

## Spring CAS Faculty Meeting Minutes (25 April 2018)

3:30 pm: The meeting was called to order by Parliamentarian Steve Lahey

1. Approval of the minutes from the Fall Faculty Meeting (14 Dec 2017)

It was moved and seconded to approve the minutes. The vote was unanimously in favor with two abstentions.

2. Opening Comments from Dean Joe Francisco

The Dean acknowledged that he submitted his resignation from UNL a few weeks ago and is working on a smooth transition for his departure. There are three experienced Associate Deans in place, two incoming replacement Associate Deans with administrative experience (John Osterman for Academic Programs and Priscilla Hayden-Roy for Faculty), and the Interim Dean will be Beth Theiss-Morse who had just completed her term as Associate Dean for Faculty.

3. Consensual Sexual Relations Policy (by Assoc Dean Beth Theiss-Morse)

3:45 pm

Last year, it became apparent that UNL did not have a policy on consensual sexual behavior. When Theiss-Morse took up the task of developing one for the college, she found that many universities were in various stages of producing them. Among those recently adopted, there is a wide variation in policy recommendations. She developed the college's proposed policy by starting with UNL policies on nepotism and Conflicts of Interest. The result is a proposed policy that forbids sexual relations with any student in a course you teach or in your department's major program. The resulting policy was then reviewed and discussed by department chairs, university personnel, university lawyers, and then back to the chairs for a final review.

Discussion

Pat Dussault (Chem) supports the proposed policy but had a question about the reporting structure. If the receiver of the report is not convinced there it was consensual or not, does it become a Title IX issue? Theiss-Morse said even if there is only a hint that it might be sexual misconduct, it must be reported.

Marco Abel (Eng) thanked the committee for developing the document and wanted to let everyone know that his department was still dealing with the repercussions of the incident in his department from last year. This document brings clarity to the power imbalance. Based on feedback from his faculty, the English Department gives its strong support to this policy.

Shireen Adenwalla (Phys) Why didn't you simply forbid all students and faculty from sexual relations? Theiss-Morse said there was a long debate about the entire range of students. When thinking about non-traditional students, the committee decided it did not want to include age-related language and instead to focus on power relationships.

Dan Claes (Phys) If someone sees a professor dating a student, the message is received regardless of major.

Carolyn Brown (Psych) How might this policy play out if my husband chose to major in Psychology. Theiss-Morse said you would need to disclose the pre-existing relationship.

Debbie Minter (Eng) responded to the previous comment by noting that the conflict of interest statement includes declarations about pre-existing relationship relating to nepotism

David Woodman (BioSci) Are we patronizing students by prohibiting certain types of behavior? The word "consensual" in the policy title does not acknowledge the power differential. Francisco responded that most universities are shaping their statements around consensual issues and then working on the details. Theiss-Morse said that UNL already has a statement about non-consensual sex so this document is a response to that.

Marilyne Stains (Chem) asked how it can be possible that UNL does not have a policy. Theiss-Morse responded that UNL is the only Big Ten school without one.

Chad Brassil (BioSci) said that this is a complex issue and that this is our first working document. Having a consensual sex policy gives students some control over the situation.

Julia Schleck (Eng) said she has read many documents and policies about this issue over the past year and finds that our policy is quite nuanced. But, it doesn't mention graduate students. How is this policy perceived by the students?

Lory Dance (EthnStud) finds this to be an important policy document. People who feel weaker have a hard time saying no. Francisco responded that it also helps new professors understand the landscape.

Ken Bloom (Phys) asked how this policy will be brought to wider attention. Francisco asked for the faculty to continue to focus on the policy and then vote before we talk about dissemination.

Matt Jockers (Eng) moved and it was seconded to adopt the policy. The vote was unanimously in favor (35 yes, 0 no) with 3 abstentions.

Dean Francisco said the policy will be disseminated during New Student Orientation. Others indicated it will or should be disseminated during Teacher Training, Faculty Orientation, and International Student Orientation.

#### 4. Proposed Changes to the Bylaws of the Faculty (by Assoc Dean Beth Theiss-Morse)

4:15 pm

A. The most significant change was to require 50% or more FTE to be able to vote in college elections.

Discussion

Pat Dussault (Chem) asked about the exclusion of Research Professors from the list of people eligible to vote. They are voting members of the Faculty Senate but still can't vote in the College.

