

Faculty Senate

Northern Kentucky University Highland Heights, Kentucky 41076

FACULTY SENATE MEETING
Thursday, May 10, 1990
UC Ballroom - 12 Noon

AGENDA FOR 1990-91 SENATE

- I. Election of Officers for the 1990-91 Senate.

AGENDA FOR 1989-90 SENATE

- I. Approval of Minutes of April meeting.
- II Additions or deletions to agenda.
- III. President's Report
 - A. Appointment of faculty representative on Search Committee for Dean of the College of Business.
 - B. Report of election result for at-large Senators..
 - C. Executive Committees - Administration retreat May 14, 1990
- IV. Committee Reports:
 - A. Faculty Benefits
 - B. Budget & Commonwealth Affairs
 - C. Professional Concerns voting items (30 minutes)
 - 1. Sexual Harassment Proposal
 - 2. Tenure track status for Learning Assistance faculty
 - 3. Resolution setting forth a time frame for consideration of the revision of the Faculty Handbook
 - D. Curriculum - Voting items (40 minutes)
 - 1. Prior Learning 101
 - 2. General studies courses
- V. Old Business
- VI. New Business
- VII. Adjournment

Faculty Senate

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FACULTY SENATE MINUTES Meeting of May 10, 1990

MEMBERS PRESENT: Diana Belland, Kevin Booher, Lawrence Borne, Carol Bredemeyer, Tom Cate, Andrea Cornuelle, Y. Datta, Sudesh Duggal, Nancy Firak, W. Vernon Hicks, Nancy Hinzman, Dennis Lye, Phil McCartney, Art Miller, Bob Mullen, Margaret Myers, Lubomir Nacev, Phil Obermiller, Dennis O'Keefe, Terry Pence, Michael Prioleau, Bill Recker, Denise Robinson, Frank Stallings, James Thomas, J. Michael Thomson, Bill Wagner, Linda Olasov representing Steve Walker, Robert Wallace, Emily Werrell, Geraldine Williams.

MEMBERS ABSENT: Frank Dietrich, Jim Gray, Michael Washington.

1990-91 NEW MEMBERS IN ATTENDANCE: Vinay Kumar, Nan Littleton, Ray McNeil, James Niewahner, L. MacKenzie Osborne, Vincent G. Schulte, Gary Scott.

NEW MEMBERS ABSENT: Ron Hickey and Fred Rynhart

GUESTS: Peter Moore, David Jorns, Ches Arthur, Dennis L. Taulbee, Jonathan Bushee, Rebecca Kelm, Susan Kemper, Bob Appleson, Bill Oliver.

1990/91 Faculty Senate Meeting Minutes

Meeting was called to order at 12:05 p.m.

I. Election of Officers of 1990/91 Faculty Senate

First the 1989/90 Senate voted to break the tie in the Arts and Sciences at-large election. Phil McCartney was elected with 16 votes to Dennis O'Keefe's 15 votes.

The floor was opened for nominations for the Executive Committee. No nominations were received from the floor.

The results included:

- Jim Thomas - President
- Carol Bredemeyer - Vice-President
- Mike King - Secretary
- Mike Thomson - Parliamentarian
- Gary Scott - Benefits Chair
- Ljubomir Nacev - Budget & Commonwealth Affairs Chair
- Phil McCartney - Curriculum Chair
- Ray McNeil - Professional Concerns Chair.

Mike King was elected by a 21 to 6 vote over Steve Walker.

1989/90 Faculty Senate Minutes

- I. Mike Thomson moved to approve the minutes of the April meeting as written. Bob Mullen seconded. Motion carried.

II. Additions or deletions to agenda.

Frank Stallings moved to delete item IV.D.1 (Prior Learning 101) from the agenda. Andrea Cornuelle seconded. The vote to delete carried.

Tom Cate added two recommendations under new business on hiring policy and salary policy.

Under IV.D. Curriculum Committee Policy was added.

III. Senate President's Report

- A. Search for the Dean of the College of Business was unsuccessful. A new search is to be conducted. Names of faculty interested in serving on this committee should be submitted to Dennis O'Keefe.
- B. The report on the Senate election has been sent to the faculty.
- C. The Executive Committee/Administrative retreat is scheduled on May 14 at 1 p.m. in 722AC. Both new and current executive committee members should attend.

