Boulder Faculty Assembly  
Special General Meeting  
December 18, 2013

Attendance

BFA Members Attending
Greg Carey          Joe Jupille          Horst Mewes          Melinda Piket-May
Paul Chinowsky     Daniel Kellogg     Shivakant Mishra    Mike Ritzwoller
Bob Ferry           Penny Kelsey       Bradley Monton     Jerry Rudy
Carmen Grace       Mike Klymkowsky    Carrie Muir        Suyoung Son
Ruth Heisler        Jennifer Knievel   Roseanna Neupauer  Alex Sweetman
Matt Jelacic        Ruth Ellen Kocher  Adam Norris        Steve Vanderheiden
Peggy Jobe          Jim Meiss          Jerry Peterson     Marty Walter

BFA Members Not Attending
Mike Dunn           Asuncion Horno-Delgado Se-Hee Lee  David Rozelle
Beth Dusinberre     Lakshmi Kantha     Jeanne Liotta      Seth Spielman
Maw Der Foo         Dave Kassoy        John McCartney     Ted Stark
Sanjay Gautam       Dan Kaufman        Robert Nauman      Bryan Taylor
Sarah Goodrum       Hun Shik Kim       Susan Nevelow Mart Jeff Weiss
Phil Graves         Jin-Hyuk Kim       Rolf Norgaard      Wendy Young
Jim Green           Roger King         Cortlandt Pierpoint
Vicki Grove         Catherine Labio    Reiland Rabaka
Aya Gruber          Manuel Laguna      Karen Ramirez

Liaisons Attending
Ellie Roberts, in lieu of Chris Schaefbauer, CUSG VP for Internal Affairs
Mitch Fenton, in lieu of Chris Schaefbauer, CUSG VA for Internal Affairs

Guests and Observers Attending
Russ Moore, Provost
Steve Leigh, Dean, College of Arts and Sciences
David Boonin, Associate Dean for Arts and Humanities
Darna DuFour, Associate Dean for Arts and Sciences
Don Eron, Program for Writing and Rhetoric
Leslie Irvine, Sociology
Paul Levitt, English
Mike McDevitt, School of Journalism/Mass Communication
Mike Radelet, Sociology
Paul Shankman, Anthropology
Jan Whitt, School of Journalism/Mass Communication
Michael Zimmerman, Philosophy

The Boulder Faculty Assembly held a special meeting on Wednesday, December 19, 2013, in the University Club. BFA Chair, Paul Chinowsky, presided. The meeting was called to order at 10:30 am and adjourned at 11:39 am.
I. Opening Remarks – Paul Chinowsky

We would request that comments to the media, if you could refer them, from this meeting, about the meeting, to me, and I’ll make a statement to the media. And I will characterize everything that we’ve said, in general, positive and negative, but that we can have one statement and not 30 statements going out. That’s a request.

I’m trying to look at how there were several people, regular BFA members, that requested minutes and information about the meeting afterwards, we’ll figure out a good way of doing that. I want you to feel like this, what we’re saying in here is closed, is private, since some of this will have to do with personnel matters. But there is only so much that can be said, please understand that. We’ll try and figure out what to send out to the other faculty that’s appropriate. Any questions on that?

- Q: What kind of information can we share with our home departments because we’re mostly reps here? Our departments are interested in this.
- Chinowsky: Right. What I would request, I guess, is let me this afternoon put something together, and then I’ll send out what you can share to the departments because I want to double check it with legal just to make sure that we’re not, if there’s anything said, that we’re not sending something out that we’re not supposed to. So let me just do that and then whatever I send out you’re free to send to your departments.

Any other questions? Alright then, we’ll just jump in. Steve or Russ do you want to give just sort of a guideline, overview?

What follows is the discussion between Russ Moore, Provost; Steve Leigh, Dean of the College of Arts and Sciences; and the attendees.

Steve Leigh: Thanks very much for inviting us. We really appreciate the chance to meet with the BFA. Before we get started, I should point out that Darna DuFour and David Boonin, Assistant Deans from our office, are here with us today.

Paul and I started corresponding on Friday when it was becoming very apparent that there were issues that needed to be addressed. I’m very happy that Paul has taken the opportunity to have a meeting about this issue, and I wish it could be a little bit sooner. As Paul as kind of indicated, it would not be appropriate to get into personnel details with this. So I just thought I’d start by talking a little bit about some of the steps that we have taken, or I have taken as well, specifically to try to address issues academically. I’m going to start by saying that I absolutely support your academic freedom and safe learning environments for our students, safe and challenging learning environments for our students.

I started receiving emails from concerned students on Thursday afternoon and spent the weekend . . . through each one. Unfortunately I was overwhelmed by Monday, and I was trying to explain to students that the rigors of . . . academic freedom and tenure in this process. On Monday we scheduled a meeting with the executive committee and full professors of the Sociology department to talk with them about the issues that have been raised. And I, at least, started
realizing that we were starting to lose the prerogatives of self-governance in this particular case. I’ve become very concerned that a lot of the activity has been taking place outside our faculty body. So an important goal of meeting with the Sociology executive committee and full professors was to start addressing back to the bigger issue. Yesterday, David Boonin, Mary Kraus, and I met with the faculty in Sociology to address the same kinds of issues, and to do our best to try to move things into a faculty governance mode with the proper respect for due process. I then met with a group of students who had contacted me to, the students of all of those to whom I corresponded, to try to organize a meeting with those students. Students who were enrolled in the class as well as assistant TAs came to that meeting. Generally, it was a very, very productive meeting, I thought. Then, obviously, Paul scheduled this particular meeting. And that, I hope, kind of set the context for what we’ve tried to do. So, I guess questions or comments?

**Paul Chinowsky:** Russ do you want to say anything?

**Russ Moore:** Yes. What this boils down to, there are two issues that are very, very important to the university – one is academic freedom and one is student safety. What we have here is a clash with both of those interests. And if there’s a tie, the tie goes to safety.

**Paul Chinowsky:** So we’ll do questions. One thing I’d ask is, when you ask a question and you’re called on, if you can just state your name so we can make sure we get everyone down. So, Peggy.

**Peggy Jobe:** So I’m Peggy Jobe from Libraries. I just have a question, did Professor Adler offer to drop the skit from the course?

**Steve Leigh:** So we have asked the Sociology department to provide a review of the course. And if the Sociology department conducts a review of the course, in my viewpoint, Professor Adler can teach the course. We’re not concerned about the content of the course; we’re concerned about the form of the course, in particular, that skit. One thing that I think is of concern would be consent forms from students who are in the skit. For example, we saw on channel 9 News the students who were actors in that particular skit. There are FERPA considerations that are operational here as well. So we believe that primarily the techniques involved in the course are important. We all teach controversial topics. I teach human evolution, there are few topics that are more controversial than that in some parts of the country. So we’re aware of the importance of academic freedom, the ability to . . . complex and controversial topics. As far as I’m concerned, the self-governance should undertake that review process, it should be done by peers, and then those peers should sanction the techniques in the course, if that’s appropriate.

