

Faculty Senate Policy Committee

Meeting Notes

October 2, 2019

3:30 p.m. to 5:00 p.m.

Members Present: Lora Stone (Co-Chair), Leslie Oakes (Co-Chair), Ronda Brulotte, Karen Patterson, Jamal Martin, Lee Brown and Elizabeth Hutchison

Members Absent: Monika Nitsche

Ex-Officio: Barbara Rodriguez, Senior Vice Provost, Provost Office, Katherine Miefert, Associate University Counsel, University Counsel Office, Kenedi Hubbard and University Secretary, Office of the Secretary, and Amy Levi, HSC Vice Chancellor, HSC

Ex-Officio Absent:

Staff Present: Candyce Torres, Office of the Secretary, Administrative Assistant III, Carol Stephens, Office of the Secretary, Professional Consultant

Guest Present:

Meeting began at 3:30pm

1. The regular meeting of the Faculty Senate (FS) Policy Committee was called to order at 3:30PM on Wednesday, October 2, 2019 in Scholes Hall, Room 101 by Co-Chairs, Lora Stone and Leslie Oakes.
2. **Approval of Agenda**
Approved
3. **Approval of Meeting Notes**
Approved
4. **Updates. D175 and D176.** The revised policies are currently with University President Garnett Stokes awaiting her approval and signature

5. **Faculty Senate Bylaws, Council, Committee Charges.** The revisions to these policies are based on the pilot project from 2013 that ended in 2015. There will need to be a plan for addressing the changes made to the committee charges. The redrafting of the council and committee charges have never been approved. The only two charges that have been revised and approved are A66: Policy Committee and A61.6: Information Technology Committee.

Action- A revised draft of each council and committee charge will be sent to each respective area for review.

6. **Consensual Relationships Policy Taskforce.** It was discussed that relating to this issue, the committee will need more information and data to move forward. There is a current Consensual Relationships and Conflicts of Interest policy contained in University Administrative Policy (UAP) Manual. The committee further discussed whether this topic should be addressed in committee or taskforce. One member conducted research into this subject, specifically looking at how it is defined and what constitutes a consensual relationship. It was discovered that the term “consensual relationship” is frequently identified by various other names. Data also shows that only 5 percent report misconduct and there is a power differential.

Another member indicated they have conducted a lot of peer review on this subject and these types of relationships must be declared otherwise it is hard to make an assessment. One member added that without stringent guidelines it is hard for people not to over-step. The potential for misconduct is extremely high. There are a lot of things happening that we are not hearing. Currently, the parameters in place for addressing consensual relationships are not instructing people to do what it should, which is to not engage in sexual relationships. This type of behavior leads to Title IX issues, and retaliation numbers are increasing. Discussion carried on about where the line is drawn and other factors such as romantic vs. sexual relationships and how technology plays a role. Furthermore, why certain forms of intimacy are more allowable than others. One member spoke to the fact that Deans are not in favor of allowing this behavior to occur. There is a conflict of interest component and currently, the university does not have strong conflict of interest policies. Discussion carried forward about what enforcement looks like on the ground.

The University of Michigan talks about a communication plan for addressing this behavior and training. It was stated that prevention is always better than cure. People need to be protected. Another member agreed that Michigan has an airtight policy. The university needs to be more proactive rather than reactive. In addition, there are legal ramifications. Human nature is the x-factor. The abuse of power and power differential. Peoples desires, motivations and cognitive drives all influence their behavior. Policy should be enforceable but flexible and conduct management should be built in. One member indicated they are in factor of taskforce. The marginalized and unprotected classes need support. A taskforce would allow for strategy and triaging issues. One member explained that it is possible that from a policy perspective, they are looking at the older model of the student. It was discussed that there is a need for a bright line of clarity. When addressing the consensual relationship issue the committee will start with the University of Michigan model. There was a recommendation to get input from Action

Collaborative. A committee member offered to connect with an expert in the field.

Action- More information will be gathered for the November meeting and possibly a conference call or presentation.

It was clarified by legal counsel that there is no constitutional right to have a romantic relationship.

Action- The decision on whether to create a taskforce or committee will be determined in February.

11. Adjourn: 5:00pm