IV. Committee Reports

A. Faculty Benefits - Bill Wagner

The Faculty Senate Scholarship was awarded to Page Slawter, daughter of Karen Slawter, Communications.

Committee had no voting items.

Next year committee will be more involved in health benefits and handbook revision.

B. Budget & Commonwealth Affairs - Dennis Lye

No voting items.

Recommendations from Tom Cate were taken under advisement, but the Committee did not have time to deal with them.

Chester Arthur gave a presentation on the budget allocations for 1990/91.

C. Professional Concerns - Jim Thomas

1) Sexual Harrassment Proposal

Ljubomir Nacev moved to increase time frame to 90 days under A. 1., to 30 days under B. 1, and to 30 days under C. 1. Margaret Myers seconded. Motion failed with 13 in favor and 17 opposed.

The Sexual Harrassment Policy passed.

2) Tenure Track Status for Learning Assistance faculty.

Vote is on support for principle of tenure track status for the Learning Assistance Center faculty.

Motion carried with five opposed.

Time was called on Professional Concerns report.

Art Miller moved to extend time 10 minutes, Carol Bredemeyer seconded. Motion passed.

Resolution to committee on handbook revision passed unanimously.

D. Curriculum Committee - Phil McCartney

2) General Studies

I.A. passed

I.B. passed with 1 opposed

I.C. carried

I.D. carried

I.E. carried

II.A. Committee Policies

Frank Stallings moved to accept the original wording of item #5 from the UCC rather than the revised wording in #5 in the document presented. Linda Olasov seconded.

A motion was tied 13 to 13. President O'Keefe broke the tie by voting in favor of the amendment. Motion passes.

Jim Thomas moved to refer the policies back to the UCC because of rewrite. Phil McCartney seconded.

Motion passed with 19 in favor and 4 opposed.

V. No old business.

VI. New Business

Tom Cate moved to confirm that the Senate adopt the process currently in place as the salary policy for the University. This is the policy which is used in conjunction with the performance review process to determine yearly adjustment in a faculty member's salary.

The motion failed with 8 in favor and 11 opposed.

Tom Cate moved to request that the administration of this university adopt and implement immediately the policy of hiring new faculty members at the current market price or at national CUPA price for the discipline and rank in question which ever is higher. Margaret Myers seconded.

Phil Obermiller moved to refer to the Budget Committee to have clear recommendations on hiring policy, salary policy, and market adjustments and to have report ready the the December meeting of the Faculty Senate. Art Miller seconded.

Motion carried with one negative vote.

The Office of Planning and Assessment has 2 quarter time release positions for next year. One will help to develop a senior examination addressing general studies objectives and one to help develop focus groups addressing general studies objectives.

Volunteers are needed to develop an alumni survey and writing sample and to evaluate standardized test.

Anyone interested should contact Bob Appleson in Planning and Assessment, Ext. 6578.

Dennis O'Keefe was presented with a plaque and thanked for his services as Senate President.

April 17, 1990

(Proposed Amendment to the Student Handbook, Code of Student Rights and Responsibilities, Section III. University Disciplinary Action)

SEXUAL HARASSMENT
POLICY AND PROCEDURES

I. STATEMENT OF GENERAL POLICY

The University will not tolerate sexual harassment. In its policies and procedures the University seeks to deal effectively with the problem and to preserve the rights and privileges of all involved in cases of alleged sexual harassment.

II. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, physical, or non-physical conduct of a sexual nature when:

submission to such conduct is a basis for employment or academic decisions, or

such conduct unreasonably affects your status and well-being by creating an intimidating, hostile, or offensive work or academic environment. The harasser may be faculty, staff, or a fellow student.

Sexual harassment is a form of sex discrimination and a violation of civil rights as covered under Title VII, 1964 Civil Rights Act, and Title IX, 1972 Educational Amendments. These federal acts protect the civil rights of employees and students in an educational institution. The University is, therefore, obligated to treat such complaints seriously.

III. PROCEDURE FOR REPORTING SEXUAL HARASSMENT

The overriding goal of this procedure is to provide a prompt, equitable, fair, and rights-preserving method of handling sexual harassment complaints. At all times and at all stages the confidentiality and privacy of the parties and proceedings will be maintained. Those who file complaints will be protected from retaliation. The University will seek to protect the reputations of all parties involved and will assure a fair procedure and a fair hearing before members of a panel who are without bias or prejudice.