**Leslie Irvine:** Leslie Irvine, Department of Sociology. And, as you know, Steve, from meeting yesterday, it’s public knowledge that Patti Adler did offer, beforehand, to change the content of the course and the delivery of it. She offered to lecture it out. And students, you also know that students consent to be in the skit, and that they volunteer even years in advance to be her TAs. And while I have the floor, I would like to call for Russell Moore’s resignation because if this is what it’s about, then, on the basis of the email blast which suggested that she is under
investigation for sexual harassment. You have irreparably damaged the reputation of a tenured, university professor, and that is inappropriate. And we cannot have confidence in someone who takes those steps against us.

**Steve Leigh:** So Leslie, I’ll try to answer your question. It is fine if we continue with material that’s in the public domain that’s been published. I don’t have an extensive listing of the articles, and it’s very difficult for me to be accurate and try to . . .

**Leslie Irvine:** Surely you’ve read the *Daily Camera*, at least.

**Steve Leigh:** I’ve read a lot of material. Let me also say that I’m not aware that consent forms are available for these students and that proper consideration for FERPA has been made in this particular case. This is the point of the review process and asking our peers to evaluate . . .

**Leslie Irvine:** I am just providing the correct answer to her [Jobe] question because you did not provide it.

**Steve Leigh:** I’m very happy if we have correct answers, let me say, answers from published sources are related in this room.

**Leslie Irvine:** Do you want me to go by a [*Daily Camera*]?

**Steve Leigh:** Unless I am aware and fully understand what’s been written.

**Marty Walter:** I have the article here just in case.

**Steve Leigh:** Okay, that’s fine. I don’t have any problem with, or none of us have problems with . . .

**Leslie Irvine:** Just because you’re not aware of it, doesn’t mean that it doesn’t exist.

**Steve Leigh:** Excuse me. That’s true and that’s true about a lot of things. So what I would like to say is if, I cannot control all the press that’s been on this. I can’t know the material that is fully out there.

**Leslie Irvine:** Welcome to the 21st century.

**Paul Chinowsky:** Let’s go ahead with Jerry.

**Jerry Peterson:** Mine’s purely operational. Is the final exam for that course proceeding smoothly so the students will be, will have a fair chance to deal with the course material in spite of the . . .

**Leslie Irvine:** It’s over.

**Jerry Peterson:** It’s over?
Leslie Irvine: Yeah, it happened on Saturday.

Mitch Fenton: I’m Mitch Fenton, I’m a member of the legislative council and student government here. My main question is how this concern initially got raised. According to newspaper articles and different things that I’ve seen, it appears that one of the ATAs from the course was uncomfortable, I’m only talking about speculation that has been printed, it appears that they were uncomfortable with what was going on. My main concern from that just comes from the fact that in order to be an ATA for the course, you have to have taken the course. That means every TA that was a part of that class, took the course, saw the prostitution skit, and then willingly applied to be a TA knowing full well that that was going to be a part of, at least what they were asked to do. I did take the course, and I have to assume that if any of them did feel uncomfortable, Professor Adler would have been fine with them sitting out. So my real question is, how did this initially come about to this and we are where we are now?

Steve Leigh: So we understood that there were concerns about the course and those concerns were investigated.

Paul Levitt: What does that mean, the concerns?

Man: From who?

Mitch Fenton: Yeah, that’s my real question.

Man: On how many?

Russ Moore: I stand by 100% of the statement that I sent to the campus. And I think it was clear in that statement why this whole process got initiated. Students were concerned about . . .

Paul Levitt: What does concerned mean exactly? You say they were concerned. They were concerned about grades, they were concerned about . . .

Russ Moore: Did you read my . . .

Paul Levitt: I did . . .

Marty Walter: I have it right here.

Russ Moore: Okay, it’s in there.

Marty Walter: I have it right here. I could read it if you’d like.

Russ Moore: Go ahead.

Marty Walter: I have a question, I have two questions, I may only get to the first one unless I’m called on again. You say here that student assistants made it clear to the administrators that they felt there would be negative consequences for anyone who refused to participate in the skit. None of them which is to be publically identified. So we have anonymous persons. I’ve read as much literature on this as I could since it happened, and, as you know, I talked to you before, I guess you’re aware of everything, including
this letter from Daniel Slavic(?), asking, it’s a long thing, I won’t read the whole thing, you’ll get the tenor from the first sentence. As a student assistant TA for Dr. Adler, I find this email, referring to your email, Provost, insulting and disrespectful. And then he goes on to say it’s not true. That’s just a participant’s comment. In yesterday’s Chronicle of Higher Education, the head of ODH, that’s Office of Discrimination and Harassment, I have it earmarked here it said . . . a formal investigation . . . so I’m just a guy out in the peanut gallery here who is concerned about academic freedom. So I, personally, am not going to be happy until a body who is privy to all of things which you can’t talk about, is able to investigate this and find out who is making a mistake here. Is it you or is it the student or is it the head of ODH?

Steve Leigh: We agree with your position that there needs to be a due process body to look at this issue and that’s been a concern. It has not been in our hands. We have been responding to press reports. We have not been able to take advantage of a formal grievance from our faculty member to start addressing it within our own operation. I work for Provost Moore. If there is a question about my decision and a problem with my decision I presume he’ll have oversight on that. And beyond Provost Moore, oversight is provided by ASC mechanisms and grievance, BFA mechanisms, and department . . .

Russ Moore: And if students are concerned about feeling coerced or feeling uncomfortable in a course that they go to an administrator they’re bound, they have reporting obligations to report that to ODH. All of which happened.

Steve Leigh: The concern came through the department. So this is where concerns came through and because . . .

Russ Moore: And I’m about as far as I can go with telling you what happened . . .

Marty Walter: Sure. See that’s the problem because you can’t tell us . . .

Man: That’s right.

Marty Walter: . . . everything we need to know.

Russ Moore: And what I did tell you, if you trust me . . .

Marty Walter: No, I know, we know all of that. We’re all required to have this ODH training. Can we look forward to say privilege in tenure or some such . . .

Steve Leigh: I think we absolutely have to have that. Our faculty have to have control over this issue. And unfortunately, right now we’re being governed by Facebook. I hate to say that. We’re being governed by Facebook and the media. It’s out of our hands. So the steps that we took in Sociology were to take your best to get it into their hands. That’s why we reversed the decision yesterday. To allow Professor Adler to teach the course pending review. That has always been on the table. The course needs to be reviewed so that we can protect academic freedom and we can address the techniques that are used in the course. I don’t want to be governed by Facebook, we have to take control of this, and the department has made initial steps in that regard.

Russ Moore: Let me reiterate, this is juxtaposed with students who need to feel safe and secure. If they’re feeling uncomfortable in a course and in the reporting, they need to at least have some . . .

