamaney asked whether there were any corrections to the proposed minutes; no corrections were raised about the distributed minutes, so the minutes stood approved (50 yeas, 0 nays).

Chancellor’s Report
- Chancellor Diermeier acknowledged a horrific bombing in downtown Nashville and events at the Capitol.
• We are facing tremendous challenges within the country, region, and community, of generational magnitude.

• Despite the COVID-19 pandemic, Vanderbilt is doing well and in a unique position. We are doing great due to the commitment from faculty, staff, and students.

1. Positive feedback was received for the fall semester collected from student evaluations. Faculty successfully experimented with new formats of education. Has opened up new ways of pedagogy that had not been considered before. One example being more direct communication with parents and students (webinar with 1000 parents on Zoom), resulting in more transparency and better lines of communication. There is an innovative spirit in adapting and coming up with new ways of advancing the mission.

2. Admissions cycle is closing soon. Admitted student numbers have dramatically increased showing a 25% increase in this year’s applicants. Chancellor Diermeier expressed deep gratitude to the Admissions Office for working hard during the pandemic. Test optional policy enhanced prospect of applying to Vanderbilt. The work Vanderbilt has been doing is not just recognized by current members of the Vanderbilt community, but also by potential applicants and the general public. Prospective students and parents are attracted to Vanderbilt’s residential education experience.

3. Destination Vanderbilt is off to a great start. In some fields, there have been significantly stronger applicant pools than before. Can recruit while others have had to hold back.

4. Spring Semester involves a plan fundamentally similar to fall, but with a variety of refinements. Approach is to be guided by best scientific and public health information available and doing so in strong partnership with the Medical Center and the School of Nursing while being flexible, adaptable and focused on the mission. In the spring semester, there will be 300-400 more students joining on campus in-person than in the fall semester and maybe more depending on the lifting of restrictions on international students.

• Return to campus updates:
  
  • Undergraduate students will be tested twice a week.
  
  • Enhanced testing options for graduate students.
  
  • Chancellor Diermeier provided an update on the vaccination distribution. The Medical Center is the distributor of the vaccine and managing distribution while following Tennessee guidelines. Discussions around faculty testing are taking place.
  
  • Enhanced wellness programs continue to help support students, faculty, and staff. Introduced wellness days. Making sure to keep an eye on our students knowing that this has now been going on for 9 plus months.
  
  • What does Vanderbilt do in the broader political and social context that the country is facing? We have been thinking what role Vanderbilt can play in overcoming the polarization in the country and the assault on fundamental institutions of American democracy which led to the idea of the Vanderbilt Project on Unity and American Democracy. This project will be ambitious and likely controversial with different points of view which are welcome and important to engage in.

The Chancellor returned the floor to Chair McTamaney for questions and comments.
• Q: Is there a model for vaccination to be available for doctoral candidates and post docs who might be in contact with patients? Will their access to the vaccine be accelerated?
A: Provost Wente shared that the School of Medicine students who are patient-serving and School of Nursing students who are in patient care as part of their experiential, are on the vaccination list and actively being vaccinated by VUMC. Medical students and nursing students who are at other hospital locations (not VUMC) are on their own hospitals list for receiving vaccinations. Ph.D. or post docs who might be engaged in working with non-Vanderbilt employees engaged in human subject-based research are not considered patient care and not currently receiving the vaccination. There are still no transmitted cases from classrooms and residence halls. Post docs in the School of Medicine degree-granting programs that are engaged in patient care are part of the umbrella to receive vaccinations (audiology) and are working with Donald Brady.

• The chancellor clarified that Vanderbilt can advocate but cannot make decisions about who receives the vaccinations. Vanderbilt is not a distributor of the vaccinations.

Chair McTamaney confirmed there were no other questions and thanked the Chancellor.

Senator Magnuson made a motion to suspend the order of business.

Chair McTamaney explained that the motion to suspend the order would allow to move old business to earlier in the agenda given there is a competing event tonight and allow for Deans end their participation early.

The motion received a second by Senator Heuser.