The Assistant Vice President for Student Development of his/her designee will act as the initial contact for students who feel they have been sexually harassed. All records of the alleged sexual harassment will be maintained in confidential files in the Office of Student Development. During either the informal or formal procedures for reporting sexual harassment, other members of the university community may be informed of the specifics of a complaint on a need-to-know basis. Such persons may include University Legal Counsel, Affirmative Action Coordinator, Dean of Students, department chair, or academic dean. An annual statistical report of sexual harassment complaints will be prepared by the Assistant Vice President for Student Development. The report will not include any information which may identify any person involved in an alleged sexual harassment incident.

A. Informal Process

1. A student who feels that he/she has been subject to sexual harassment is encouraged to seek the assistance of the Office of Student Development. If the student chooses to report a sexual harassment complaint, the Assistant Vice President for Student Development, his/her designee and/or the Office of Student Development will offer support and advice on how to resolve the problem informally. This office will be responsible for guiding the student through the sexual harassment complaint process (see A.2 below). The informal procedure is the first step in filing a complaint. If possible, a counselor will be provided at the student's request. If the student requests that the counselor be of his/her gender, this request will be honored.

The student should begin the informal process as promptly as possible after the alleged incident but normally no later than thirty (30) days after the incident or incidents. Whether this time limit should be extended shall be determined by the Assistant Vice President for Student Development.

2. The Office of Student Development will assist the student in the following ways:

- a. provide the student with an explanation of the University's internal sexual harassment policy and procedures and also inform the student that he/she may have other possible rights and remedies external to the University's procedures.

b. obtain from the student information on the specific nature of the complaint and the evidence which he/she has for making the complaint.

c. after consideration of the evidence and other information presented by the student, advise the student of all options, available through internal grievance procedures, including procedures for reporting academic and non-academic complaints, if those procedures might be more appropriate.

d. help the student articulate how the alleged sexual harassment has made him/her feel or how it has affected him/her academically, physically, or personally.

e. assist the student to clarify the resolution sought. For example, the student may want the offensive conduct to stop, may wish an apology, may request a change in his/her instructional arrangement, or disciplinary action against the alleged harasser.

3. The Assistant Vice President for Student Development set up a confidential meeting with the respondent (9.e. alleged harasser) to inform him/her about the complaint. The faculty or staff respondent has the option to request the presence of his/her immediate supervisor. The student respondent may request the presence of a representative from Student Government. The informational basis of this meeting will be the complainant's account of the event or events alleged to be sexual harassment, how this made him/her feel and the resolution sought. A written copy will be made available to the respondent. The purpose of the meeting is:

a. to inform the respondent of the details of the complaint.

b. to attempt to reach a resolution to the complaint.

4. If a resolution is obtained through the informal process, the Assistant Vice President for Student Development will notify the student and facilitate the implementation of the resolution. When a resolution is accepted by both parties, the Office of Student Development will prepare a written statement of the resolution. A copy of this statement is available to both parties on request. Once

implementation is complete, the file will be closed. Records will be maintained confidentially in the Office of Student Development.

5. The student must be notified in writing by certified mail if the Assistant Vice President for Student Development is unable to resolve the allegation of sexual harassment within ten working days after the Vice President's initial contact with the respondent.

B. Formal Process

1. If the informal process has not resolved the allegation of sexual harassment and the student wishes to proceed, he/she must file a formal, written complaint with the Affirmative Action Coordinator within ten (10) working days after he/she has received written notification from the Office of Student Development. Counseling and assistance from the Office of Student Development will continue to be available to the student throughout the formal process.
2. Upon receipt of the written complaint, the Affirmative Action Coordinator, a non-voting member of the hearing panel, will be responsible for:
 - a. counseling the complainant on whether the Sexual Harassment Grievance Process (as opposed to other available grievance processes) appears to be appropriate;
 - b. providing the respondent with a copy of the written complaint;
 - c. forming the three-member hearing panel from the pool of faculty and staff available for grievance reviews and from recommendations of students by Student Government, (one faculty member, one staff member, and one student);
 - d. convening the hearing panel and selecting a chair;
 - e. advising (along with University Counsel) the hearing panel of the characteristics of sexual harassment and of standards for identifying whether sexual harassment has occurred;
 - f. scheduling the sessions of the hearing panel;
 - g. calling and scheduling all witnesses requested by the hearing panel;

- h. assuring that a record of all proceedings is made;
- i. assuring that all deadlines and procedures are followed by the hearing panel;
- j. dismissing the panel at the conclusion of the hearing.