Marty Walter: The only written evidence that there are insecure students is your email, I’m sorry to say. That’s all I’ve been able to find. That’s the only evidence that there is, for me, of course, for you . . .
Steve Leigh: We’ve discovered in our meetings with the department that there have been long-term concerns about this course. So this is not new to this department, unfortunately. And so we’re trying to address . . .

Russ Moore: So where we’re at with this, Marty, is either I made this up or we’re . . .

Marty Walter: No, no, you have to, we all get misinformed about things. I’m not accusing you of making anything up. I’m saying, I make mistakes, you make mistakes. I’m just trying to . . .

Steve Leigh: This is why we need due process to evaluate . . .

Marty Walter: Exactly.

Steve Leigh: . . . so that procedural changes that need to be made, we can make them. We have not had that opportunity.

Paul Chinowsky: Ruth Ellen, and then Horst, and then Greg.

Ruth Ellen Kocher: I’m Ruth Ellen Kocher out of English, Co-Chair of the Diversity committee. And I completely understand your need to protect students who have concerns and to respect that confidentiality. But I think we probably can get more details . . . of specifics. And it helped that you said that there are long standing concerns, so I’m just trying to qualify the concerns. Students, plural, is that two students, is it four students, is it six students, this semester, over the course of semesters? Can we just get some idea as to what we’re talking about?

Steve Leigh: So what we know, based on our discussion with Sociology, is there have been concerns expressed over the years. And, unfortunately, these concerns have not been dealt with in an effective manner. And this year, because of, we have a change in leadership in that department with a new chair. That chair was responding to concerns that came to her desk. Now this is a mandatory obligation to report, basically.

Russ Moore: And with respect to numbers, one is enough.

Ruth Ellen Kocher: Okay. I have some concerns because I think that we’re talking about one student, there’s a question. But the scenario that we have at hand, and the fact that we’ve been talking about students, plural, I was told that we’d get some sense of how widespread that concern is especially since we have other students who are contradicting those claims. I also want, to what administrator were reported to, but I take it was the chair of the department.

Steve Leigh: Yes. Let me make a comment about our students and how touchingly and cordially they’ve recorded their complaints about this process. Again, I try to answer each individual email that generated a meeting of concerns with students about this issue. And I have to say that I’m really impressed with how they’ve behaved during this entire situation, including yesterday’s meeting. So I have a lot of information about how students feel about this issue and there’s not a single viewpoint on it, let’s just say that. And the fact that there are concerns over the course of years is a real problem for the department which we will have to address.

Horst Mewes: Horst Mewes, BFA Chair of Academic Affairs. I just had a follow up that essentially goes in the same direction, so I won’t repeat it. But is there a problem with stating how many students were involved in these complaints? And Russ talks about, you know, the clash between academic
freedom and the security of the students. What are we talking about when we’re talking about how many students complained, what did they complain about?

Steve Leigh: So this is all . . .

Man: That’s secret information.

Steve Leigh: . . . this is confidential information, Horst. It goes to, complaints will be, by virtue of a mandatory obligation report of ODH, and so it’s confidential. I don’t know whether reports from previous years have gone to ODH. I don’t know how many there are. The department didn’t give us a good sense of how far that goes back. And frankly we’re talking about a department that every day teaches something very, very controversial, so I think we need to talk a little bit about helping that department do that effectively.

Russ Moore: So, Horst, in my email it does say that the nature of the concern of some students felt coerced or they didn’t feel comfortable saying no.

Horst Mewes: Can you tell us just how many students contacted you? You mentioned it began last Thursday or last week.

Steve Leigh: Yes.

Horst Mewes: A rough number estimate of how many people are involved this particular year . . .

Steve Leigh: We can’t do that.

Horst Mewes: You can’t do that?

Steve Leigh: I can tell you I’ve got about 300 – 400 emails, I have a petition with over 2,300 signatures on it with comments. One of our students has highlighted comments that we thought were quite important. I’m going to try to work through those. As I said, the emails cover a range of issues, very, very positive about this course, our valued professor, and the experience that they’ve had at CU, so there are very, very good things that have emerged from this about how our students are responding to this course and that’s important.

Greg Carey: I’m just responding from feedback I’ve heard from a large number of faculty members over this, and most, including myself, are muddled and in a quandary as to exactly what has gone on and exactly the process from it. Some of it has been cleared up here but the other faculty members haven’t heard yet. Let me tell you one thing that came up and that is the number of complaints. In Russ’s and your memo, you did say it was a number, but if you can’t specify the number, I think you should say that. If somebody said, how did Russ get away with writing these journal articles saying, oh, we had a number of subjects in the experimental group and a number . . . if you can’t mention that there were 2 complaints versus 20 . . .

Russ Moore: I can’t.

Greg Carey: . . . then say that, that’s fine.

Russ Moore: I can’t. Because we’re talking about this year and I say there’s more than one . . .

Greg Carey: Right.
Russ Moore: . . . students, right, that’s plural. If I say say two or three that provides, according to legal counsel that provides people the opportunity to triangulate to find out who is doing it. That’s a concern.

Greg Carey: That’s fine, tell the faculty that. I think those are the issues because one of the big issues that has come up, certainly in my mind, is here she’s been teaching this course for like 20 years. Okay. All of a sudden it sounds like this year there were complaints. Maybe she just had a bad day when she met with her teaching assistants. Now we just found out today that that may not be the case. But the faculty, again, has to know that. And I think you have to start communicating, possibly on a regular basis with the faculty, telling us what is going on with that.

Steve Leigh: Again, we’re looking at new leadership in the department so it’s possible, let’s say, that the threshold is different, I can’t speak to that issue. So I think the first point you made, again, which is extremely important, this has to be turned over to a faculty governance process. It’s not right now. We’re making steps with Sociology to try to get in the front end. So I’m hoping that jointly we can craft some statement that would call for faculty governance of this and due process for everybody involved. Otherwise we don’t stand a chance of correcting problems.

Russ Moore: If I can follow up on that. So the time I sent my e-memo out to the campus, I had heard there were complaints in the past, but I didn’t have any concrete evidence that there were complaints in the past. Subsequent to me sending the email, I had some concrete evidence that there were complaints in the past.

Greg Carey: I think that information needs to get out.

Paul Chinowsky: Jerry and then Penny and then Paul.

Jerry Rudy: You might not be able to answer this question, but many of us who look at this and say, what seemed to start out as an issue involving student safety which called in the Office of Discrimination. Anyone that’s an administrator knows you have to. But how did this escalate to reading in the paper that the faculty member says she’s being coerced to retire? That seems like such a large step between how things can wrongly be handled.

Steve Leigh: So this is a personnel issue that is very hard for us to respond to because information about various . . . has been put into the press and I cannot violate confidentiality of conversations. I can tell you that we had meetings with Professor Adler, Associate Dean Carlos, and Joyce Nielson, former Chair of Sociology, had a meeting that, I think, precipitated some of these comments. I’ve read a version in the press of what that meeting contained, and I can’t really say much about it.

