

Faculty Senate – Minutes February 14, 2017

Senators in Attendance: Rachna Praksah, Patrick Alexander, Kris Belden-Adams, Patrick Curtis, Brice Noonan, Zia Shariat-Madar, Esteban Urena-Benavides, Chris Mullen, Aileen Ajootian, Tossi Ikuta, Feng Wang, Alex Yakovlev, Mary Hayes, Katie McKee, Peter Reed, Mark Walker, Andrew O’Reilly, Zachary Guthrie, Vivian Ibrahim, Jarod Roll, Alysia Burton Steele, Debora Wenger, Stacey Lantagne, Dennis Bunch, Eric Lambert, Michelle Emanuel, Amy Gibson, Christina Torbert, Vishal Gupta, Sumali Conlon, Sandra Spiroff, Tejas Pandya, Stephen Fafulas, Sara Wellman, Thomas Peattie, Mary Roseman, Meagen Rosenthal, Travis King, James Bos, Breese Quinn, Ben Jones, Marilyn Mendolia, Chrisitan Seller, Javier Boyas, Marcos Mendoza, Minjoo Oh, Roy Thurston, Rosemarry Oliphant-Ingham, William Sumrall, and Rory Ledbetter.

- **Call Meeting to Order**
 - 6:00 meeting called to order
- **Approval of January 24, 2017 Minutes**
 - Minutes approved
- **Proposed change to Faculty Senate Bylaws**
 - The proposed change clarifies when meeting dates are to be set and by whom. It also provides the Executive Committee latitude on dates if they overlap with significant events (e.g. Election or Valentine’s Day)
 - Questions/comments:
 - C: Sounds great
 - Q: Can we specify simple majority, or two thirds?
 - R: Simple majority, as a friendly amendment
 - Q: Why do we need the 7 days before?
 - R: I wouldn’t want to cancel the meeting with only short notice
 - Q: What about a weather emergency?
 - R: That also makes sense
 - R: If the university suspends classes presumably we would not meet
 - R: The executive committee could also call an extraordinary meeting

- R: I think that it is appropriate to have the 7 days notice to consider a change in the meeting time
- R: 7 days also fits with the current structure of other senate activities
- Q: Could we assume that the executive committee would not abuse this power?
 - R: In theory, yes
- C: I like adding the clause “in exceptional circumstances”
- C: Amendment proposed, “...date...barring emergency or force majeure.”
 - Seconded
 - Opposed: 0
 - Abstentions: 0
 - All in favor - Unanimous
- Motion to vote on changes to the Faculty Senate Bylaws to clarify when meeting dates are to be set and by whom
 - Seconded
 - Opposed: 0
 - Abstentions: 0
 - All in favor - Unanimous

Previous Language:

Section 7. Meetings of the Senate

(a) The regular monthly meeting of the Senate shall be held on the second Tuesday of each month, provided classes are in session on that day. The meeting will begin at 6:00 p.m. and will end at or before 9:00 p.m. The Executive Committee shall establish a calendar of regular monthly meetings for the next twelve months, setting alternate meeting dates and times for those months in which classes are not in session on the second Tuesday. There shall be no regular meeting of the Senate in June, July, or August but the Executive Committee shall meet during those months.

New Language:

Section 7. Meetings of the Senate

(a) The regular monthly meeting of the Senate shall be held on the second Tuesday of each month, provided classes are in session on that day and no other conflict is apparent to the Executive Committee when scheduled. The meeting will begin at 6:00 p.m. and will end at or before 9:00 p.m. In the summer the Executive

Committee shall establish a calendar of regular monthly meetings for the next twelve months, setting alternate meeting dates and times for those months in which classes are not in session on the second Tuesday. There shall be no regular meeting of the Senate in June, July, or August but the Executive Committee shall meet during those months. If circumstances necessitate rescheduling a regular monthly meeting of the Senate, this must be approved by a simple majority vote of the Executive Committee at least 7 days prior to the scheduled meeting date barring emergency or force majeure.

