

Special Session of the University Faculty Senate
Wednesday, October 16, 2019, 8:00 am
Medford – Cabot 702 (Host location), Boston – MEB (Sackler) 802,
Grafton - Dean’s Conference Room

The University Faculty Senate met for a special session at 8:00 am on Wednesday, October 16, 2019 in the Coolidge Room of the Ballou Hall, Medford campus, with remote locations in Boston and Grafton. Present at the meeting were Jenny Aker (Fletcher), Remco Chang (Engineering), Brent Cochran (TUSM), Misha Eliasziw (PHCM), Leila Fawaz (Fletcher), Janet Forrester (TUSM), Roger Galburt (Dental), Sonia Hofkosh (A&S), Nicole Holland (Dental), Olympia Karacosta (TUSDM), Jette Knudsen (Fletcher), Anne Mahoney (A&S), Michael Malamy (TUSM), Will Masters (Friedman), Nirupa Matthan (HNRCA), Douglas Matson (Engineering), Dominique Penninck (Cummings), Lynne Pepall (A&S), Ellen Pinderhughes (A&S), Pearl Robinson (A&S), Mary Jane Shultz (A&S), Lee Sillin (TUSM), Chris Swan (Engineering), Norbert Wilson (Friedman), Henry Wortis (TUSM), and Chantal Zakari (SMFA). *Ex officio* member Provost Nadine Aubry was also in attendance, as were guests Mary Jeka, Vice President for University Relations and General Counsel, and Lili Palacios-Baldwin from the General Counsel’s office. President Melissa Mazan presided over the meeting.

Regrets: Gillian Beamer (Cummings), Vida Johnson (A&S), Maher Tabba (TUSM), Vice Provost Kevin Dunn

1. Update by Mary Jeka, VP of University Relations and General Counsel re: investigation of Sackler situation
 - a. Tufts is named (not a defendant) in MA Attorney General Maura Healey’s lawsuit against Purdue Pharma
 - i. Alleges that Sacklers and Purdue used Tufts to lend credibility to their brand and their deceptive market practices
 - b. Tufts hired former US attorney Don Stern to do independent fact-finding investigation of allegations
 - i. Charge of the investigation was to determine whether Tufts’ relationship with Sacklers resulted in any improper influence on Tufts academic or research programs, and whether any policies were violated
 - ii. Investigative team has also met with an academic panel consisting of Melissa Mazan as an internal Tufts representative, as well as two outside academics
 - c. Full report will go first to Trustees on November 1, and can then be released to Senate prior to public release
 - d. Marketing will be working with a PR firm to formulate a response to report
 - e. Mary Jeka has offered to meet with Senate again following the Trustee meeting prior to public release
 - f. Senate will have the opportunity to give input to board’s decision which will be incorporated into briefing to trustees
2. Discussion
 - a. Suggestion to hold some community forums – Mary welcomes Senate suggestions about how best to proceed
 - b. Concerns about scrutiny of donors and how it looks for the university to be a named party in the lawsuit

- c. Senate input document can be sent to Trustees via provost, who would brief Trustees
 - i. Mary noted that the Trustees' response will likely be an ongoing process, not necessarily a final decision made at November meeting
 - d. Senators considered a possible motion to ask Trustees not to make a decision regarding removal of the Sackler name until faculty have chance to weigh in, but given the timeline decided to wait until after the November meeting of the Trustees to decide how to proceed.
3. Faculty Affairs Committee (Chair, Chris Swan) – proposed resolution re: meaning of tenure at Tufts University (see resolution below)
- a. Goal of resolution is to let trustees know that Senate is aware of current tenure policy and is exploring the issue; next step will be to make recommendations for changes/updates
 - b. Committee is requesting feedback at meeting, then a vote will be called electronically later
 - c. Discussion
 - i. Suggestion to add that this is a request to initiate ongoing communication between Trustees and Senate
 - ii. Suggestion to bring current discrepancies in policy enforcement to Trustee attention
 - d. Discussion will continue via email
4. Adjourn

ANNEX

[Faculty Senate resolution with respect to the meaning of tenure at Tufts University](#) for discussion and possible approval at the UFS meeting on October 16th, 2019

Whereas,

1. The Tufts University Board of Trustees' Policy on Academic Freedom, Tenure and Retirement, approved February 8, 2014, states that "Tenure is a means to a certain ends, especially: freedom of teaching and research and of extramural activities, and a sufficient degree of economic security to make the profession attractive to men and women of ability", and
2. The change in terms of employment for some faculty, as is the case for several tenured faculty on the Boston campus, is counter to the 'certain ends' stated in the policy, leading to low morale and difficulties retaining and recruiting other faculty members, as well as to confusion regarding the meaning of tenure across Tufts University, and
3. Economic security and academic freedom are inseparable and must be considered jointly before changes are enacted, and
4. Additionally, the current policy is ambiguous on how tenure status, once achieved, is maintained.

Be it resolved that,

5. Interpretation and implementation of the Board of Trustees' policy has been uneven and inconsistent over time and across schools at Tufts, and in some cases appears to be at odds with the policy;
6. Changing a faculty member's terms of continued employment after they are hired is particularly problematic, creating economic insecurity and violating academic freedom which limits the University's ability to fulfill its research and teaching mission;

7. Clarification of how Tufts University intends to implement the Board of Trustees Policy on Academic Freedom, Tenure and Retirement is urgently needed to enable recruitment and retention of high-performing faculty.