

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

NOVEMBER 6, 1995

MINUTES

Senators excused were: Barbara Curry, Neil Houser, Edward Kerner, John Kraft, Jerome Lewis, Ajay Manrai, Stephanie Oberle, Betty Paulanka, Mary Richards, David Roselle, Tuncay Saydam, Roland Smith, William Stanley, Carolyn Thoroughgood

Senators absent were: Brian Ackerman, Steven Helmling, Christine Heyrman, Bill Lawson, James Magee, Duane Milne, Shawn Phillips, Wendy Samter

I. ADOPTION OF THE AGENDA

The agenda was approved as submitted.

II. APPROVAL OF THE MINUTES

Senator Hildebrandt asked if President Roselle's remarks were to be published. The Secretary of the Senate noted that the semi-annual meeting of the Faculty is not part of the proceedings of the Faculty Senate and that, therefore, President Roselle's remarks were not part of the minutes of the Senate session held on the same day.

The minutes of the October 2, 1995 Senate meeting were then approved as written.

III. REMARKS BY UNIVERSITY PROVOST SCHIAVELLI

The Provost had no formal remarks to be made.

IV. ANNOUNCEMENTS

President Hall announced that an open hearing was scheduled by the Committee on Undergraduate Studies on the "Granting of Permanent Status to the Major in Foreign Languages and Literatures," to be held on Thursday, November 16, 1995, at 4:00 p.m. in 201 McDowell Hall.

V. OLD BUSINESS - None

VI. NEW BUSINESS

- A. Request from the Committee on Committees and Nominations for Senate confirmation of committee appointments.

The following slate of nominees was approved:

Mary Carroll	Member, Library Committee
Mir Islam	Member, Diversity and Affirmative Action
Lesa Griffiths	Member, Student and Faculty Honors
Elizabeth Perse	Member, Undergraduate Studies
Jerome Brown	Member, Student Life
Virginia Redmond	Member, Library Committee
Barbara Viera	Member, Student and Faculty Honors
James Richards	Member, Graduate Studies
Avron Abraham	Member, Undergraduate Studies

- B. Recommendation from the Committee on Faculty Welfare and Privileges regarding a proposed policy on Academic Conflicts of Interest. The resolution read as follows:

WHEREAS, it is essential that conflicts of interest be avoided in situations where family members of faculty or persons with whom faculty members share consensual amorous relationships participate in the University as students or as members themselves of the faculty or administration, and

WHEREAS, these conflictual situations are likely to arise in an epoch where such

relationships are frequent, be it therefore

RESOLVED, that the University Faculty Senate approve and recommend the adoption of the attached policy ("Academic Conflicts of Interest"), as forwarded by the Committee on Faculty Welfare and Privileges, and be it further

RESOLVED, that, upon approval of the appropriate officers of administration, the attached policy ("Academic Conflicts of Interest") be included in the Faculty Handbook on page III-57, under Section III, "Personnel Policies for Faculty," as a new Subsection X.1, with the current X.1 becoming X.2 and so on.

Senator Bellamy asked if there had been a sufficient number of problems which have arisen to warrant such a formal policy. President Hall referred to Professor McInnis, Chairperson of the Committee on Faculty Welfare and Privileges, to comment. Professor McInnis assured the Senate that there were indeed so many situations in which such conflicts might arise, particularly with children and spouses of faculty enrolling in courses, that potential conflicts were sometimes unavoidable. The policy was intended to protect the faculty member more than anything else.

When asked if there was a specific problem that prompted the policy, Professor McInnis said that there had been no complaints, but that Vice Provost Andersen had suggested to the Committee that such a policy be written, since across the country most institutions are writing such policies and including them in their faculty handbooks. Vice Provost Andersen remarked that the policy statement before the Faculty Senate was some version of what was in the National AAUP Handbook. In her opinion, an important point is to avoid the appearance of a conflict of interest, that students may perceive the presence of a spouse or child in the class as a potential conflict. She confirmed that there had been problems in the past.