Jerry Rudy: So we could assume you have a written record of this conversations? That to me is the only way, I mean, that to me is the answer to how things have been handled. I’d like to see, and we can’t, there has to be a written record.

Steve Leigh: Both Association Dean Carlos and Joyce Nielson attended the meeting to make sure that all interests were, and that we had confirmation and dialogue. As you know, meetings don’t always go with everybody agreeing on issues. That’s really, I think, all I can say, unfortunately.

Penny Kelsey: As someone, I’m Penny Kelsey, I’m in English. As someone who is relatively new to the campus, only four years now, I’m just beginning to understand the structures and everything. Can you, please, and in as clear of detail as possible, explain how the faculty governance mechanisms will operate around this? Because as I understand it, I’m the BFA rep for my department, the BFA can pass
resolutions but nobody has to listen to our resolutions. Are there duly elected officials and representatives within Arts and Sciences who sit on committees that will, I mean, will there be a vote to put together a committee that comes from the faculty of Arts and Sciences that would then look at this or how does it work?

**Steve Leigh:** If that’s the decision chosen. In addition to reaching out to Paul, I reached out to Catherine Labio last week, and I had discussions with Catherine Labio, and I’ve urged the ASC to take this on to a faculty governance process. So what I would hope is that all parties can come to the table with that particular committee, say here are the issues, our peers need to figure this out. And as I say, the problem is that this is completely in the media right now. We haven’t taken steps and we have to take steps. We started with Sociology, this group, the ASC, our faculty needs to take charge of this.

**Paul Chinowsky:** One thing I can sort of add to that. One of the issues on this, there are formal grievance committees but Professor Adler needs to initiate that for those to kick in. Without that happening, what would happen then is that we’d have to work to interface, is there a need for us to investigate which appears to be more where it’s going. That would be what we would need on this to find out more. The official grievance committee procedure she would have to initiate. So unless she does that, we can’t do that.

**Penny Kelsey:** . . . grievance committee forum versus an investigation, that would be . . .

**Steve Leigh:** So there’s a standing grievance committee with the ASC and so any concern about any action within the college that involved the department, college, so on would go to that particular committee. Again, I would strongly urge any faculty who disagrees with my decisions to go that route, and we’ve had that. We have grievance . . . that are, again, confidential that have gone that route or go above my head and talk about the decision that I’ve made.

**Penny Kelsey:** In terms of it, it goes to . . . the grievance committee and the other body of . . .

**Russ Moore:** The faculty . . . grievance committee.

**Steve Leigh:** Right.

**Penny Kelsey:** . . . is that how that works?

**Steve Leigh:** Yes.

**Russ Moore:** But the faculty, their grievance committee is . . .

**Penny Kelsey:** That’s separate from the ASC one?

**Steve Leigh:** Yes.

**Penny Kelsey:** Okay.

**Russ Moore:** That’s the official grievance committee in my office. It’s run by Jeff Cox. So that committee is appointed and vetted, BFA has input on who goes on the committee. And that process, I believe, hears grievances of all sorts including grievances about dean’s decisions.

**Steve Leigh:** And that’s why I reach out to Paul and Catherine as soon as I understood that there was a . . . problem that we had virtually no warning about. I simply started seeing emails from
students and . . . them in some way. So if the ASC wishes to form a committee to investigate this, that is what they should do and the BFA . . .

**Penny Kelsey:** And the executive committee makes that decision or who makes that decision?

**Steve Leigh:** I would assume that the entire ASC would make that decision . . .

**Penny Kelsey:** I’m sorry Arts and Sciences . . .

**Steve Leigh:** Arts and Sciences . . .

**Penny Kelsey:** Again, this is so nebulous for me, and I’m so sorry. It’s one of those things where Paul would show up with a flowchart and then I’d stare at it and still be asking questions.

**Steve Leigh:** You’re addressing really important campus and university issues that might well be addressed best by BFA. I think faculty should decide how this is carried out. And, again, if we were working within self-governance due process situation, we wouldn’t be having the problems that we’re having, unfortunately. I mean, that’s been very frustrating because we don’t feel like we can really do much of anything. There’s no one to give information to who would use it responsibly and who would use it in a way that would improve what we’re doing, give a basis for dismissing me, or whatever. We just don’t have that going on and that absolutely needs to happen. And I’m committed to doing whatever I can to get that process in place. And, again, it would be much easier if we were dealing with a more standard situation.

**Paul Chinowsky:** So Paul and then Leslie.

**Paul Levitt:** I must say I find your language, both of you, very loose. As someone who is interested in language, it disturbs me. On the one hand, Russ, you talk about student safety. When you’re asked what that means, you say intimidation. I have been intimidating students for over 50 years particularly when they get Cs, Ds, and Fs. I have never been called before a tribunal. I think you had better decide what student safety means and what intimidation is, very loose. For the dean to use an analogy to the Sandusky case, it seems to me, I don’t even know how . . .

**Steve Leigh:** So, Paul, what was the basis of that?

**Paul Levitt:** Pardon.

**Steve Leigh:** What’s the basis, I mean, where did you learn this?

**Paul Levitt:** Where did I learn?

**Steve Leigh:** Yes.

**Paul Levitt:** From Patti Adler.
Steve Leigh: Not from the *Inside Higher Ed*, did you read that?

Paul Levitt: No.

Steve Leigh: Because that’s where I learned about it.

Paul Levitt: So you’re saying you didn’t say it.

Steve Leigh: No, I’m not, I’ve said in other contexts that because of Penn State, universities have heightened sensitivity to discrimination . . .

Paul Levitt: Wasn’t that what it was referring to?

Steve Leigh: I said that because of Penn State, universities have heightened sensitivity to ODH. I didn’t say anything about a specific course or specific action. I’ve said it in other context. So if you want to infer how I might have used . . .

Paul Levitt: How it extrapolates?

Steve Leigh: . . . it.

Paul Levitt: I’d extrapolate to Syria and the religious wars going on there. I mean, that kind of extrapolation really, really . . .

Steve Leigh: It’s not an extrapolation, Paul, it’s . . . when I’ve used it in other context I’ve tried to explain why universities are sensitive about this. Believe me, I do not think it’s apt, I think it’s an overstatement, and I won’t use it again, I promise you.

Paul Levitt: Alright. One last thing, and that is, it was reported that she was told she had to make a decision by January. Is that correct?

Steve Leigh: That is what was reported and, Paul, we’re talking about . . .

Paul Levitt: Just say yes or no.

Steve Leigh: . . . we’re talking about a tenured, full professor with all the rights, responsibilities, and privileges of a tenured. We don’t tell tenured faculty when to retire, how to retire, or give them deadlines. We don’t tell people, we have tenure to protect us in the pursuit of academic freedom.

Paul Levitt: Okay. I just wanted to point out that Dean . . . had told me that I had until May to sign a retirement contract. And if it’s good for me then it’s good for all my colleagues.

