

**MINUTES
SPECIAL
FACULTY SENATE
MEETING
MARCH 27, 2023**

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1. CALL TO ORDER

Presiding Officer of the Faculty Senate, Mona Hymel, called the March 27, 2023 Faculty Senate meeting to order at 3:03 p.m. via Zoom. Secretary Tessa Dysart was also present.

Present: Senators Alfie, Behrangi, Bourget, Brummund, Casey, Citera, Cooley, Dial, Domin, Downing, Duran, Dysart, Fellous, Fink, Folks, Gerald, Guzman, Hammer, Harris, Hudson, Hymel, Ijagbemi, Irizarry, Jones, Knox, Leafgren, Lee, Little, Lucas, Neumann, O' Leary, Ottusch, Pace, Rocha, Ruggill, Russell, Schulz, Senseney, Simmons, Slepian, M. Smith, J. Smith, Spece, Stegeman, Stephan, Stone, Su, Tropman, Vedantam, Williams, M. Witte, R. Witte, Wittman, Zeiders, Zenenga, Ziurys.

Absent: Senators Addis, Cai, Cui, Gordon, Goyal, Haskins, Lamb, Murguesan, Nichols, Pau, Robbins, Robles, Rodrigues, Sadoway, Stanescu.

INTRODUCTION FROM THE VICE CHAIR OF THE FACULTY, Mona Hymel (00:00:12)

- The Special Faculty Senate Meeting was called to order to discuss the resignation of the General Faculty Committee on University Safety.
- Vice Chair Hymel asked everyone to take a moment of silence to remember colleague and friend, Thomas Meixner.
- There were a few pieces of information that were discovered earlier in the day including a published article regarding the Meixner family who gave a notice to The Arizona Board of Regents (ABOR) of a potential suit, the PAX report came out, and there is a Press Conference on the PAX report that started at 2:30 PM by the President.
- The meeting will follow a format where all guest speakers will speak before the meeting is opened for questions. Vice Chair Hymel asked that everyone refrain from chatting as it can be distracting to the speakers. Individuals who wish to speak must be recognized by the Vice Chair. If an individual interrupts the meeting and had their hand raised, they will be moved to the end of the line.

2. ACTION ITEM: APPROVAL OF THE FACULTY SENATE AGENDA FOR MARCH 27, 2023 (00:03:56)

Vice Chair Hymel moved **[Motion 2022/23-74]** to approve the Faculty Senate agenda. Motion passed by unanimous consent.

3. DISCUSSION: RESIGNATION OF THE GENERAL FACULTY COMMITTEE ON UNIVERSITY SAFETY FOR ALL – INTERIM REPORT – Former Committee Chair, Jenny Lee (00:04:19)

A. Statement From Former Chair, Jenny Lee – Safety Committee Resignation Letter (00:05:03)

- Former Chair Lee of the General Faculty Committee on Safety for All stated her deep appreciation for the supportive outpouring of public statements and private messages in response to the March third letter, to disband the Committee and halt any future work. The committee unanimously decided to resign for two reasons:
 - The University Leadership stonewalled the committee's access to information.
 - The University's leadership, statements, and inaction created concerns that committee members might experience negative consequences for serving on the committee.

The committee's interim report was released two months ago and identified several patterns that compromise the University's handling of information about violence risks:

- The lack of a central oversight system.
- Excessive bureaucratization of safety related services.

- A chronic problem of distrust.
- The committee concluded that the patterns constituted glaring institutional failures because each pattern cripples the University's capacity to be adequately informed of violence risks and make informed decisions. The findings are clearly and unquestionably echoed in the PAX report that was shared earlier in the day.
- In sharp contrast to the acclamation for the PAX Report and President Robin's Press Conference, the University leadership publicly attacked the Committee's legitimacy and integrity and described the same findings as misleading and described the conclusions as sweeping.
- The Committee made repeated requests to ask which aspects of the report were incorrect or misleading. The University leadership declined to offer any corrections. The template answer received from the Administrator advised the committee to direct all questions and concerns to PAX, who did not respond to emails nor requests for a meeting. There was only one email that was acknowledged by PAX, this was the confirmation of the receipt of the committee's interim report, which has clearly informed the PAX Report.
- Hours before the current Senate Meeting, the Committee met with President Robbins who offered his apology for how the Committee was treated. President Robbins also acknowledged that the Committee's interim report directly contributed to the PAX report. This apology was given minutes after the PAX report was publicly released, no words or any fruitful action was taken for months. During these months, committee members continually feared retaliation and negative consequences.
- The events following the release of the interim report further demonstrate a pathology of an unhealthy organizational culture which further hinders the University's ability to mitigate violence risks in three ways:
 - The University leadership used institutional resources to attack the committee and question its credibility and integrity with no basis. By doing so, the University leadership sent a strong message that only parties selected by the leadership and who report to leadership, are qualified to scrutinize them.
 - The University retained, and will continue to retain, the services of external security experts in a process that lacks transparency that is critical to the credibility of any independent investigation. The leadership failed to recognize that stakeholders must trust the investigative team, the integrity of the investigation, and any steps moving forward.
 - The issue of permanent space for the Department of Hydrology and Atmospheric Sciences is still unresolved per their need statement, several meetings, and records to leadership since last December.
- The issues point to the urgent need to restore institutional trust. Broken trust was a title and emphasis on the committee's interim report, yet it was hardly mentioned in the PAX report. Apologies and statements that are not accompanied by action erode trust and make it more difficult to mitigate violence risks.
- The separation surrounding the murder of Professor Meixner from situations that departments across campus frequently face, is murder. The events preceding the murder are not uncommon. There are many individuals and departments who face similar problems, persistent harassment, and concerns. Sadly, the murder of Professor Meixner was not the first deadly shooting that traumatized the University of Arizona. In both cases, there was up to a year or more of red flags that were not adequately addressed.
- In conclusion, by continuing to rely on security experts with law enforcement backgrounds, and not addressing the unhealthy culture including not engaging and dismissing internal stakeholders, poses a risk of a hyper secured and surveilled workplace in which everyone is a suspect and no one is safer. An example includes the CALS Faculty Senators who released an interim report yesterday addressing the University's failure to address safety threats and the lack of action taken to address those threats since November 2022. A quote from the CALS report, "There is mistrust and a subsequent decision by some faculty not to report these incidents."
- Tightening the security apparatus is not the remedy for broken trust. The leadership's mistakes are not just the failure to recognize such institutional deficiencies when it comes to safety, but also include suppressing criticisms to identify and address the glaring failure.

