

Minutes

SENATE FACULTY AFFAIRS COMMITTEE (SCFA)

Thursday, March 19, 1998

3:00-4:15

229 Nolte Center

Present:

Kent Bales (Chair), Josef Altholz, Gary Balas, Carol Carrier, Carol Chomsky, Richard Goldstein, Eville Gorham, Roland Guyotte, Richard McGehee

Absent: Mary Dempsey, Cleon Melsa, Anne Pick, Richard Purple

Regrets:

Robert Fahnhorst, Judy Gaston, Shenoa Simpson, Geoffrey Sirc, Harlan Smith, Georgina Stephens, Caroline Turner, Delane Welsch

Guests: Mary Lou Fellows, Pat Frazier, Robert Jones, Julie Swietzer, Jane Whiteside

Others: Martha Kvanbeck

[Action on: Policy on the Nepotism and Consensual Sexual or Romantic Relationships Policy, the Sexual Harassment Policy, and the Retirees' Bill of Rights]

1. Action on the Policy on Nepotism and Consensual Sexual or Romantic Relationships and the Sexual Harassment Policy

Policy on Nepotism and Consensual Sexual or Romantic Relationships

Changes since the February 19 Senate meeting include:

- A slight change in the Definitions Section, but it is not substantive.
- A sentence has been added to the Compliance Section of the policy, clarifying the fact that conflict must still be addressed.
- The second sentence of the second paragraph in the Compliance Section was added in order to clarify that some relationships are avoidable.
- The Commission on Women suggested changing "this student" to "all students", but it was decided that "this student and other students" would be the replacement in the Compliance Section.
- Changes in the Compliance Section of the Policy are also found in the Compliance Section of the Procedures.
- "In a timely manner" was added to the sentence before the bulleted points of the Consultation section of the Procedures.
- The fifth bullet under the Consultation Section of the Procedures now clarifies that approval by the Equal Employment Opportunity Office is required for any implementation to take place.
- A paragraph was added that links this policy to the Code of Conduct. The Commission on Women has suggested revisions to this section and they have been accepted by the drafting committee.

Comments:

- Specific reference is not made to other policies in the Regents' policy in case those policies change, making the reference irrelevant.
- Prohibited activities are listed on page 3 and include grading, evaluating, advising, etc.
- The Commission on Women is pleased with the latest version of the proposed policy and will not present a resolution to the Senate.
- If the Commission on Women resolution does come before the Senate, the first sentence should be revised

because it is too broad. After all, the size of the University does permit many students and faculty to not become part of a professional relationship but does allow for other types relationships to develop.

- "Very unwise" is the language used in the current policy and emphasizes the degree of wisdom that is lost in a relationship that is both professional and personal.
- "University" in the newly added sentence under the Compliance Section of the policy implies the Equal Employment Opportunity Office, but specific reference to offices is not allowable in Regents' policies. Specific reference to the office can be found in the procedures.
- "Related parties" refers to the people in the relationship.
- Language about related parties should be modified because they are not able to make impartial decisions about their relationship.
- Impartial decisions refer to decisions that are made by the related parties which are not about to the relationship and that are always reviewed by a supervisor.
- The language should not be too particularized because an exception will always be found.
- It should be made clear that the Equal Employment Opportunity Office is only involved in the general implementation of the plan and not every detail about it.
- The Code of Conduct covers faculty; staff; any individual that is employed by the University, uses University resources or facilities, or receives funds administered by the University; volunteers, and representatives that may speak or act as agents for the University. It does not include students, unless they meet one of the mentioned criteria, because they are covered under the Student Code of Conduct.
- The reference to the Code of Conduct suggests that a personal relationship between a faculty member and a student is harmful to the University while each are a current student or faculty member at the University.
- "Current" should be added between "their students" to clarify which faculty members and students create a harmful environment for the University if they are in a relationship.
- It is not clear if graduate and undergraduate students are covered by the Code of Conduct because not all graduate students are sponsored by the University but still supervise undergraduate students at the University.
- Definitions should be provided for "supervisor" and "subordinate".
- Since it is not clear who is covered by the Code of Conduct, reference should be made to the Student Code of Conduct in the policy.
- This policy will not change the Code of Conduct.
- Most graduate students will not be aware of this policy unless a mechanism is put into place to make it known.
- The intent of the last sentence of the Code of Conduct Section means that resolving a prohibited activity does not immunize a person for actions that violate another standard.
- "May" should be inserted before "harm" in the additional phrase to the Code of Conduct section submitted by the Commission on Women.
- Personal relationships always harm the work environment because it sexualizes the work environment in the way that is not useful.
- Procedures have been developed for structuring and reporting, but there are still many areas that are not covered.
- The Procedures are not meant to be punishment standards. Punishment comes only comes about when terms of the agreement have been violated.
- The last two sentences of the Code of Conduct section can be clarified if they are shortened and joined with "even when". The language would then be parallel to the language found in the Compliance section, which is what it is supposed to mean.
- There is so much overlap in policies that it is uncertain where one begins and the others end.
- The Sexual Harassment Policy covers cases where there is unwelcome conduct and the Consensual Relationships Policy is for those cases where there is welcome conduct.
- The committee unanimously approved a motion to approve the latest version of the Consensual Relationships Policy with the suggested amendments.

Sexual Harassment Policy

- There is one change found in the Purpose Section that changes harassment to subordinates by supervisors from being especially reprehensible to being harm that is compounded in those situations.
- "Sexual" must remain in the first sentence of the Purpose section because there are so many different types of harassment.

- This policy also covers harassment of faculty by students.
- The motion to approve the changes to the Sexual Harassment policy was unanimously approved.

2. Action on the Proposed Retirees' Bill of Rights

Comments:

- The intended path of the bill of rights is to obtain approval from the Senate and then provide them to the Board of Regents and the administration as a recommendation that a policy should be developed.
- If a policy is not drafted now, it should be made clear in the bill of rights that the Board of Regents and administration should work with the Faculty Senate to develop the policy.
- Presenting a recommendation instead of a policy at this time may be less direct and more accepting by the Board of Regents.
- The items outlined in the second bullet will be funded by each department because they create minimal expenses.
However, individual departments can decide if they can fund items outlined in the third bullet point since they have considerable cost implications.
- Even though many departments already provide the services outlined in the bill of rights, a University-wide policy should be developed to cover them.
- A graduate faculty member is already able to vote on departmental issues under Graduate School policy.
- The first bullet point should include "(terminal leave and the end of phased retirement)" after "circumstances".
- "Xeroxing" should be changed to "copying".
- Guaranteed parking should not be included in the bill of rights.
- A faculty member can be retired under non-honorable circumstances or fired so they would not be entitled to the services outlined in the bill of rights.
- "Connectedness" should be changed to "connections" in the second and fourth bullet points. However, "connectedness" has different connotations than "connections" so it should be maintained the first time it is used in the bill of rights.
- The recommendations will be sent to the President's Office for review.
- The Senate recommendation will be entitled, "Faculty Retirees' Bill of Rights".
- A motion to adopt the recommendations was unanimously approved.

3. Adjournment

[Return to the Faculty Affairs Homepage](#)