Steve Leigh: So, Paul, I hope that I am consistent in all retirement cases that we have to deal with. I do not want to discuss specific retirement incentives . . .
Russ Moore: Paul, he can’t talk about specifics to Patti’s retirement case. If there’s any . . .

Paul Levitt: From what you’re telling me, you can’t speak on anything specific.

Russ Moore: . . . as to the point you made with me, read my article.

Paul Levitt: I did read your article, and I think you ought to come and sit in my freshman comp class, I really do.

Steve Leigh: Alright, it’s not productive to insult us. I think, I would like to say, let me talk about the overall picture for the retirement incentive. Our decision was to try to use the retirement incentive . . . cut $1.5 million in the college last year. We had the option to try to go beyond that in order to have some financial resources for the college. In order for that program to be effective, we had to move retirements as close to the present as possible. So for the college, ideally, the latest retirement day would be December 31, 2013. We ended up with a very high fraction . . . depending on how current pending offers are looked at in 2014. That is not in our financial interests. So even though we’ve executed this retirement incentive program, it has not yielded the strategic benefit we had hoped it would yield. So I’m talking about the entire picture, the entire program, not specific cases.

Paul Chinowsky: So please excuse me if I missed somebody, I’m trying to make sure I get as many people as I can. Leslie, you’re next, and Ellie, and, oh I’m sorry, you haven’t asked yet. Leslie.

Leslie Irvine: So all of your talk about due process, this reminds me of George Bush after hurricane Katrina saying, heck of a job there Brownie. You’re standing by saying, you know, watching things crumble around you, saying, you know, let it run its course. When, as Paul just brought up, you have, this is public knowledge, and stop, you know, hiding behind the curtain that you have given Professor Adler until December 6th, sorry, January 6th, or this goes away. And also, you need to say something about your one strike comment that she can come back but she gives up her retirement package and, hold on, let me finish now, that if and when she decides to come back she has one strike. I mean, who of us in this room wants to teach under, you know, if we have one concern raised by a student, not a formal complaint, one concern, that we’re then fired without a retirement package? Where do you come out making that . . .

Steve Leigh: That’s a critically important issue. So I follow ODH policy which is not a one-strike rule. That reflects a misunderstanding of ODH policy, and I understand ODH policy. So that’s a really important issue, it’s a technical matter. One keeps one’s retirement benefits under any circumstances.

Leslie Irvine: Unless you don’t sign by January 6th.

Steve Leigh: No.

Leslie Irvine: But then she loses . . .
Steve Leigh: No.

Marty Walter: This is the problem of not having an official body who can take all the information and vet it. I have read everything that I can find on this, and my understanding is that she’s cooked right now just by what Russell Moore said a minute ago. Because she has until January 6th to make this deal for retirement where as other people have until May, okay. If she doesn’t, her choice is to go back and have the courses assigned to her as the chair will assign her. And if further complaints are found, she will be fired. Now Russ just told us, he already knows of complaints, other complaints, we don’t know how many strikes are alleged against Professor Adler.

So I’m, if I were, I want to say one comment here, I do not feel comfortable, I’ve been here four years, I do not feel comfortable being in an office alone with a student, with the door open, and everybody walking by anymore. Because I teach mathematics, and not everybody is happy with mathematics, and they take it out in weird ways. You know, I’ve seen every kind of behavior. And all they have to do is allege that I’m gay, or allege that I’m . . . or god knows what, and I got a complaint, it goes to ODH. And the math department has had a detailed interaction with ODH which was entirely unprofessional, and I can go through many, many details. I am scared of ODH, just like you are.

Steve Leigh: It’s very hard for us to talk about ODH.

Marty Walter: I know, it’s all secret.

Steve Leigh: ODH does not report to my office, and it does not report to Provost Moore’s office.

Marty Walter: It’s out of control.

Steve Leigh: That’s why I think we should have a discussion about ODH more generally. And, again, this is an area where faculty governance can play a role to try to establish a better understanding of how that office should work.

Marty Walter: With the new hires are coming in, I’m going to say don’t ever meet with a student alone, anywhere, because of this ODH.

Steve Leigh: A single complaint does not equal an ODH case or finding or anything.

Marty Walter: But there was no complaint here.

Steve Leigh: Everybody needs to review the policy because what you’re saying is inconsistent with the policy. We need to know the policy. That’s the point of training our new faculty, that’s the point of every five-year training cycle that we’re on. Those are really important things for us to do as responsible faculty members. And, by the way, us engaging in that process means that we have some ability to set the ground rules.
Ellie Roberts: Hi, I’m Ellie Roberts. I’m one of the . . . executives for CU Student Government. My question is, was Professor Adler set to teach the class next semester with students registered? And, if so, who is teaching the course now?

Steve Leigh: I believe that Professor Adler was set to teach the course next semester. The department, we assigned the class when we started receiving press issues on this and weren’t sure that Professor Adler would be back or not. Again, she’s a tenured, full professor so that’s entirely up to her. I do not recall the name of the instructor who was assigned to that class. As I understand the course materials, including the syllabus, was carried over so there would be consistency across the two instructors. And, of course, we all realize that the assignment of teaching is a departmental responsibility. It’s not the individual faculty member’s responsibility; it’s a departmental responsibility to make that decision.

Ellie Roberts: When will students be notified of who the new teacher will be?

Steve Leigh: This depends entirely on Professor Adler.

Ellie Roberts: Okay. Thank you.

Mike Radelet: Hi, I’m Mike Radelet, the former Chair of Sociology. I just want to say, Russ if you’re going to count complaints, you are opening up a Pandora’s box because what constitutes a complaint and how that differs from a concern is really not very clear. One of the ways we can take this incident as a university and become better is, perhaps, to clarify that. It’s very different, you know, hi, my name is Joe Brown, I’m a student in the class, and I hereby complain. That, obviously, has to be reported. But if it’s a faculty member going to a chair and saying, hey, you know this is going on, boy, it’s really going to offend some students, I’m concerned about it. I don’t know, that’s ambiguous. So, anyhow, I would vote don’t count complaints because you’ll be up late at night.

Russ Moore: No, I don’t count complaints. Again, so once again, any of those students who felt that they were being coerced or they felt uncomfortable in saying, no, we don’t want to participate in the process, and actually that tracks with the ODH policy. Specifically, it says sexual harassment is part of the policy.

Bob Ferry: I’m Bob Ferry of History. I wonder why did the case not stay in Sociology? At what point did it become necessary for the Dean’s office or the Provost’s office to become involved in the situation?

Steve Leigh: So Professor Adler called a meeting with us to discuss these issues. That’s why we met with Professor Nielson and Associate Dean Ann Carlos.

Bob Ferry: So it came from her? Professor Adler?

Steve Leigh: Yes, initially to meet with us, came from Professor Adler.
Bob Ferry: Do you think, in another case in the future that a situation like this would be kept in the department. It seems to me that a lot of trouble might have been avoided if Sociology could have addressed the issues and decided to . . .