B. Statement From Former Vice Chair – Barak Orbach – [HAS Faculty Resolution](#), [HAS Student Resolution](#) (00:11:05)

- Former Vice Chair Orbach stated over the past week, he and former Chair Lee spent many hours preparing short statements for the Faculty Senate meeting; they had less than two hours to revise all statements considering the Committee's meeting with the President and the PAX report. Former Vice Chair Orbach stated his original material intended to focus on the fields of negative consequences that shaped the committee's decision to disband the committee.
- The committee identified two sets of institutional failures. Institutional failures are among the most common causes of organizational traumas.
 - Inefficient risk management practices.
 - Unhealthy organizational culture.
- The PAX report recognized that University Risk Management practices are not efficient. Although the PAX report refers to the word "culture" three times, it does not display an understanding of the significance of organizational culture to safety. The PAX group will investigate security and safety arrangements, although organizational culture is not their expertise.
- It appears that the University leadership embraces the Committee's core findings and inclusion. The University must develop and implement an effective risk oversight system and work with the University community to identify areas of improvement for organizational culture. It also seems that the University leadership recognizes that mistakes were made in the handling of the investigative processes. Specifically, the University leadership seems

to acknowledge that its approach to the Committee was misguided and harmful. However, it is unclear that the University leadership recognizes that while the expertise of security experts is invaluable, additional areas of expertise are needed to address many factors affecting safety including the availability of information.

- Throughout the Committee's inquiry, unhealthy organizational culture has been repeatedly identified as the root cause of many problems. The French organizational culture is often used, but the classic definition of organizational culture is the "the way we do things around here." To illustrate aspects of University culture that should be improved, the committee experienced the following:
 - In response to the Committee's interim report, the University leadership publicly questioned the Committee's legitimacy and integrity. It was stated that the interim report represents the work of a subset of faculty that had reached sweeping conclusions based on misleading characterizations and the selective use of facts and quotations.
 - The University leadership declined the request from media outlets and from the Committee to explain what aspects of the report are misleading characterizations or sweeping conclusions. The dismissive and hostile attitude contributed to concerns that committee members may face negative consequences for serving on the committee.
 - After the release of the interim report, the University leadership blocked the committee's access to information necessary to their inquiry and declined their request to address concerns regarding the negative consequences.
 - UAPD Chief Balafas described the committee as critiques of University officers tasked with safety-related responsibilities and assured UAPD stakeholders that President Robbins and members of the Executive Leadership team have been quite strong in the response to the committee interim report.
 - About a week after the Committee disbanded, Provost Folks sent an email to the Former Chair and Co-Chair of the General Faculty Committee on Safety for All. The email stated the University strictly prohibits retaliation and advised that concerns should be brought to University officers designated to review allegations of retaliation and to call Law Enforcement if one does not feel safe. While well intended, the Provost's email was merely a statement necessary for compliance with anti-retaliation laws. It projected a misunderstanding for concerns of subordinates regarding the superiors' reactions to criticism.
 - Given the committee's findings, there was irony in advising the committee members to bring concerns to University Offices tasked with safety related responsibilities.
 - It was found that those offices do not address concerns adequately, among other reasons, due to excessive bureaucratization, and not focusing on compliance.
 - In a meeting with the Committee, employees of such offices insisted that their duties were limited to enforcement and compliance, and do not intend to protect safety. Under this approach, individuals who cope with safety concerns are expected to navigate through a bureaucratic maze to demonstrate the violation of laws and health policies accrued to be taken seriously.
 - In this period, the Office of the General Council (OGC) interpretations of legal risk periodically resulted in the suppression of information about material and risks. OGC Attorneys erroneously believed that they did not have a duty to report information about material violence risk to the University leadership.
 - In the Committee's response to the Provost, it was explained that the Committee did not write nor suggest that they had experienced retaliation for serving on the committee. The Committee used the phrase "fear of negative consequences," to capture a broad set of circumstances that are very common and do not meet the legal definition of retaliation. Former Vice Chair Orbach stated examples of negative consequences for him include unsubstantiated allegations, doubts about supporting personal and professional integrity, and selective enforcement of rules.
 - Today, the University's approach to safety concerns and violence risk is excessively formalistic and clashes with the University's commitment to protecting safety and to advance equity and inclusion. Community safety requires much more than compliance with enforcement of laws and policies. The University leadership has a duty to ensure the organization has a risk oversight system and a duty to foster healthy organizational culture.
 - Former Vice Chair Orbach stated he is cautiously optimistic about the University's leadership commitment to changing the way things are done, and believes it is the Faculty Senate's duty to ensure the University leadership meets that commitment.
- C. Responses From Invited Guests (Provost – Liesl Folks, Chief Financial Officer – Lisa Rulney, Head Counsel – Laura Todd Johnson, Dean of Students – Kendal Washington White, College of Science Dean – Carmala Garzione, UAPD Chief – Paula Balfaras, Independent Contractor – Gene Deisinger, Pax Consultant – Phil Andrew) (00:19:38)**
- Dean Garzione stated she did not receive an invitation and was unaware she was an invitee, due to another time commitment, she is unable to stay the entire meeting and provide a response.
 - Provost Folks stated her thanks for former Chair Lee and former Vice Chair Orbach for sharing their thoughts, and she applauds them for their work in the committee and their commitment to working with University leaders to finding a path back to not only legal compliance but also an environment of high trust. Provost Folks stated campus safety is taken seriously, and concerns of the community are listened to as they arise. Provost Folks stated she recognizes, and understands the Committee's recognition, that there was a complicated legal landscape in this specific situation, and many people were impacted along the path, and involved in trying to