Chair McTamaney asked for a show of hands to show consent which was confirmed with 41 ayes by Vice Chair Harris.

Chair McTamaney confirmed that the motion to suspend the order of business was passed.

Old business

Chair McTamaney recognized Senator Friedman, Chair of the Senate Affairs Committee who provided a description of the motions. Senator Friedman explained that in the spring there were three motions discussed and voted upon on February 6, 2020. Today’s first motion is to rescind those motions due to some miscalculations.

Senator Friedman introduced a proposed motion that reads:

Motion to Rescind Three Motions Discussed and Voted Upon at the February 6, 2020 Vanderbilt University Faculty Senate Meeting

⇒ Whereas the Faculty Senate Constitution (Article II, Composition, A.3.) requires Senate reapportionment every 5 years, and
⇒ Whereas the last Faculty Senate reapportionment occurred in AY 2016, and
⇒ Whereas, amendments to the Senate’s Constitution (Article II, Composition A.3.) require written notice to the members of the Faculty Assembly at least one month in advance before a vote, and this notice was not given for Motions 1, 2, and 3 reported to be passed by Faculty Senate action at the February 6, 2020, meeting (see attachment below), and
⇒ Whereas the proposed changes in the composition of the Senate shall become effective after adoption by the majority of 36 of 71 Senate votes was also not obtained for Motions 2 and 3
reported to be passed by Faculty Senate action at the February 6, 2020 meeting (see attachment below),

**Be it resolved that the Vanderbilt University Faculty Senate rescind Motions 1,2 and 3 below which were reported to be passed by the Faculty Senate on February 6, 2020.**

Senator Friedman passed the floor back to Chair McTamaney. Chair McTamaney opened the floor for debate with a reminder that the Faculty Manual section III, E of the Faculty Senate Rules of Order states that the chair may at the outset of debate on any issue, announce a time limit for the debate. This limit may be extended by a majority vote of the senators present and voting. The chair executed her authority and limited the debate on this motion and others to a time limit of 10 minutes total with no more than 2 minutes per speaker.

Chair McTamaney opened the floor for discussion.

There was no debate on this motion. Chair McTamaney called for the vote and voting members were sent to breakout rooms to vote.

Chair McTamaney asked Vice Chair Harris to share the results of Motion 1. Vice Chair Harris indicated that the motion carried with 47 ayes and 1 nay.

Chair McTamaney recognized Senator Friedman, Chair of Senate Affairs to read Motion 2 while the first motion was tallied and explained that Motion 2 would not influence Motion 1 and debate could take place. Chair McTamaney turned the floor over to Senator Friedman to explain the motion brought before the Senate. Senator Friedman explained the motion that would increase the number of elected senators per school from 2 to 3.

**SAC apportionment Motion 2: Increase minimum to three**

Motion to Increase the Minimum Number of Elected Senators per School from 2 to 3

⇒ Whereas, the Vanderbilt University Faculty Senate Constitution (Article II. A. Composition 3.) states that “Each school shall have at least two Faculty Senators, and;

⇒ Whereas, the Faculty Senate has added another standing committee, Diversity, Equity and Inclusion, since the last reapportionment, and;

⇒ Whereas, having a minimum of only two Senators presents a challenge for staffing University Committees with Senate representation, and;

⇒ Whereas, increasing minimal representation to three Senators for each school will help smaller schools with committee assignments and help smooth turnovers with three-year terms, and;

⇒ Whereas, the Faculty Senate Constitution (Article II, A. Composition, 3.) requires Senate reapportionment every 5 years, and

⇒ Whereas, amendments to the Senate’s Constitution related to its composition (Article II. A. 3.) require written notice to the members of the Faculty Assembly at least one month in advance before a vote, and this notice was provided on December 9, 2020, and;

⇒ Whereas the proposed changes in the composition of the Senate shall become effective after adoption by the majority of the Senate voting membership (Article II. A. Composition 3.),
Be it resolved, that the Vanderbilt University Faculty Senate increase the minimum number of elected Senators from a minimum of 2 to a minimum of 3 Senators per school by amendment to the Constitution Article II. A. Composition 3. By deletion and insertion to read as follows:

Article II. A. Composition 3

The Senate shall at least once every five years review the number of elected representatives from several Faculties, taking into account the relative sizes of the Faculties and of the student bodies of the several schools. Each school shall have at least two three Faculty Senators. [2020]. The number of elected representatives of any one school or college shall be no more than one-third of the total number of elected senators. [2000]. Changes may also be proposed to the Senate by any Faculty. Proposed changes in the composition of the Senate shall be made known to the members of the Faculty Assembly at least one month before Senate action and shall become effective when adopted by the majority of the Senate voting membership. [1984]

Be it resolved, that the Faculty Senate endorses the immediate circulation of this Faculty Senate composition change to the Faculty Assembly, and

Be it resolved, that this Faculty Senate composition change will be placed before the Faculty Assembly as an amendment to the Faculty Senate’s Constitution, to replace the current Article II, A. Composition, 3., and

Be it resolved, that, per the Faculty Senate Constitution’s Article III. Amendments, if notice of the proposed amendment is given to the Faculty Assembly one month in advance, and if the proposed amendment is approved by two-thirds of those present and voting at the Spring Meeting of the Faculty Assembly, April 1, 2021, the Constitution will be amended effective immediately and the revised Constitution will be posted on the Faculty Senate’s website.

Senator Friedman turned the floor over to Chair McTamaney.

Chair McTamaney limited the debate on this motion to 10 minutes.

- Senator Fitzpatrick expressed concerns with this motion in that committing to the Senate carries a heavy workload, which would mean taking law school faculty away from their academic work.

- Senator Heuser expressed opposing views and argued that in previous discussion, having greater representation is beneficial, especially having more legal expertise (which would be achieved by having more Senators from the Law School). Legal expertise is greatly valued and appreciated.

- Senator Drake argued that it is already hard to find two senators, and finding three would be even harder. Especially for smaller schools like Blair, there will always be a deficit. Senator Friedman addressed the concerns, explaining that a higher headcount would also add more perspective and more representation.

- Chair McTamaney clarified that the total number of senators elected would comprise the quorum for the given year. If a school were allotted three but chose to appoint one or two, the quorum would decrease.

- Dean Townes shared that her prepared argument was not necessary if the school did not need to have an increase.
• Senator Ramey cautioned that not meeting the full number for smaller schools would mean a decrease in the number for the larger schools.

• Senator Bisch agreed with Senator Ramey in that if schools do not feel like they can fill the senator seats, that the numbers should remain as they are.

• Chair McTamaney concluded the debate by acknowledging that the Senate Executive Committee appointed 13 additional non-senators to the committees to and diversify and bring a broader range of leadership to the committees. That person does not get a vote within senate meeting but does have leadership opportunities within the committee.

Chair McTamaney called for the vote and voting members were sent to breakout rooms to vote.

Chair McTamaney asked for the results of the vote on Motion 2. Vice Chair Harris confirmed that the motion failed with 19 ayes and 32 nays.

Chair McTamaney recognized Senator Friedman, Chair of Senate Affairs who explained Motion 3 on reapportionment to increase the senate size from 60 to 66 senators.

Senator Friedman introduced a proposed motion that reads:

**SAC apportionment Motion 3:** Increasing Senate size to 66

**Increase Senate Size to 66 Elected Senators and reapportion elected Senators to Schools**

⇒ Whereas, the Faculty Senate Constitution (Article II, A. Composition, 3) requires Senate reapportionment every 5 years, and;

⇒ Whereas the methodology used for reapportionment continues to be Hamilton’s Method, described in attachment to this motion and as adopted in 2005 by the Faculty Senate, which apportions faculty representation based on student enrollment and faculty appointments within each school, and;

⇒ Whereas the proposed changes will require an amendment to the Senate’s Constitution (Article II. A. Composition 1), and;

