

3-13-2014

## Faculty Affairs Committee Minutes of the Academic Senate 2014-03-13

University of Dayton. Faculty Affairs Committee

Follow this and additional works at: [https://ecommons.udayton.edu/senate\\_cmte\\_mins](https://ecommons.udayton.edu/senate_cmte_mins)

---

### Recommended Citation

University of Dayton. Faculty Affairs Committee, "Faculty Affairs Committee Minutes of the Academic Senate 2014-03-13" (2014). *All Committee Minutes*. 204.  
[https://ecommons.udayton.edu/senate\\_cmte\\_mins/204](https://ecommons.udayton.edu/senate_cmte_mins/204)

This Article is brought to you for free and open access by the Academic Senate Committees at eCommons. It has been accepted for inclusion in All Committee Minutes by an authorized administrator of eCommons. For more information, please contact [frice1@udayton.edu](mailto:frice1@udayton.edu), [mschlengen1@udayton.edu](mailto:mschlengen1@udayton.edu).

## Minutes for the Faculty Affairs Committee of the Academic Senate

March 13, 2014, 12:00 – 1:15pm - St. Mary's 113B

**Present:** Linda Hartley (Chair), Pat Donnelly (ex officio), Jamie Ervin, Ralph Frasca, Harry Gerla, Emily Hicks, Carissa Krane, Leslie Picca, Eric Taglieri, Katie Willard, Tony Saliba, and Kurt Mosser

**Absent:** Abdullah Alghafis, Joe Watras, Paul McGreal, and Yong Song

- Meeting called to order at 12:00 pm
- With minor edits, the FAC minutes from February 27, 2014 were unanimously approved
- Next FAC meeting will be on March 27, St. Mary's 113B, 12:00 – 1:15pm
- Future agenda item: Intellectual Properties Policy

**Nondiscrimination and Anti-harassment Policy Discussion.** The group had a discussion of concerns based on the February 27 meeting. One concern was that the wording regarding inappropriate relationships lacked “teeth” and should have more review. For example, it was felt by some that the protection provided for a faculty member married to a student outweighed the issue of unequal power in other relationships (e.g., a professor dating a student in his or her class). There was discussion whether the issue of inappropriate relationships should even be included in the Nondiscrimination and Anti-harassment Policy. Some felt that it should fall under a separate policy to emphasize the seriousness of the issue and to have more clarity. Several committee members believed that more discussion is needed on this topic.

Another concern with policy wording is about a hostile work environment. The wording is unclear as to when a work environment becomes hostile. For example, is it a hostile environment after two or three incidents of behavior that is perceived as offensive? The wording does not define when mere offensiveness becomes a hostile work environment. It was agreed that more clarity is required on this issue.

In addition, the committee believed that more clarity is required for the wording about special protected classes (e.g., a student refusing to work with another student of the opposite sex because of religion). This was a discussion point but no specific recommendation was made.

There was discussion on the ambiguity of the wording about reporting and follow-up policy.

**Grievance Procedures and Academic Freedom and Tenure.** Policies concerning grievances and academic freedom and tenure need to be reviewed in a small committee. Conflicts among different policies exist, and these need to be considered. Joe Watras may be available to participate in this small committee which will introduce discussion points at the FAC meeting on March 27.

**Prohibited Conduct Policy.** Some of the listed items concerning illegal, fraudulent, dishonest, and unethical conduct were discussed. Number 19 generated the most concern as it was felt that the words “...intentionally disruptive, bullying or harassing behavior that may not rise to a violation of the University's Nondiscrimination and Anti-Harassment Policy but nonetheless, violates the Marianist

spirit..." were simply unclear. In addition, there was discussion about number 3. In particular, there was concern that there is no whistle blower policy presently in place to protect a whistle blower (although work on a whistle blower policy is in progress). Number 3 of the Prohibited Conduct Policy should mesh with a whistle blower policy. Also, the wording of number 3 does not address an individual who repeatedly makes false statements in an investigation or bad-faith claims or complaints. It may also be possible to unintentionally make a false or misleading statement. It was suggested to use the revised sentence "Making an intentionally misleading claim; filing or otherwise bringing a bad-faith claim or complaint; and/or making intentionally false statements in an investigation." There was concern with the wording of item 11. The committee suggested changing the wording from "Authorizing benefits or services to someone who has not paid for them, or offering them at a discounted rate without having appropriate authority or justification to offer a discount" to "Authorizing benefits or services to someone who has not paid for them, or offering them at a discounted rate without having appropriate authority or justification". Lastly, item 16 refers to permitting unsafe work conditions or work practices at the University. There was discussion about whether we are violating this policy if we don't have proper facilities. In addition, does *work* mean work intended for faculty, staff, and contractors as opposed to work intended for students? The use of the word work may need to be re-examined.

It was agreed that the Policy on Misconduct in Research and Scholarship would be discussed at the next meeting.

The FAC meeting adjourned at 1:15 pm.

Respectively Submitted,

Jamie Ervin