

**FACULTY SENATE MINUTES
SAM HOUSTON STATE UNIVERSITY**

4 December 2014

3:30 p.m. – 5:00 p.m.

Austin Hall

Members Present (20):

Irfan Ahmed (COBA), Nancy Baker (CHSS), Tracy Bilsing (CHSS), Madhusudan Choudhary (COS), Mark Frank (COBA), Randy Garner (CJ), Deborah Hatton (COFAMC), Richard Henriksen (COE), Joan Hudson (COS), Mark Klespis (COS), Jeffrey Littlejohn (CHSS), Paul Loeffler (COS), Dennis Longmire (CJ), David McTier (COFAMC), Sheryl Murphy-Manley (COFAMC), Diana Nabors (COE), Gary Oden (COHS), Lisa Shen (NGL), Stacy Ulbig (CHSS), Douglas Ullrich (COS)

Members Not Present (11):

Helen Berg (COE), Jonathan Breazeale (COBA), Don Bumpass (COBA), Donna Cox (COE), James Crosby (CHSS), Diane Dowdey (CHSS), Karla Edison (COE), James Landa (COHS), Dwayne Pavelock (COS), Tony Watkins (COFAMC), John Domino (CHSS - on leave for fall 2014)

Called to Order: 3:30 pm in Austin Hall by Chair Nancy Baker

Special Guest: Jeanine Bias, Associate Dean of Students for Student Conduct and Advocacy

Minutes Approved: Minutes for the November 20 meeting were approved unanimously with minor revisions.

Title IX

Dr. Baker welcomed Dean Bias, who was visiting Senate to address questions about the University's sexual misconduct policy and procedures. Dean Bias is SHSU's Title IX Coordinator. She had volunteered for the position to ensure SHSU is a safe campus, and to make sure the University is in compliance with the TSUS system policies regarding sexual misconduct and Title IX.

Dean Bias stressed that the primary goal of Title IX is to provide support for the victims, not to punish the perpetrators. For instance, a new provision to the TSUS policy was just finalized in October 2014 to create Confidential Advocates for the victims. This change will be implemented at SHSU in the near future.

Dr. Baker reiterated questions raised during the last Senate meeting regarding students who may be victims of domestic violence. Should faculty report such knowledge to the Title IX coordinator? Are faculty also obligated to contact law enforcement, or only advise the victim to do so? Would reporting procedures vary whether the perpetrator is also a student? What if the incident happened off-campus?

Dean Bias verified that as long as one of the parties involved in a Title IX-related incident, including domestic violence, is a student, faculty with knowledge of the case should report to the one of the Title IX officers. Faculty are not obligated to report the information directly to the police. When the victim is an adult, it would be his/her choice to contact law enforcement. The Title IX Coordinator will also contact the victim and present all the available reporting options and supporting resources.

The University is required to conduct an independent internal investigation upon receiving a Title IX incident report, regardless of police involvement. Dean Bias would be in charge of investigating incidents involving students, and recommending the appropriate actions, such as removing the victim or the perpetrator from student residence. The investigations would be conducted confidentially to protect the victim's privacy.

A senator asked whether the threshold for making reports would be different if the parties involved were faculty or staff. The answer is no, incidents involving SHSU employees are also covered by Title IX and must be reported. In such cases, Mr. David Hammonds, the Vice President for Human Resources, would serve as the Deputy Coordinator in charge of the investigations.

A different senator asked why the Huntsville Police Department (HPD) is not contacted for every incident. Dean Bias explained that the victim may choose not to file a complaint with law enforcement. Moreover, the University Police Department (UPD) would be contacted if police presence is needed for incidents occurring on campus.

What are the statistics on Title IX-related reports at SHSU? Dean Bias shared data for the current year. There have been 4 cases involving employees (1 relationship violence and 3 reports of sexual harassment) and 23 cases involving students. The student cases included 7 reports of sexual assault, 7 domestic violence, 5 sexual harassment, and 4 requests for resources, such as ways to handle online sexual harassment.

A few senators raised questions about the statistics. Dean Bias explained that the data reflected reports that were made, not incidents that took place, during the year. There are no time limitations for reporting Title IX incidents, and unfortunately some victims may feel more comfortable reporting an incident upon completing their degrees or at the end of employment, rather than at the time of occurrence. These reports are difficult to investigate since perpetrators and witnesses may no longer be at SHSU. Moreover, due to privacy and confidentiality considerations, the Title IX office, the Counseling Center, and the police all keep separate statistics. Thus a single incident may be reflected multiple times in the data.

When addressing concerns with underreporting, the dean acknowledged that she suspects only a limited number of incidents are ever reported, although the true proportion is unknown. Moreover, while education and training efforts on campus have increased the number of Title IX reports made, not many students are willing to move forward with an investigation, such as identification of the perpetrators.