Steve Leigh: So, again, it depends on consistency with ODH policy. If the department chair felt that there was a mandatory obligation, that this case required mandatory obligation to report, then that’s what the department chair should do. Obviously there’s some discretion, and, yes, every self-governing decision should stay at the lowest possible level. Stay with the department, if possible, however, the department can’t, I don’t think, can effectively deal with ODH concerns. I come from an institution where it was much different and it was not effective.

Paul Chinowsky: When was the meeting with Patti?

Steve Leigh: It was Tuesday, I believe.

Marty Walter: I think it was December 5th according to the press.

Steve Leigh: I think it was December 5th, that’s Tuesday.

Marty Walter: And she got a notice on December 6th that she had to January 6th to decide her retirement package.

Steve Leigh: According to press, yes.

Marty Walter: And, also, the press has said that ODH met with you before she did, but maybe they’re wrong.

Steve Leigh: So ODH activities are confidential.

Marty Walter: Okay. So you can’t tell us. But in the press, anyway, it said that ODH, in answer to your question, sir, according to press, which could be wrong, ODH met with the dean before Patti.

Horst Mewes: I’m not interested in trading insults here. But this entire process puts the faculty at large at a great disadvantage initially because some of the principal actors went public immediately. So that the entire discussion before we knew anything came from the public and now we cannot hear the other side because of the obviously understandable issues of privacy, etc. So it seems to me that we’re caught in between. We cannot really judge as to what exactly is going on and that’s probably why some of these insults are being raised here. And so it seems to be imperative that what is, at this stage, necessary, and you’ve indicated this, immediately call some kind of a faculty group council, whatever you want to call it, together and take this issue over. And at the same time, somehow, and I don’t know how this would be done either, to inform the rest of us so that we are not, you know, wandering around and what on earth is happening. And as a follow up, I am slowly getting appalled at hearing that this ODH is not reporting to you. Who the hell are they reporting to?
Steve Leigh: Chancellor.

Horst Mewes: The Chancellor? So that means now, what? The Chancellor is responsible for the standards and the operation of ODH? So that would mean you would have to get to the Chancellor and find out what this mysterious organization is doing and interfering with the teaching of some of our . . . I mean, it’s very baffling. And that’s why, I mean, this has to immediately have been put before, into the hands of the faculty.

Steve Leigh: This is why I contacted both Catherine and Paul on Friday, I think it was, after apparently Professor Adler told her class that she received the situation. Even in meeting with the students yesterday, I wasn’t able to get a very clear notion of what happened. I read 200 emails and I have a better sense but I don’t want to speak for Professor Adler and what she told the class. And then she departed, apparently, according to press reports. So, again, I just moved directly out to what we’re doing. I want a self-governing process to happen, and we would try to get it started in Sociology, talking about review, by talking with the executive committee. That discussion showed that that department had operated more effectively with some changes in the relationship between the executive committee and the chair which is something that we’ll work on. I desperately want that to happen, what you’re describing. And it could have gone that route very easily; it should have gone that route.

Penny Kelsey: So it stayed in the Sociology chair’s office, it didn’t go to the Sociology executive committee or, I’m sorry . . .

Steve Leigh: Which?

Penny Kelsey: The way . . .

Steve Leigh: Oh, no, I’m just talking about our general discussion with Sociology had indicated that sometimes the chair and the executive committee don’t work very smoothly together, there’s a range of issues. And that’s another discussion to have. How can the department operate more efficiently?

Russ Moore: Yeah, I think another discussion worthwhile having, to your point, ODH shouldn’t be a big, mysterious organization. Actually, it’s held up as quite a national model for how to deal with issues of discrimination and harassment. Partly because chairs rotate in and out every three to five years, depending on terms and things like that, and there was considerable . . . in terms of how people were dealing with discrimination and harassment of a very similar sort. You know, don’t do it again versus you’re going to be docked some pay. So this is a very uniform operation, and they don’t have authority to come, have findings, and then fire you. That requires an intervention by the department . . . and department chairs, associate deans, deans, provosts and ultimately the chancellor. And I can tell you through that process, having seen it in my position, and many of you who are chairs hopefully have seen the process, the benefit of the doubt overwhelmingly goes to the accused in these processes. And ODH often gets involved in the process, and they’ll look at it, and they’ll go, in most cases, more often than not, they’ll say there’s no basis for, either this doesn’t belong in ODH or there’s no basis for an inquiry which is different than an investigation. And then when they come up with findings, then they don’t mete
out the remedy that has to be done via chairs, associate deans, deans, provost, and ultimately the chancellor. It’s on the academic side. It’s on the administrative side and it goes up to another chain.

**Steve Leigh:** On the student side, it goes through another chain.

**Russ Moore:** Yes.

**Mitch Fenton:** Sorry, don’t mean to take any time away from the faculty. I appreciate you letting myself and Ellie be here. I guess the first part of what I want to say is you mentioned that there had been previous concerns or complaints, whatever you want to call them, about the class and about Professor Adler. I guess my question now is, were those relayed to her at the time over the years in kind of this running course of complaints? Because if she was, you know, never informed of these complaints whatever you have is a first strike situation where the first time that this became an issue she’s faced with this situation where she’s apparently going to leave the university. And it does seem that a woman who has been teaching here for 20 years, the same class and in what I’m sure is the same way every year and has done an outstanding job for her students has come into this first strike, and now she’s possibly being forced to leave. This is a woman who funnels the profits from the book that she writes for the class back into the book to subsidize the cost for her students. So she’s clearly been an upstanding member of this community for a very long time. And please tell me if I’m overstepping my bounds here. But it seems that unless these concerns were related to her over the years again and again so she had an opportunity to change how she was acting then this does seem to be her first strike and now she’s possibly leaving.

**Steve Leigh:** Well, so given what we learned from the department, there’s been a history of issues, then I would presume that the department can start looking at that with a . . . on that issue. The idea of one strike is completely incompatible with our ODH policy. Again, this is an area that everyone should review so that we understand what the ODH policy says and that’s why it’s incompatible.

**Mitch Fenton:** And I, again, I understand that it’s incompatible with ODH policy, but if you look at it in kind of a zoomed out picture, regardless of whose policy it is, this could be seen as a strike regardless of who’s looking at it – ODH or who’s office – as a strike. And regardless of who’s doing it, it appears that she is very close to leaving this university. So my main concern from that whole point was, were these initial concerns from previous years relayed to Patti as they came in or did the Sociology department say, well, you know, this is just a concern, it’s not a formal complaint, and she just continued as she was not knowing that there were people who were unhappy?

**Steve Leigh:** I don’t know.

**Mitch Fenton:** Yeah.

**Steve Leigh:** Again, with the change in leadership in the department you may have seen some differences in how it’s approached. I hope so, actually, to tell you the truth.
Paul Chinowsky: So Matt and then Alex.