⇒ Whereas, amendments to the Senate’s Constitution related to its composition (Article II. A. 3.) require written notice to the members of the Faculty Assembly at least one month in advance before a vote, and this motive was provided on December 9, 2020, and;

⇒ Whereas, the proposed changes in the composition of the Senate shall become effective after adoption by the majority of the Senate voting membership (Article II. A. 3.),

Be it resolved that the Faculty Senate will be comprised of 66 elected Senators by amendment to the Vanderbilt University Faculty Senate Constitution Article II. A. Composition 1. by deletion and insertion to read as follows:

**Article II. A. Composition**

1. The Faculty Senate is composed of the Deans of the several Schools and Colleges, the Dean of Basic Sciences, elected members, and ex officio members. Elected members are representatives of the Faculties of the Schools and Colleges in accordance with the following distribution [2005] [2010] [2016] **[2020]**:
College Arts and Science 16 16
Blair School of Music 2 2
Divinity School 2 2
School of Engineering 6 7
School of Law 2 2
Owen Graduate School of Management 2 2
School of Medicine 20 22
School of Nursing 4 5
Peabody College 6 8

Be it further resolved, that the Faculty Senate endorses the immediate circulation of this Faculty Senate composition change to the Faculty Assembly, and

Be it further resolved, that this Faculty Senate composition change will be placed before the Faculty Assembly as an amendment to the Faculty Senate’s Constitution, to replace the current Article II, A. Composition 1., and

Be it further resolved, that, per the Faculty Senate Constitution’s Article III. Amendments, if notice of the proposed amendment is given to the Faculty Assembly one month in advance, and if the proposed amendment is approved by two-thirds of those present and voting at the Spring Meeting of the Faculty Assembly, April 1, 2021, the Constitution will be amended effective immediately and the revised Constitution will be posted on the Faculty Senate’s website.

Senator Friedman noted that these are two separate motions.

Chair McTamaney indicated that Motion 2 did not pass and referenced a chart showing the Representative minimum of 2 will remain at 2 and to consider this outcome in the vote.

Chair McTamaney opened the floor for debate.

- Senator Fitzpatrick shared concerns about adding more numbers to the senate in taking people away from the classroom and research based on feedback from colleagues in the law school.
- Chair McTamaney shared the chart and Senator Friedman clarified which schools (4) receive an increase in senators.
- Past Chair McLean provided more historical context by sharing that the faculty size increase was specifically related in the overall increase of faculty members.
- Another senator asked for a school receiving an increase to speak to the increase and how they feel about it. School of Nursing expressed that, like the School of Medicine includes their clinical faculty, nursing also has a lot of clinical nursing which are not included in the count. Nevertheless, they only get a small increase. Still fine to move forward with motion.
- Dean Benbow would welcome the extra representation.
Dean Brady shared that the School of Medicine would have no problem filling the extra 2 spots. Chair McTamaney asked for further discussion, of which there was none, then proceeded to voting. Breakout groups were created to vote on the motion.

Chair McTamaney asked for the results of the vote on Motion 3. Vice Chair Harris confirmed that the motion carried with 39 ayes and 13 nays.

DEI motion:

Chair McTamaney turned the floor to Senator Luis to explain the motion brought before the Senate.

Senator Luis explained that the motion brought forward was brought to the committee’s attention from indigenous students at Vanderbilt and has been a collaborative effort from several groups on campus including consultation from Vice Chancellor Andre Churchwell, Vice Provost William Robinson, OGC, members of the Department of Anthropology and others.