address this egregious case. Provost Folks stated similar to the committee, people were trying their best to move the issues towards resolution within the obligatory frameworks, including compliance and legal reasons. Those proved to be insufficient to preventing a deadly shooting. Provost Folks stated she continues to look to the group for recommendations for how to improve going forward. Provost Folks stated she wants to build a better system for ensuring people are heard and have their issues dealt with respectfully and efficiently, in order for people to feel safe and secure in their workplaces and in their places of study.

- Chair Hudson stated there was an invitation sent to guests in response to guests being absent.
- Dean Garziona stated she wrote the committee and thanked them for their hard work and she knows it is a difficult issue for her and those in the College of Science. Dean Garziona stated she believes the Committee had the right intentions to make the campus safer and the PAX report requested by President Robbins shares the same goal, she would love to see people working together to improve the campus. Dean Garziona stated she found the email invitation but it wasn't labeled as an invitation and thought it was a general announcement for Senate and didn't open it until the meeting.

D. Questions from Faculty Senators (00:28:37)

- Senator Senseney stated his appreciation for the Committee, and stated he has constituents who are concerned about the University leadership's response to the murder of his fellow, respected colleague, and former community member, Thomas Meixner. Constituents are also concerned about the Administration's stonewalling and chilling response to the work of the committee. Senator Senseney stated although he is reluctant to share, it is incumbent on him to reveal that he is beginning to get unsolicited emails from members of high standing in his constituency, in the College of Social and Behavioral Sciences, who are expressing a vote of no confidence in members of the University leadership. Senator Senseney stated he has good reason to believe he is not the only Faculty Senate representative receiving such emails. Senator Senseney asked University leadership (Provost Folks, as she was the only one in attendance) how trust can be built while beginning to share an emerging set of findings and recommendations pursuant to the future of the safety on campus.
 - Senator Ziurys stated she echoes Senator Senseney's statement and is speaking for her colleagues in the College of Science. It is not a matter of trust, it is a matter of confidence in the University leadership; bad decisions were continuously made before and after the murder of colleague Thomas Meixner. The ineffective response to the repeated, desperate calls for help by colleague Meixner and his colleagues, who are key University administrators, clearly illustrates bad dysfunction. There were often attempts to minimize the gravity of the situation and discredit the concerns. Such acts are inexcusable and there needs to be accountability. Thomas Meixner should never have been murdered. Senator Ziurys stated it is the opinion of her and her fellow faculty members in the College of Science, that Senior Administrators lack the ability to lead and therefore, should be replaced.
- Senator Ottusch stated he has a question for Provost Folks although she departed from the meeting. The question was from the College of Agriculture and Life Sciences (CALs) to ask what has been done with the report that was shared with Provost Folks in November, there has been no response thus far. Another incident within CALs has occurred since then. People have been reaching out and haven't received any response. Senator Ottusch asked what the process is for instances such as these, when information is reported.
- Senator Hammer stated it is useful to get all views on record whether in favor or against the University Leadership's response. As Senator Senseney pointed out, it would be more fruitful to provide feedback with an attempt to come up with solutions to unify everyone, especially regarding trust. As of today, it is known that the report by the Faculty Committee and the PAX group are quite congruent. Senator Hammer stated for the sake of transparency, he has not read the entire PAX report but has skimmed through it. It seems that as Dr. Lee stated, there is a lot of overlap and ideas that can be accomplished jointly. An example of accomplishing goals jointly includes the Administration not only relying on PAX but also welcoming the assistance and involvement of members of the General Faculty Committee on Safety for All. This would be a potential effort to re-establish trust and allow a Faculty Senate component to be involved in the Threat Assessment process. The language between the PAX report and the committee's report differs in many ways, an example is the PAX group who talks about threats, threat assessment, and the killing of Thomas Meixner whereas, the Faculty report talks about the murder with an emotional element. To reestablish trust, both sides need to remove emotion and attempt to work together for the betterment of Safety for All.
 - Former Vice Chair Orbach stated he would like to refer to the differences in language, threat assessment is the commonly used term for universities in terms of how they address information to address safety. It is a technical term for offices who have defined responsibilities, and is essential and a subset important for risk elements, but it is not enough. One critical aspect is how offices are organized and who reports to whom to ensure University leadership is adequately informed.
- Senator Downing stated he would like to support Senator Hammer's suggestion to have the minutes stand as a set of questions for invitees not in attendance, other than Provost Folks. Senator Downing stated he spent part of his professional life as an investigator for the inspection panel of the World Bank where he looked at internal affairs. A critical part of an Independent Report is the terms of reference, including what was asked of a particular individual. It cannot be considered "Independent" if questions are not documented, this would be similar to grading