Matt Jelacic: Matt Jelacic, Environmental Design. I was just wondering if you could point to more specifically the actual thing that she’s done wrong in terms of being in part sexual harassment? And is that, because I’m reading the definition here and it doesn’t seem that she harassed anybody sexually. She’s talking about a matter that deals with sex but that’s a different issue than actually sexually harassing somebody.

Russ Moore: First of all, nobody has said she’s done anything wrong because we’re nowhere close to that point.

[Multiple voices speaking]

Man: You said in your letter that she violated the policy.

Russ Moore: That’s not what my letter says.

Paul Levitt: . . . of your letter, Russ?

Marty Walter: Oh, yeah, I just put it away because I was waiting to go here. But she is being forced to leave by January 6th.

Steve Leigh: So this is a tenured faculty member. Tenured faculty members are not forced to leave.

Marty Walter: Well, no, I, the way I define force, if I were in her situation, I’m being forced, baby.

Steve Leigh: A tenured faculty . . .

Greg Carey: Just in between, while Marty’s looking it up, let’s take the issue, it may be that you didn’t say, oh, you did something wrong, but you stopped her, preventing her from teaching the course. Now that is an actual action that says there’s something here . . .

Steve Leigh: So we . . .

Greg Carey: . . . if I may, that is really a deep concern to us. And if I may respond to Peggy’s question, which remember I sent out to everybody in the BFA list, if she had said, okay, fine, if this skit is a problem, I won’t do it, you know. I can’t see what’s going on that, I look at this and it really seems to me, to be honest Steve, as a rush to judgment.

Marty Walter: January 6th.

Steve Leigh: So to come to that point, to reach that point through a due process, to reach the conclusion that you’ve reached I think requires a due process or any other conclusion we can
reach. Now regarding teaching, teaching is a departmental responsibility. We supported the department chair in saying that Professor Adler should not teach the course next semester. We reversed that decision as soon as we understood there wasn’t in place a peer review process to assess the course. Particularly in my mind, and whether or not the committee would view this as well, in my mind the technique used, and if that technique is used, that proper consent forms and other considerations appropriate would be met. So in my view, what I hope we accomplish was that when it was clear that it was in the hands of our faculty, we said it’s the faculty’s decision. So we reversed our course and that was pointed out very well by the Daily Camera reporter. I’ll also note that in Russ’s letter it said she can teach in the future by the Daily Camera reporter. I’ll also note that in Russ’s letter it said she can teach in the future whether that’s the immediate future or the longer term I think there’s openness on that point. Does anyone have any water?

Greg Carey: I can get some.

Steve Leigh: Thank you, Greg.

Paul Chinowsky: So just as a point of order on time since it’s almost 11:30, Alex go ahead and then I . . .

Paul Levitt: His question hasn’t been answered, the one about sexual harassment.

Man: She hasn’t harassed anybody.

Paul Chinowsky: I think that’s an appropriate thing that we can . . .

Steve Leigh: To me that would be, to me those kinds of details, they should be discussed with ODH. If this body were to ask ODH to come in, I would strongly encourage that.

Paul Chinowsky: To Alex and Ruth Ellen.

Alex Sweetman: New media makes this quite a different kind of situation. For example, channel 9 last night was broadcasting a video of the skit. So we have a couple problems here. One with, you know, with the required secrecy of a personnel case. On the other hand, you’re going to have, possibly, the videos going viral. And then everybody in the world will see exactly what the cause . . . is in this situation. So I think at some point, I’m not sure if we have time now, I would invite a more public review of how this has become, quite frankly, such a mess. Because, I mentioned this to Paul, people will . . . CU-Boulder. There’s Ward Churchill, he’s still here, and he’s coming back with this. So we have this very bizarre situation where everybody is going to see exactly what the skit looked like.

Russ Moore: So one thing, it’s not the skit or the content of the skit that got this all going. It was complaints by the students who suggested that they felt coerced or they didn’t feel comfortable in saying that they couldn’t not participate in the skit.

Alex Sweetman: But isn’t it our job to a certain extent to make students feel uncomfortable, to push?
Man: Yes.

Steve Leigh: What they think not what . . .

Alex Sweetman: Well then if the complaint and the charges . . . the two words . . .

Russ Moore: Yeah, that’s definitely our job to push the boundaries and the envelope on this. But this comes close to where it’s arguably in the domain of ODH, if this were to be found to be the case.

Steve Leigh: So let me give you an example of what we have to do when we photograph our dance students in rehearsal. So if we’re doing an Arts and Sciences’ newsletter or story on dancers in person, we have to ask them to sign a release form, consent form, before we can take their pictures. We have no idea whether that’s happened in this particular case. And that’s the reason that we’ve asked the faculty to review this because they are going to have the . . . to say this is what should happen.

Alex Sweetman: There are probably 20 videos.

Steve Leigh: I have no idea but that’s the problem. A student who is on a cell phone video, shows up on Facebook the day before her law school interview might have trouble. And if we have a consent form that says the student understood exactly what was happening, a signed consent form, then that could be presented to the law school to explain the situation. And we just don’t know the answer to the question because, again, it’s been taken entirely into a parallel media universe.

Russ Moore: And that consent process, by the way, is a faculty policy.

Paul Chinowsky: So we’ll do Ruth Ellen and then we’ll finish with Mike, just for time.

Ruth Ellen Kocher: As to the nature of the concerns, if we can’t enumerate . . . do they come simply from the graduate student assistants as was reported, or have they come from other graduate students who are also working in the department, from undergraduates, from faculty? Can we have the facts . . .

Steve Leigh: I don’t think so, no.

Penny Kelsey: So it could be that an undergraduate student, for whatever reason, wasn’t happy with the course, made a complaint and that could have triggered the investigation of questioning graduate students about what had happened. Or about the nature of whether they felt whether there was consent or not and that could have triggered a whole other cascade that may or may not be sexual harassment of any kind.

Steve Leigh: And so the cascade that you’re referring to we would hope would be moved over to professional investigators . . .
Penny Kelsey: Right.

Steve Leigh: . . . in ODH, that’s their procedure and process. So that would be the appropriate route to go to have ODH and their professionals that deal with these issues.

Mike Klymkowsky: Mike Klymkowksy from . . . biology. I’m just trying to get an understanding for my own working relationship with class that if this skit had been prerecorded, with the consent, the sort of open consent of everyone, then that would have been considered no problem?

Steve Leigh: If it would . . .

Mike Klymkowsky: . . . to be used in the classroom, but it had been prerecorded and was used as, essentially, a YouTube video and used every year . . .

Steve Leigh: With a consent form.

Mike Klymkowsky: . . . with the consent of the people who were, you know, sort of open consent, nobody was coerced, then there’s no issue?

Steve Leigh: So we use the same policy that we have to use when we photograph other people on campus . . .

Mike Klymkowsky: No, I mean, I understand . . . because I do videos in class for . . .

Russ Moore: The answer is yes.