Senator Gottfredson stated that it was not clear to her how the policy would address such perceptions and asked whether the Committee had discussed privacy issues, for example, the question of the potential damage which might ensue from a requirement that a gay relationship be revealed. She was assured that the Committee did discuss the problem to some degree. It was the Committee's opinion that the issue of fairness would override such issues of privacy. Professor McInnis stated that most situations that arise would involve open family relationships.

It was remarked that the policy, as written, would place a faculty member in violation of official University policy if such a relationship were not revealed. The suggestion was made that a simple public declaration that a student was a son or daughter would suffice to remove the conflict. Vice Provost Andersen said that it was her interpretation that the policy states that, if you have that relationship with a student, you should not be supervising them in class or out-of-class instruction. If that course is the student's only option for degree completion, an alternative method of grading must be found. Therefore, simple declarations would be prohibited and all potential conflicts of that sort would require alternative grading procedures. Vice Provost Andersen stated that she did not take part in the Committee's deliberations, and that questions of privacy should probably be referred to them. She further stated that the language is literally out of the National AAUP policy document.

Senator Bonner suggested that the word "should" does not carry the force of "shall" or "must" and, as such, could be viewed as advice to the faculty on how to handle potentially sensitive situations.

Speaking for the Committee on Faculty Welfare and Privileges, Professor McInnis stated that the document was brought to the Faculty Senate because there are an increasing number of

married faculty entering the work force, many of the old nepotism rules have been dropped, and that the rest of the faculty should be protected from cozy relationships between married faculty members in terms of employment. The policy is such that married couples could not vote on each other's promotion and so on within a department.

Senator Hildebrandt suggested an amendment to the wording of the policy to state that both real and apparent conflicts of interest should be avoided. Debate on the amendment then centered on the advisability of making such a change, the interpretation of the word "should," and the problems of maintaining objectivity in grading.

After further discussion, the Faculty Senate voted to return the report to the Committee on Faculty Welfare and Privileges for further input.

C. Recommendation from the Committee on Faculty Welfare and Privileges amending the Faculty Handbook relative to "Qualifications for Sabbatical Leave."

The question was raised concerning the policy attributed to the Administration, that credit earned toward a sabbatical leave did not accumulate until the September following the leave period. After some discussion, Vice Provost Andersen commented that the faculty rules, as adopted by the Faculty Senate, make that stipulation and that it was not a matter of administrative interpretation. After further discussion, the question was called. The following resolution was passed by an overwhelming vote:

WHEREAS,	it is standard practice that faculty be eligible to apply for a sabbatical every seventh year, and
WHEREAS,	the administration now discounts the Spring semester after a faculty member returns from a Fall semester sabbatical, be it therefore
RESOLVED,	that the Faculty Handbook, Section III, "Personnel Policies for Faculty," Subsection 6, "Sabbatical Leave," paragraph d., page III-40, be amended as follows: [New wording is in bold type and deleted material is in brackets.]

The credit toward a sabbatical leave does not begin to accumulate until the beginning of the next appointment semester [year] after returning from a sabbatical leave.

D. Introduction of New Business

The President of the Faculty Senate called for any further new business. Senator Bellamy rose to ask if there was any truth to the rumor that plans were underway to move the Faculty Senate offices to Hulliher Hall. On being informed that the move was indeed being planned, Senator Bellamy, after commenting on the previous discussion of avoiding the appearance of conflict of interest, and in light of the symbolic importance of the move with regard to the independence of the Faculty Senate, requested that the following resolution be placed on the agenda of the December Faculty Senate meeting:

WHEREAS,	the University Faculty Senate is empowered to act in place of the Faculty, and
WHEREAS,	in order to do this, it must maintain its clear independence from the University Administration, both in fact and in perception, be it therefore
RESOLVED,	that the Faculty Senate requests,

and strongly recommends, that
the Faculty Senate Office
continue to be located in a
building that does not also house
the central administration.

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Thomas Angell
Secretary
University Faculty Senate

TA/rg

Attachment: Academic Conflicts of Interest