an exam and being able to see answers, but not questions. Regarding police, there is a procedure that must be followed, when there are small jurisdictions who face a significant incident, a larger, sister jurisdiction in the State, and member of AZPOST should conduct an investigation. There have been very few homicides although, this cause should have been turned over to the sister jurisdiction to investigate the entire network, happenings, and previous involvement of law enforcement. Senator Downing stated that he has not heard that the University of Arizona Police Department (UAPD) requested such an investigation from their sister department which is highly irregular. Senator Downing stated he would like to hear from the UAPD who does not have a homicide section, to hear why the investigation of the incident, who had previous reports, did not have an external investigation completed by their sister Police department. Senator Downing stated he would like UAPD and the Chief to come before the Faculty Senate to explain why she made the decision to not use an external review.

- Vice Chair Hymel stated she would like to read a message from Senator M. Smith who had a question for the administration and Provost Folks: "I attended a portion of the public meeting that I could before coming here. I have heard nothing here or in any of the materials about the plans of the Administration to work on Cultural/Trust issues that exist other than dealing with the Law Enforcement issues. I want to know the Administration's perspective of how they plan to address the cultural issues."
- Senator Simmons stated he would like to ask the PAX group a question which follows up on Senator Hammer's statement for emotions. Senator Simmons stated he did not read the report thoroughly due to a lack of time, although, he was able to read a summary and skim through the report. Senator Simmons stated one thing he found to be pandering, and caused him to feel a lot of personal emotions, was within item two which says, "provide consistent, empathetic, and compassionate response." As he read through the report, this was not a theme that emerged. Senator Simmons stated he searched through the report and the word "Compassion" does not appear in the rest of the text, the word "Empathy" and its derivatives only appears in three other places with largely no elaboration. Senator Simmons stated his question to PAX: "This is primary theme found at the top of the report, why does it seem to be lacking throughout the entire report?"
 - Vice Chair Hymel stated the information Senator Simmons is referring to can be found on page five of the PAX report.
- Senator Zeiders stated she would like to begin by acknowledging the Meixner family who is in attendance of the Faculty Senate meeting along with about two-hundred-fifty other campus community members. The Meixner family is likely reexperiencing the deep pain and loss of their loved one as this discussion continues. It should be very clear that the matter of Thomas Meixner's death and the surrounding events are a great public concern, and continued concern for all staff, students, faculty, and the campus community. It is important to feel safe and be able to trust the University leadership. In light of the report issued earlier that day and the Administration's response, the PAX report represents the fourth time in ten years that the University has paid for an external consultant related to campus safety. In 2013, the University paid Gene Deisinger who visited in February 2023. Both trainings stressed the need for communication of community members regarding threats, in contrast, the FERPA training focused on respecting privacy, and encouraged individuals to not speak. In 2018, the University of Arizona hired a Title I specialist to review the University policy around sexual harassment due to reports of gender-based discrimination not being taken seriously for six months. The interim showed sexual harassment reports are still not being followed up on. In January 2020, the University paid consultants to investigate policing practices on campus and issued a one-hundred-page report in April 2021, the call was reimagining safety, security, and law enforcement. It called on UAPD to develop new structures of accountability, greater transparency, and to focus on the negative climate within the campus community. Today, there is a release of a two-hundred-page PAX report. The history of faculty and Shared Governance bodies speaking up and issuing reports, and the subsequent inaction and dismissal of UA leadership should also be known. In 2020, there was a committee who issued a furlough finance report, their recommendations were ignored. In 2020, there was a Global Campus Senate Advisory Committee who issued a report on the acquisition of Ashford which was ignored. Today, there is a convening of a special session because the University General Faculty Committee on Safety For All resigned due to the University's response to their work. Over the weekend, CALS senators were sent a memo that detailed safety concerns of CALS faculty, the memo was written after the murder of Thomas Meixner, in response to a college-wide survey asking all CALS employees to voice concerns on safety, and to document their personal experiences. The memo discusses faculty's lack of trust and being completely beside themselves due the Dean of Students failure to respond to reports of life-threatening events. Senator Zeiders shared a statement from one of her colleagues, "I see these emails from UA coming out, talking about how they take things seriously, it feels like a farce." On November 4, 2022, the memo was delivered to the Provost's, now five months later, there has been no follow up, email, questions, nor change. Everyone is tired of fighting and waiting for administration to do the right thing and to listen in order to ensure safety. Senator Zeiders stated she doesn't have questions for the Provost and the President because the history of the Administration speaks for itself. Senator Zeiders shared another quote from a CALS colleague in response to the memo received over the weekend, "It sounds like people in charge, the people with power, have chosen a path of self-protection which is of no use for the people at risk. This is a time for action, a time to stand up and do what's right." Senator Zeiders stated she has no confidence in the current administration to make things right.
- Senator M. Witte stated there is an ability to remain clear headed while also being passionate and emotional.