Senator Luis presented the motion which states:

**DEI motion for land acknowledgment**

WHEREAS, Vanderbilt University lies on the ancestral home and lands of the Cherokee, Shawnee, Choctaw, Chickasaw and Creek peoples; and,

WHEREAS, Nashville, Tennessee the home city of Vanderbilt University was a part of the trail of tears during the 1830 Indian Removal Act; and,

WHEREAS, as a result of the forced removal of Indigenous peoples from their homelands, historical traumas continue to impact these communities and contribute to rampant disparities throughout Native populations across America; and,

WHEREAS, as The Council of the Metropolitan Government of Nashville and Davidson County has acknowledged the above history in Resolution RS2017-907; and,

WHEREAS, land acknowledgment statements are a way to insert awareness of Indigenous presence in everyday life and should be a meaningful practice with appreciation and gratitude to the original inhabitants and their sacrifices made for the land and are “transformative acts that ... undo Indigenous erasure”; and,

WHEREAS, the Vanderbilt Student Government Senate has affirmed its support for a land acknowledgment statement in Resolution S-19-20-2, and it is amendment, Resolution S: 19-20-16,

**BE IT RESOLVED THAT**, the Faculty Senate supports the following land acknowledgment statement:

“We collectively acknowledge that Vanderbilt University occupies the ancestral lands of the Cherokee, Shawnee, Choctaw, Chickasaw, and Creek peoples. Today, these people have nation boundaries in Oklahoma, North Carolina, and Mississippi, after the Indian Removal Act of 1830 led to the forced removal of southern tribes to the west of the Mississippi River. In particular, the University resides on land ceded in the Treaty of Hopewell (1795-1796). We recognize and support the Indigenous individuals and communities who live in Nashville, and those forcibly removed from their Homelands.”

**BE IT FURTHER RESOLVED THAT**, the Faculty Senate recommends that the aforementioned resolution be visibly and prominently displayed both on the university campus and electronically, such that it
can be easily found by visiting alumni, trustees, faculty, staff, postdoctoral scholars, students, and prospective students.

Further, faculty colleagues are encouraged to use at their discretion the aforementioned statement, or an abbreviated version thereof such as, “I acknowledge that Vanderbilt University lies on the ancestral lands of the Cherokee, Chickasaw, Choctaw, Creek, Shawnee, and other Native peoples who were forcefully removed to Oklahoma in the Indian Removal Act of 1830.” and to share their interpretation of its import.

1 https://native-land.ca/
2 http://www.nativehistoryassociation.org/historic_period.php
3 https://www.nps.gov/trte/planyourvisit/maps.htm
4 https://guides.loc.gov/indian-removal-act
5 https://www.acf.hhs.gov/trauma-toolkit/trauma-concept
7 https://native-land.ca/territory-acknowledgement/

Chair McTamaney limited debate on this motion to 10 minutes.

The Chancellor voiced concerns about legal implications of this motion and what it would mean for the University. Furthermore, some concerns about the language of the motion were raised. It was decided to hold a vote to decide whether the motion should be resubmitted to the committee. Breakout groups were created to vote.

A motion was made by Senator Magnuson to recommit this motion to the committee. Chair McTamaney called for a second. A second was made by Senator Price. Chair McTamaney asked for debate on the motion.

- Dean Candelaria expressed discomfort with wording of the statement as one who is of Mexican and indigenous heritage.
- Senator Ramey would like to better understand what is being objected and what needs to be changed.
- Senator Hudnut-Beumler explained that it is important to recognize the relationship to lands taken by others (not by Vanderbilt). It should be presented in a way that does not create legal complications while morally addressing the history the university is a part of.
- Committee co-chair Senator Sari Acra supports this being recommitted to the committee. While it was vetted through the Office of the General Counsel, concerns remain.
- Senator Fitzpatrick encouraged that the committee work with the Chancellor and General Counsel offices to use a collaborative approach.
- Senator Luis explained that this has gone through many versions this one being toned down and would like guidance on how to rework.
- Chair McTamaney called for the vote and voting members were sent to breakout rooms to vote.
Chair McTamaney asked for the results of the vote on the resubmission of the Land Acknowledgement Motion. Vice Chair Harris confirmed that the vote passed with 43 ayes, 4 nays and 3 abstained from the vote. Chair McTamaney concluded that the Land Acknowledgment Motion will be recommitted. It was noted that there is no time limit to recommit the motion.

Adjournment
Catherine McTamaney moved that the meeting be adjourned, and this was agreed upon at 5:45 pm.

Ben Harris, Secretary
Faculty Senate

February 4, 2021
Date of Approval