Theiss-Morse responded that the prior language was carried forward. Francisco called for the sections to be voted on separately so that amendments can be made to a section.

It was moved and seconded to add "Section 3" to "II. Members." Dussault moved to amend the Section 1 list of eligible voters to include Research Professors and Research Associate Professors. Ken Bloom (Phys) asked why Research Assistant Professors are

excluded. Dussault responded that Postdoctoral Researchers are automatically promoted Research Assistant Professors after a certain number of years and are not hired into that position. David Woodman ask why they aren't considered faculty.

Dussault responded that the Faculty Senate rule is for a 50% appointment which is why Professors of Practice are included.

Vote on the amendment passed with 27 yes, 7 no, and 3 abstentions.

Vote on the motion passed unanimously (36 yes, 0 no) with 2 abstentions.

B. Francisco moved to the creation of a new permanent committee for Academic Freedom and Freedom of Speech. An ad hoc committee was created last year in response to the local, national, and international prominence of these issues. Over the past year, the ad hoc committee was very effective but questions were raised about the constitutionality of their recommendations since they were ad hoc.

Discussion

Pat Dussault (Chem) asked whether member terms would be staggered. Francisco responded affirmatively.

Shireen Adenwalla (Phys) asked how the creation of this committee relates to the recent Academic Freedom Statement approved by the Board of Regents. Francisco responded that the Board of Regents Academic Freedom statement is probably unconstitutional because it uses the phrase "civil discourse" but does not define it. In fact, the Board of Regents policy spurred the Dean to create this college committee. He hopes it will take on a more educational role as it develops because he sees cause for concern at UNL on issues relating to faculty governance and academic freedom.

Lory Dance (EthnStud) asked about the committee duties. Francisco responded that the duties will be developed later.

Guy Reynolds (Eng) asked whether the committee's educational advice might border on the legal domain. Francisco responded that it will not dispense legal advice.

It was moved and seconded to approve the creation of this committee.

Vote on the motion passed unanimously (37 yes, 0 no) with 2 abstentions.

## 5. Proposed Changes to the Anthropology Curriculum (by Curr Chair Marilyne Stains)

These changes come forward as a recommendation to approve from the Curriculum Committee.

Vote on the motion passed unanimously (35 yes, 0 no) with 3 abstentions.

## 6. Committee Reports

A. Executive Committee (Francisco). This is a great committee to serve on. Many of the recent programs and committees over the past four years were created because of EC discussions.

B. Promotion & Tenure Committee (Theiss-Morse). This is an important committee and not as much work as most people believe. Francisco said this committee does the important quality control and sets the bar for faculty performance across the university. External letters are the key to raising the bar.

C. Research Advisory Committee (Jockers). The members reviewed numerous proposals and worked to reduce the turnaround time.

- D. Endowed/College Professorships Committee (Theiss-Morse). Francisco said this committee is important because you need awards to get more national awards. Faculty should seek out more award opportunities and either nominate themselves or get someone to nominate them. Jockers said he just sent a note to departments asking them which of them have departmental awards committees. The response was that some do but many do not.
- E. Research Space Committee (Francisco). This committee is involved in the most controversial decisions of all. When the CBA building became available, Francisco sought to have it turned over entirely to CAS but was only given the third floor. There are plans afoot to acquire the second floor. Jockers said the sciences have the greatest need for space but that the recent budget issues have slowed down the pace of addressing them. The pace is now picking up again.
- F. Inclusion, Diversity, Equity, and Access (IDEA) Committee (by IDEA Chair Chad Brassil). This committee sustained issues that were already underway. Plans for the second Associate Professors' Writing Retreat have been launched. The next significant items on will be to add a diversity component to the College Distribution Requirements and a move to create a Standing Diversity Committee in response to the Halualani Report. Francisco noted that CAS was cited in that Report as the campus leader for diversity.

#### 7. Ask Questions of the Dean

Ken Bloom (Phys) Given that your appointment ends on July 31, can we call one last faculty meeting on July 1 before you leave. Francisco responded that he's working on a smooth transition.

Lory Dance (EthnStud) thanked the Dean for everything he's done. The audience applauded. Francisco thanked everyone for their work, Theiss-Morse for discussing ideas, and the Department Chairs for being open with him during discussions. He found the past four years to be a rewarding experience.

It was moved and seconded to adjourn. The motion passed by unanimous acclamation.

Respectfully Submitted,

Mark Griep