Has any Title IX investigation ever resulted in expulsion of students or termination of employment? The answer is yes. The Dean of Students and the employee's supervisor and the Human Resources Department would make such determinations, respectively. Dean Bias further stressed that threshold for the internal university Title IX investigation is one of "preponderance of the evidence" rather than "beyond reasonable doubt." The dean also noted that while Title IX policies have always been victim focused, there have been recent efforts to proceed more cautiously.

One senator noted the mandatory Title IX training for SHSU employees and wondered if similar training is available for students. The answer is yes, all incoming students, including transfer students, must complete 2 hours of mandatory training as required by the Campus Safety Act.

Lastly, Senators and the SHSU community are encouraged to visit the University's Title IX website (<http://www.shsu.edu/titleix/>) for more information.

Chair's Report

The report (see Related Documents) was pre-circulated via email.

Proposed Medical School

Provost Herbert indicated that newspaper reports of an SHSU medical school opening in 2017 in the Conroe area is inaccurate. The administration is still exploring funding and programming options for a possible land donation. In addition, a lengthy, multi-stage process must take place before any proposed new medical program is approved, and no formal proposal has yet been written, let alone submitted to any higher authority.

Moreover, the Provost would like to reassure faculty that the university is committed to ensure current campus resources would not be hurt by potential new endeavors.

Bearkat OneCard

Dr. Baker shared responses from the Higher One management to questions submitted by Senate through Dr. Vienne. A few senators noted that while Higher One's OneSupport helpdesk can provide assistance over the phone, the helpdesk's contact number is not readily available online. Consequently, those in need must visit the SHSU Bearkat OneCard office in person to contact the OneSupport helpdesk, which greatly reduces the usefulness of this service.

Consensual Relationship Policy

Senators shared a number of issues regarding Mr. Hammonds' response to Dr. Baker about the status of the proposed consensual relationship policy. Specifically, senators did not feel Mr. Hammonds has adequately addressed the concerns that the strict disclosure requirements in the policy draft may violate faculty privacy by forcing them to disclose their sexual orientations.

For instance, the existing policy draft calls for disclosure whenever two faculty members in a relationship may be asked to evaluate one another. However, peer-evaluation is a common and encouraged practice, and faculty members are likely be asked to evaluate one another from time to time, especially in smaller departments. Therefore, senators would also like the policy to specify the types of evaluations that would warrant relationship disclosures.

Miscellaneous Rumors

In addressing rumors that a 4/4 teaching load may become the standard workload, the provost flatly rejected the idea as unfounded. There are no plans to change the University's current balance as a research and teaching institution.

Committee Reports

University Affairs Committee Report – Campus Parking

The report (please see Related Documents), which was provided by Matt McDaniel, the Assistant Director for Parking and Transportation, was shared with senators electronically.

Overall, while senators appreciated Mr. McDaniel's efforts in creating the report, many were also concerned by the lack of concrete plans to address the growth in both student and employee population in recent years. Senators also raised questions about the possible shortages of handicapped parking spaces, plans for gated lots, and parking lot attendees' training for handling patrons who need to use the loading docks temporarily. Senator Watkins will forward these questions to Mr. McDaniel on behalf of UA and Senate.

New Business

New Syllabus Submission Timetable

It was brought to the Senate's attention that CHSS faculty in one department were asked to submit their spring semester syllabi by a date much earlier than previous years' deadlines. One senator thought the early deadline would give college administration more time to ensure all the required texts, or links to the texts, including the policy for academic dishonesty and the American Disabilities Act (ADA), are included in every syllabus. On the other hand, the early deadline may not provide sufficient preparation time for some faculty, and other colleges are not following the same timetable. A different senator also noted that ADA Policy is under review.

Academic Bullying

Dr. Baker asked whether senators are aware of any academic bullying on campus, as the topic had come up during another recent meeting. Several senators indicated the affirmative. One senator shared an instance where a junior faculty member was forced to include a senior colleague in his/her publications, even though this colleague had not contributed to the research.

Another senator shared an example in which one faculty member was physically shoved. Other senators pointed out that criminal acts such as physical violence should be differentiated from unethical or uncollegial behavior. One senator also felt that bullying behavior can be addressed through filing of grievance, and a faculty member in his department has gone through such a process with a satisfactory outcome.

Lastly, a senator pointed out that issues with bullying have been adequately addressed in section V.2.1 of the TSUS policy regarding employee discipline and dismissal, while other senators felt that this issue may need to be revisited pending the revision of the faculty grievance policy.

Meeting adjourned at 4:55pm