Senator M. Witte stated Senator Zeiders provided a great summary in prelude to her final comment, she has great pride when the faculty stands up and does an excellent job in the face of retaliation and remains courageous. About a year and a half ago, the Committee of Eleven completed an evaluation of senior leaders, the committee received responses from twenty-eight percent of the faculty. The histograms associated showed a level well below fifty percent of confidence, the range was from ten to fifteen percent of confidence in senior leaders, this survey also included a question of honesty.

- Senator Lucas stated a famous quote by James Baldwin "I can't believe what you say because I see what you do," and stated it applies to the Administration. The President and Provost affirmed they directly value shared governance, but when invited to a Faculty Senate meeting, neither the President, CFO, nor Chief of Police show, and the Provost left in the middle of questioning. In the video posted today, the President concluded by thanking the Senate Committee for University Safety, yet the Administration publicly discredited them. In the Provost's short statement today, it was stated that she hopes everyone can work together as a community to improve campus safety. This is contrary to blocking the University General Faculty Committee on Safety for All's access to information and the PAX group. Senator Lucas stated he would like to echo what a Senator had previously mentioned during the meeting he has also heard discussion of no confidence within his constituents. Senator Lucas stated it is very appalling that the main administrators speak about trust and no confidence but do not attend the Faculty Senate meeting.
- Senator Harris stated she echoes Senator Lucas's sentiments and is incensed, outraged, and saddened that the Faculty Senate meeting was well publicized where there was an agenda posted, and all senior administrators and stakeholders were asked to attend, the deafening silence received says it all. Senator Harris stated she was not at the point of advocating for a vote of no confidence, but the senior administrators continue to not listen. Senator Harris asked how difficult it is to come to the table to listen to concerns and work constructively to identify ways to build trust again. Senator Harris stated she is heartbroken to say that she has no confidence in the current administration.
- An audience member stated the meeting is taking place considering a shooting which occurred in Nashville where three students and three individuals who work at a school were shot and killed today, this does not include statistics for any other conditions. The audience member stated institutions of learning have the same attitude, individuals are open to changes but no one wants to take necessary steps to ensure that all students and teachers, no matter the grade, are kept safe. The audience member also stated this is the first Faculty Senate meeting she has attended and asked if the lack of administrative presence is commonplace and if so, how can there be collaborative work done with an administration that has either shown they don't care about the work put forth, or they are intentionally stonewalling. **(00:54:51)**
- Senator Ottusch stated he is from the State of Michigan and after the Michigan State shooting occurred, there was an immediate response, the shooting happened on either a Wednesday or Thursday and there were several days of classes and athletic events canceled. Professors at the University of Arizona were faced with the aspect of making their own decision about whether they would hold class. Senator Ottusch stated he chose not to hold class but students were welcome to visit his office to process, the students stated they were frustrated with the process and felt as if they were not cared for. Senator Ottusch stated he is sure ASUA may have additional comments regarding student perspectives. The PAX report did not fulfill their duty to implement a compassion element, and there was a lack of understanding of all individuals influenced by the occurrence, this could have been handled in an improved way by treating people as humans.
- Chair Hudson read a statement on behalf of Senator M. Smith, "I would also like to strongly point out that there seems to be exclusive focus regarding danger on persons officially affiliated with UArizona. Everyone should realize that we are also talking about everyone who sets foot on the UA campus and levels of threat to them. Every member of the public, every student, every student's family, everyone on Banner hospital proper at any time, is also in danger when they come to campus. This is clearly a problem for the safety of the public as well."
- Chair Hudson stated her suggestion for asking if there is a resolution to be brought forward once people have finished making comments.
- Vice Chair Hymel stated she believes she needs to recognize an individual who could put their motion or resolution forward and asked the Parliamentarian for his input.
 - Parliamentarian Stegeman stated as with any other motion, anyone with voting privileges can make a motion from the floor.
- Senator Downing stated he would like to make a motion which was put together with the help of other individuals, he is open to all types of amendments. Senator Downing stated the motion of no confidence is specific to only the issues being discussed and is not a general motion of no confidence. Senator Downing moved **[Motion 2022/23-75]** the Faculty Senate expresses no confidence in President Robbins and his management team, including the UAPD Chief Balafas, CFO Lisa Rulney, General Counsel Laura Todd Johnson, Dean of Students Kendal Washington White, Provost Folks for 1) FAILING TO DO DUE DILIGENCE to ensure the safety of the late Prof. Thomas Meixner, the Hydrology and Atmospheric Sciences faculty, staff and students and the campus before Professor Meixner's tragic murder; 2) A COMBATIVE, NON-CONSTRUCTIVE RESPONSE to the General Faculty