- **New Policy on Consensual Relationships**

- The University presently has no policy on consensual relationships. A newly drafted policy has been distributed and comments from the Senate are requested.
- Honey Ursler to present background on policy
 - There has been a consensual relationship policy in the works for many years
 - Would like to get something up and running late spring/early summer
 - This current draft policy has been modeled after U of Connecticut, Notre Dame, North Western and several others
 - Suggestions received to date:
 - C: “Relative youth of undergraduates” does not consider non-traditional students
 - R: The paragraph will be removed and the remaining context adjusted accordingly
 - Questions/comments:
 - Q: The open language re: paragraph at the bottom of pg 4 – is that standard?
 - R: The purpose of this policy is to protect students. Parents are asking during Title 9 orientation sessions and they are shocked that we don’t currently have one. We keep the language open to allow for consideration of the particular circumstances of the relationship to be fair. This way the supervisor has some ability to make a knowledgeable decision about the situation.
 - Q: What is the rationale suggesting that a theatre arts professor can’t date a student in chemical engineering?
 - R: We agree that it is possible and we can look into that further
 - Q: What about if your spouse is a student here?

- R: We can change the language to “direct supervision”
 - R: But what about a situation where a spouse is a chair?
 - R: Well we can probably work something out where that person isn’t reporting to their spouse
- Q: I am somewhat concerned that this document removes the benefit of our spouses and partners taking classes at a discount at the university?
 - R: There is a provision within the policy document to report this situation and make the appropriate allowances that would not impede on academic freedom
- Q: The language used from grad students seems very reasonable, why not just get rid of the “grad” part. Second, the current language impedes our freedom of rights of association (compelling government interest). It applies a reasonable person test to that situation.
 - R: Employment law is different. You can’t do things at work that you can do in other situations.
- Q: What’s the reporting process for if someone recognizes an inappropriate relationship between faculty and a student?
 - R: the question would go to the title 9 coordinator
 - Q: So students would be informed that that would be the procedure?
 - R: we can certainly work on adding language to that effect
- Q: What about protecting the faculty from inappropriate complaints?
 - R: When I get an accusation in the title 9 office I always work to identify evidence to prove these accusations are true. The policy can be protective as well, especially if it has been reported within the department as a consensual relationship.
 - Q: My concern comes from reading reports in the media?

- R: I can't speak to other schools, but here we are always looking for solid evidence to support any claims.
 - Q: The very beginning of the policy states "others" involved in campus activities...I am not sure who these "others" are and where they come up again in the policy?
 - R: We have had issues with volunteers and contractors in the past so that is where the language comes from. But we can add that information back into the document making that clear.
 - Q: Your changing the policy to remove the strict prohibition between faculty and undergraduate students?
 - R: Yes we will take that back to the committee to make the changes.
 - Q: Can we clarify the language around dating "junior" faculty?
 - R: Yes, as long they are not direct report
 - Q: Is the termination language consistent with our current policies?
 - R: It is not standard in all policies, but many do to allow for consideration of the context and situation and allow for progressive disciplining.
 - Q: That would be true regardless of whether or not it was specified by the policy?
 - R: Yes, but it is added to let people know that certain behavior could lead to termination. But we could look at other ways of wording it.
- **Committee Reports**
 - Academic Instructional Affairs
 - No report
 - Academic Conduct
 - No report
 - Finance & Benefits
 - No report
 - Development & Planning

- No report
 - Governance
 - No report
 - Research & Creative Achievement
 - No report
 - University Services
 - No report
- **Old Business**
 - SB2849 – PERS/ORP – Voted down in the MS Senate. What’s next?
 - The writer of the bill wanted support from universities, but we didn’t get the word in time.
 - There are number of people who would be interested in seeing this idea move forward. If you are interested in participating in this please email Brice Noonan (bnoonan@olemiss.edu)
 - The intention will be to move this forward with a party of interested people rather than sending it to committee
- **New Business**
 - **Email from earlier today**
 - Individuals in the Department of Writing and Rhetoric have been meeting for the development of a Non-Tenure/Tenure Track and Research Support Staff representative body
 - Interest meeting to be held Feb 24, 2017 from 3:30-4:30 127 Lamar
 - Current best practice guidelines from other universities suggest that one “faculty senate” would be the best approach. This would be something that may come to faculty senate this semester.
- **Adjournment**
 - Adjourned at 7:04