Mike Klymkowsky: That’s okay.

Russ Moore: Yes.

Mike Klymkowsky: That’s what I want to know. Because it’s not the content of the videos . . .

Russ Moore: It’s not the content.

Mike Klymkowsky: . . . it’s the way it was generated.

Steve Leigh: And so unfortunately you have a student who’s on 9 News forever, and we don’t know the situation . . .

Mike Klymkowsky: No, no, I’m just doing it because, you know, I teach courses about sexual selection and all kinds of weird stuff and . . .

Russ Moore: And all that, by the way, is covered in the faculty-created video capture policy . . .

Jeff Cox.
Paul Chinowsky: Okay. Peggy go ahead.

Peggy Jobe: I just had a question, I don’t think this was your intention in including the stuff about the ODH policy. I think it was to reinforce the . . . policy and consequences, but in the [Daily] Camera unfortunately it was interpreted, in the email to the CU community, this is the first story, Moore suggested that Adler may have violated the university’s sexual harassment policy which is a misinterpretation of your words, I will fully admit that. But, I mean, I think it’s really unfortunate that then this perception will follow her. And I just wanted to conclude that the story, I don’t think it’s possible to say anything that someone won’t misinterpret and it has grave consequences for all of us.

Russ Moore: Yes, it does.

Steve Leigh: This is the importance of due process.

Paul Chinowsky: We’ll do one more. This is the last one.

Paul Shankman: Paul Shankman, Anthropology. This is a process question. I understand that there were two investigators attending the class in question. Was Professor Adler informed that those two investigators would be present?

Steve Leigh: That would be a topic to raise with the relevant office of ODH.

Russ Moore: My understanding, but I won’t bank on this one, you’d have to ask the current chair, my understanding is that she was informed that they were coming.

Leslie Irvine: Was not.

Russ Moore: She was not?

Leslie Irvine: No, she was not. She was not even under investigation at that time.

Russ Moore: No, ODH wasn’t going there to investigate. Sometimes, for example, were this an official investigation there would be a formal notice of investigation given to the department chair, the deans, what have you. To deal with the case where, Paul, you gave the guy a scene and he didn’t like it, so he or she does something, complains against you, sends it to the ODH, the ODH would come and try to look at the situation under which it occurred and go, no, this is not in the purview of ODH. What they were there for is to gain context for, what is this skit they’re talking about.

Leslie Irvine: So you’re saying they can, it’s perfectly okay for them to walk into any one of our classes at any time, and they have no, they report to no one. We could show up, they could show up any day, they would be strangers in our class, we might think they’re parents, we might thing they’re press, we might think they’re anyone. They could be ODH. They could just waltz in without letting us know?
Russ Moore: No.

Leslie Irvine: You’re innocent until you’re under investigation.

Russ Moore: Well, no, ODH should not be waltzing into your classrooms.

Leslie Irvine: That’s what they did to her.

Marty Walter: But you just said they did.

Leslie Irvine: Yeah.

Marty Walter: If we’re not under investigation, but two people were investigators.

Russ Moore: That had received complaints from students in the class, come on Marty, there’s a linkage there.

Marty Walter: Well, no, I don’t believe it, but I’m sorry . . .

Steve Leigh: I think this is a discussion with ODH. And, if necessary, our faculty should undertake the process of revising ODH policy to meet the requirements of academic freedom. It’s quite clear that we are somehow in conflict with the issue of academic freedom and the issue of student safety. So it’s not something we should just sit here and accept and wonder about. It’s something we should take action about.

Marty Walter: Well if we want to take action, we’ve got to do it before January 6th because she has a drop deadline of January 6th and she’s going to be gone, period.

Steve Leigh: In the retirement incentive, all faculty are treated equally.


Steve Leigh: All faculty are treated equally in this process.

Marty Walter: So everybody got a January 6th deadline?

Steve Leigh: All faculty have been treated equally in terms of the process.

Marty Walter: Everybody got a January 6th deadline. Equal for me is six equals six, you know, I’m a math guy.

Paul Chinowsky: Jennifer go ahead.

Jennifer Knievel: I’d just like to add the comment . . . Jennifer Knievel, from BFA Diversity Committee. I would just like to make a comment that the context of this conversation is sort of the assumption that Patti Adler has done nothing wrong and ODH is out to get her. But I would
just like to consider, you know, when we’re talking about process, we need to also consider situations where the student is in the right and the professor is in the wrong. And if we set up our systems so that they assume the professor is in the right, that’s dangerous too. I’m not making any statements about what happened here because I don’t really know anything about it. But I think if we’re talking about revising our process, we need to consider that, you know, sometimes students are the ones who are in the right.

**Steve Leigh:** Or other faculty or staff or any person on this campus.

**Marty Walter:** ODH should not meet with the dean when they have no complaint from no student. That would be my first rule.

**Steve Leigh:** So, again, review ODH policies to this . . .

**Marty Walter:** Well, no, they answer to the chancellor, I mean, nobody knows . . .

**Paul Chinowsky:** So do you want to say anything in closing?

**Steve Leigh:** Thank you very much for bringing me in to talk about this, and I asked Provost Moore to come as well, and I want to thank him. I am trying to be available for further discussions, if possible. I’m continuing to respond to student requests. And have a meeting scheduled with ATAs from the class tomorrow to talk with them about issues, as well. And I just appreciate the fact that we’ve had a chance to talk about this. I think it’s absolutely essential that we give indications to the press that some sort of due process is underway. I’ve shared a draft of a statement with Professor Chinowsky to see if we can come to some joint understanding of what we should do next because if we sit here and let Facebook determine the course, we have very grave problems.

**Marty Walter:** Do we have a target date for when this due process you’re talking about will be over? Will it be before January 6th or after?

**Steve Leigh:** Again, I initiated the discussion with Catherine Labio and Paul Chinowsky, and they should develop whatever process they desire to address relevant issues. And I think that our faculty would be very willing to help with that process.

**Paul Chinowsky:** And I can say Steve has been very open to us, whatever we feel is appropriate process, and I think it’s appropriate that we work, preferably this case in conjunction with ASC, there’s no need that we do it completely separate, and that we develop something. And for nothing else, I think we’ve all got very legitimate concerns about ODH policy and make sure it works with academic freedom. Make sure that we remember that the goal is that we protect the students as well as the faculty, all the interests. And that we put due process together to review these things and make sure that it works. And the invitation is open. I will send something out. Whoever is interested in being a part of that, we’ll get that moving because it is important. It’s part of our job. And we’ll make sure that we figure out what the best way to go forward is and get moving on that as quickly as possible. Thank you everybody.
A reminder, a request, if you can let us make the comment, at least for now, to the media, that would be great. Thank you everybody.

Meeting was adjourned at 11:39 am.

Submitted by Carrie Olson, BFA Assistant

Note from Chair, Paul Chinowsky: The composition of the proposed committee will be created pending review and agreement of the Arts and Sciences Council and then discussion with the BFA.