Committee on Safety for All Interim Report and other Faculty Senate attempts to find ways to improve safety and restore broken trust on campus;. 3) INTENTIONALLY CALLING A PRESS CONFERENCE on the release of the PAX report thirty minutes before a Special Faculty Senate meeting dedicated to the resignation of the General Faculty Committee on Safety for All in which the administration had been allocated time to address elected faculty senate concerns. We call on the administration to demonstrate progress towards a comprehensive risk management system and accountability by specific personnel actions in the SLT, UAPD, OGC, and DOS, and the initiation of collaborative efforts with shared governance with a timeline and measurable benchmarks for improvement subject to Faculty Senate oversight within the next 30 days. Motion was seconded. **(01:02:27)**

- Senator Ziurys stated she is unsure why there is confinement to this issue only, as said by Senator Zeiders and Senator Lucas, there are many issues where the Senate and Faculty were stomped on by the Administration. Senator Ziurys stated it may be possible to build trust although this is a question of competent management. Senator Ziurys stated there is no hope due to the way the administration acts, given the murder of a faculty member which should have never happened, they publicly attack a committee who tried finding a resolution, and pulls other stunts; leopards do not change their spots. Senator Ziurys stated this goes beyond this particular matter although this was a very grievous incident where a horrible murder took place, bad mistakes were made and there is no guarantee that these bad mistakes will stop.
- Senator Alfie stated he is very sympathetic and is not in agreement with the way people are being treated. Senator Alfie stated anyone who has tried to deal with difficult situations has found themselves being passed from one office to another. Senator Alfie asked in terms of the motion stated, what is the intended outcome and what is hoped to be achieved with the motion.
- Senator Downing stated the intention is to see some form of action or plan which is indicated by the thirty-day timeline. Normally, when bureaucracies are asked for action, there is a timeline and set of actions requested tied to it. The motion is open in terms of what can be proposed in terms of the PAX report and in the line of Broken trust report, suggestions from Senators can be included, and it shows that the administration's presence would be valuable at the next meeting.
- Former Vice Chair Orbach stated he is not a Senator and does not have the intention of advising anyone. University leadership can be replaced although the issues identified include structural ones, and any leadership will need to address those. Individuals need to be more cooperative amongst each other as these are serious issues, and it will take time to address them. Former Vice Chair Orbach stated it should be recognized that this is a very complex problem that needs collaboration and addressing.
- Senator J. Smith stated his concern is that the Faculty Senate are being baited and played to some degree, he asked what the administration would use the vote for as there is a potential for them to not recognize the Faculty Senate as a partner. Senator J. Smith stated he wants to ensure the Faculty Senate operates not just in a reactionary way and being baited but encourages everyone to put thought into their decision.
- Kathleen Meixner was recognized by Vice Chair Hymel and stated she would like to express her appreciation to the Faculty Senate Committee on Safety for All. Her, her sons, Meixner's sisters and extended family are appreciative of the diligent work and countless hours that have been put in by the committee to investigate the occurrences leading up to the murder of Thomas Meixner. Kathleen Meixner stated she is grateful for the recommendations because they give her and her family hope that real change may occur. Kathleen Meixner stated she is deeply touched by the commitment to ensure another family does not have to go through the same experience. She expressed her gratitude and stated she expressed to President Robbins that she hopes the report will be taken seriously and real transformative change will occur as the result of hard work put in. **(01:11:28)**
- Senator Ijagbemi stated the question that Senator Alfie asked regarding the motion on the floor has assisted with placing things into perspective of what the defined outcome is. Senator Ijagbemi stated he heard Senator Downing's response regarding what is to be achieved, he is unsure if the motion is the right way to go, it would be better to state clear expectations for the administration. Senator Ijagbemi stated it is easy for individuals to take the phrase "motion of no confidence" out of context and would prefer to have a set of specific requests for responses with a set timeline to move forward with the issue.
- Senator Pace stated having some deliverables in the resolution may be a good idea, the thirty-day timeline to show action and improvement is beneficial but it may be worth considering adding more such as particular benchmarks. Senator Pace stated based on his perception and the perception of his colleagues, there is somewhat of a dismissive approach to concerns and safety presentations that are raised by faculty, not by the senior leadership team but also by individuals who are overseen by the senior leadership team. It may be useful to give the leadership backbone to deal with some of the people who are in such positions of power who have been dismissive and dismissive of comments, including very recently, to move forward.
- Senator Ottusch stated he is not opposed to voting today and is unsure if votes would change, but it may be more impactful to vote in the next week's Faculty Senate meeting to give invitees more time to answer

questions, and due to the report being released today. This may give individuals and their constituents more time to read the report and potentially gain some clarity and provide assurance that their questions will be answered.

- Senator Lucas stated he agrees with Senator Ziurys and does not believe this is a reaction vote as this has been long coming for him. There have been many issues with the administration including furloughs, Ashford, MLK Building where there was baiting into becoming a partner, but the Faculty Senate does not have a partner. Senator Lucas stated he was involved in providing an alternative to the furlough, within twenty-four hours there was dismissal of all efforts in providing an alternative. Senator Lucas stated he would rather broaden a vote of no confidence rather than confining it to one issue.
- Senator Lee stated there have been repeated demands throughout campus from many groups which asked for compromise and collaboration with deadlines, receipts for receiving documents, and there have been numerous ad-hoc committees created. Senator Lee stated she spent a lot of her time on one of the ad-hoc committees and doesn't know the purpose, there were factual reports created which were based on a great amount of data. Senator Lee stated going back to what Widow of Thomas Meixner, Kathleen Meixner stated, reminds everyone that he did everything he was supposed to do. Senator Lee stated there can be a list of demands put together, but she can place money on the fact that the list will be sitting for a long time, this is one example of how negative consequences occur, meanwhile those waiting are sitting in fear of retaliation which is the history in recent years of the current administration. Senator Lee stated she does not believe there is just an issue of no confidence and safety but believes there is an issue of no confidence and no safety; this is an issue of whether there can be trust in the current leadership to rise to task, so far, there has been no clear demonstration for that.
- Senator Simmons stated no one is pleased with the situation as it is an unmitigated nightmare, he feels that the requests for actional items in a timeline is in order and is not pleased there was a press conference scheduled at the same time as the Faculty Senate meeting. Perhaps this would have allowed individuals to hear the plan as PAX does lay out many changes that must occur. Senator Simmons stated he would be interested in an expected timeline with a ticking clock behind it and people being aware of it. Senator Simmons stated he is concerned about the rhetoric concerning the vote of no confidence because it immediately places the administration on the defensive side, it is possible people feel this is necessary to make a shift. Senator Simmons stated given the history, he does not believe it will lead to a collaborative solution and suggested setting a timeline and asking for a plan, when it will be executed, and holding the administration accountable. Senator Simmons stated he supports the actionable portions of the resolution but would change the wording of the preamble, as the vote will be secret ballot, there can be changes made to the language and the vote can occur offline.
- Senator Senseney stated he agrees with his fellow Senators in terms of the gravity of the overall situation and the Senators responsibility towards it. With respect to concerns about the most effective way to collaborate with the Administration moving forward, it is important to keep in mind that with or without a vote of no confidence, the University's leadership did not attend the special meeting and there is no means for collaboration. Senator Senseney stated he supports the motion on the table and would entertain broadening the motion by a vote of no confidence.
- Senator Gerald stated he is representing the College of Public Health and would like to add his support to his fellow senators who believe there is a broader issue. There have been multiple events of serious nature that have occurred over the past three years where senior leadership has been dismissive and unresponsive to requests of the Faculty Senate. Sending one more request for action and information is insufficient based on where the Faculty Senate currently stands. Senator Gerald stated he supports broadening the motion but also supports a delay in voting so that Senators may have discussions with their constituents to assist with guiding their votes of no confidence.
- Senator Harris stated regarding collaboration and setting additional time limits, it was inappropriate that President Robbins could have scheduled the Press Conference at any other time as he was aware of this agenda item and had the opportunity to bridge the gap in trust. Senator Harris stated the fact that President Robbins did not attend, speaks volumes and is incredibly disappointing. Senator Harris stated she agrees with her fellow senators of broadening the vote of no confidence on the issues that have been stonewalled for years. Senator Harris stated as a new Senator, she has requested information regarding Ashford and furloughs repeatedly and has never answered which is not helpful for instilling trust in a collaborative interaction. Senator Harris stated she agrees that Senators need more time to read the PAX report, but with her quick overview of the report earlier that day, she received no indication that the core issue of trust and distrust was being addressed. Senator Harris stated the administration can be given thirty days, but they have been given years, she is not averse to an outcome of the vote of no confidence as a resignation of the administration.
- Chair Hudson stated she seconded the motion because Senator Downing has constructed a narrow motion of no confidence on a signal motion where the campus has the most unanimity. Chair Hudson stated she has emails coming in throughout the meeting which state the meeting was the last straw and

individuals now support a vote of no confidence. Chair Hudson stated she agrees with the point that Senator Gerald made which said before broadening a vote of no confidence, it is important to consult with fellow constituents, and she does not believe the Senate is ready for a broad vote of no confidence. Chair Hudson stated the specific content of Senator Downing's resolution includes topics of broad unanimity, even among those who are urging the Senate to move more slowly. Chair Hudson stated she supports the motion on the floor because it highlights topics such as the dismissal of the interim report, the failure to do due diligence in the upswinging of the murder, and the scheduling of a press conference which emphasized the lack of collaboration by the senior administration. Chair Hudson stated the second part of the resolution on the floor makes a request in a language that she believes Senior Administrators can understand for a path forward and includes both accountability and a plan with benchmarks and a timeline. Chair Hudson stated given the events of the last couple of days, this has caused her to second this specific motion, before bringing a broader motion, it is important to first talk to constituents.

- Senator R. Witte stated he agrees with Chair Hudson and Senators Gerald and Harris that if there will be broadening of the motion, there needs to be a broader conversation. Senator R. Witte stated he believes there should be written documentation justifying the potential vote of no confidence that would be extended rather than verbal conversations only. Senator R. Witte stated there will need to be a list of justifications which will take time and vetting with individuals. Senator R. Witte moved **[Motion 2022/23-76]** a motion for cloture. Motion was seconded. Motion passed by a two-thirds majority vote. **(01:32:42)**
- **[Motion 2022/23-75]** passed by secret ballot vote with twenty-nine in favor, thirteen opposed, and seven abstentions. **(01:35:27)**
- Senator Ziurys stated although she voted in favor of the motion, she does not believe it will provide any benefit and it feels like playing a broken record where there is an appeal made and request for collaboration but there are never any changes. Senator Ziurys stated although there is a deadline, the administration can ignore it, and there is something bigger needed.
- Senator Guzman asked Senator Ziurys if she had any suggestions.
- Senator Ziurys stated other issues need to be addressed other than this one, the issues started with the vote concerning furloughs where there were memos written and requests for cooperation, the administration provided no collaboration which is like the Ashford, and UITS issues. Senator Ziurys stated the pattern of ignoring the faculty has taken place for about four years and she does not believe the motion will do any good.
- Senator Downing stated he would like to thank everyone for the vote, he was not prepared to make such a motion until there was a complete boycott, other than Provost Folks, of the Faculty Senate and Faculty Governance which he views as a "slap in the face." Senator Downing stated this is the ninth President he has had experience with, and the Faculty is the University and will always be in place longer than the University.
- Senator Guzman stated his agreement with Senator Downing and said Faculty spend their lives at the University, he has been at the University through eight Presidents and twelve Provosts, and nothing has changed. Senator Guzman stated he agrees with Senator Ziurys and a deadline is critical because there will be no changes with just one vote, there is a need for a wider perspective. Senator Guzman stated he does not have the same fears as he would have thirty years ago when he was an Assistant Professor although, there is still retaliation present. Senator Guzman stated when he speaks to Faculty members in engineering, they advise him to leave his committee due to potential conflicts.
- Chair Hudson read two comments from Senators in the Zoom chat:
 - Senator Zeiders: "In addition to the faculty, or maybe more so, the Faculty, Staff and Students are the University also."
 - Senator M. Smith: "My comment is that I think it won't work either. I think we are dealing with larger issues. They are doing what the Regents want so we'll have no incentive to do anything differently. The real problem is the values of the Regents and what they are reinforcing financially. Please read this to the group."
 - Vice Chair Hymel stated she agrees, one hundred percent, with the comment made by Senator M. Smith.
- Vice Chair Hymel stated her thanks for everyone who attended the meeting as it is important to have a chance to discuss serious issues.

4. **ADJOURNMENT**

Chair Hudson moved **[Motion 2022/23-77]** to adjourn. Motion was seconded. Motion passed by unanimous consent. There being no further business, the meeting was adjourned at 5:00 p.m.

Tessa Dysart, Secretary of the Faculty
Jasmin Espino, Recording Secretary

Motions of September 12, 2022 Faculty Senate Meeting

[Motion 2022/23-74] to approve the Faculty Senate Agenda. Motion passed by unanimous consent.

[Motion 2022/23-75] the Faculty Senate expresses no confidence in President Robbins and his management team, including the UAPD Chief Balafas, CFO Lisa Rulney, General Counsel Laura Todd Johnson, Dean of Students Kendal Washington White, Provost Folks for 1) FAILING TO DO DUE DILIGENCE to ensure the safety of the late Prof. Thomas Meixner, the Hydrology and Atmospheric Sciences faculty, staff and students and the campus before Professor Meixner's tragic murder; 2) A COMBATIVE, NON-CONSTRUCTIVE RESPONSE to the General Faculty Committee on Safety for All Interim Report and other Faculty Senate attempts to find ways to improve safety and restore broken trust on campus;. 3) INTENTIONALLY CALLING A PRESS CONFERENCE on the release of the PAX report thirty minutes before a Special Faculty Senate meeting dedicated to the resignation of the General Faculty Committee on Safety for All in which the administration had been allocated time to address elected faculty senate concerns. We call on the administration to demonstrate progress towards a comprehensive risk management system and accountability by specific personnel actions in the SLT, UAPD, OGC, and DOS, and the initiation of collaborative efforts with shared governance with a timeline and measurable benchmarks for improvement subject to Faculty Senate oversight within the next 30 days. Motion was seconded. Motion passed by a secret ballot vote with twenty-nine in favor, thirteen opposed, and seven abstentions.

[Motion 2022/23-76] a motion for cloture. Motion was seconded. Motion passed by a two-thirds majority vote.

[Motion 2022/23-77] to adjourn. Motion was seconded. Motion passed by unanimous consent.

Attachments Within the Minutes:

1. Page 1, Action Item 2: [APPROVAL OF THE FACULTY SENATE AGENDA FOR MARCH 27, 2023.](#)
2. Page 1, Discussion Item 3: RESIGNATION OF THE GENERAL FACULTY COMMITTEE ON UNIVERSITY SAFETY FOR ALL – [INTERIM REPORT](#)
3. Page 1, Discussion Item 3A: Statement From Former Chair, Jenny Lee – [Safety Committee Resignation Letter](#)
4. Page 2, Discussion Item 3B: Statement From Former Vice Chair – Barack Orbach - [HAS Faculty Resolution, HAS Student Resolution](#)

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