3. The hearing panel will:

- a. conduct the inquiry into the alleged sexual harassment incident with the advice of the Affirmative Action Coordinator;
- b. make a determination of whether the allegations are true or false;
- c. prepare a written statement, setting forth the determination and its basis. If the hearing panel determines the allegations are true, it will make recommendations for resolution of the sexual harassment and sanctions, if any, against the respondent. Available sanctions include, but are not limited to, reprimand, suspension without pay, and termination of employment.

4. Within fifteen (15) days, the chair of the hearing panel will communicate the written statement on the determination to both parties (by certified mail) and to the respondent's vice president. In addition the Affirmative Action Coordinator will forward the complete file to the vice president. For faculty respondents the appropriate vice president is the Provost and Vice President for Academic Affairs; for staff, either the Vice President for Administrative Affairs or the Vice President for Student Affairs; for students, the Vice President for Student Affairs. The appropriate vice president is responsible for expeditiously implementing the recommendations and/or imposing the sanctions recommended by the hearing panel as is consistent with the exercise of good and sound judgment.

C. The Appeal Process

- 1. Either party may appeal an adverse determination or recommendation to the respondent's vice president. The appeal must be written, state the basis for the appeal, must be filed within five (5) working days of receipt of the notification of the adverse determination or recommendation, and a copy of the appeal sent to the Affirmative Action Coordinator.

2. The Affirmative Action Coordinator will inform all other parties that an appeal has been made.
3. The appropriate vice president will make his or her determination on the record. The decision of the hearing panel will be affirmed unless there is insufficient evidence on the record to support it.
4. The appropriate vice president will notify the parties involved of his/her determination within five (5) working days of the receipt of the appeal.

IV. RESIDUAL RIGHTS AND PROCEDURAL COMMENTS

The rights of either party to file a grievance under the Faculty Handbook, the Personnel Policies and Procedures Manual, or the Student Handbook shall not be impaired by using the Sexual Harassment Policy and Procedure.

Throughout the Formal and Informal Processes, the University officials involved are obligated to use their best efforts to explain the options available to the student. However, the University and its employees are in no way obligated to provide legal advice to the student.

The student is responsible for deciding which option among available options to pursue.

Any student or other person who knowingly files a false complaint or who knowingly provides false information may be disciplined under the Faculty Handbook, the Personnel Policies and Procedures Manual, or the Student Handbook.

In the event the allegations are not substantiated, the University will take reasonable steps to restore the reputation of the respondent.

Once a formal sexual harassment complaint is resolved, the closed file will be maintained in the confidential records of the Legal Counsel for the University.

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Voting Item from the UCC for action by the Faculty Senate

Date of Meeting May 10, 1990

I. The UCC recommends approval of the following curriculum actions:

- A. BIO 101L - deletion
BIO 160 - new course
BIO 180 - deletion
BIO 125 - title and description change

BIO 129
BIO 130
BIO 131
BIO 132 deletion of general studies credit
BIO 133
BIO 134
BIO 136
- B. 1. ENG 305 - New Course
ENG 316 - deletion

2. The UCC recommends that ENG 300 and ENG 314 be included in component Ic. among those courses designated as being offered for general studies credit beginning in the 1991-1992 academic year.
- C. FRE 320 description changes to reflect that these courses may be
GER 320 used to meet one-half the general studies requirement for
SPI 320 literature beginning in the 1991-1992 academic year.
SPI 321
- D. SWK 203 course description change
- E. ANT 110 course changes - these courses are recommended as satisfying
ANT 280 the historical perspective component of the general studies
REL 190 criteria applicable beginning in the 1991-1992 academic year.
REL 195

Information Note: In order for a course to be offered for general studies credit during or after the 1991-1992 academic year, the course must be explicitly approved by the Faculty Senate, as meeting the new general studies criteria. Hence, courses currently receiving general studies credit will not automatically receive such credit in subsequent years, unless action is taken to that effect by the Faculty Senate.

- II. A. Revisions of the UCC policies statements from the Curriculum Manual pages 1-5. The UCC has approved of this new statement of its policies designed to simplify and streamline the process of making curriculum changes.

(over)

Faculty Senate

***Voting Item from the UCC for action by the Faculty (sp) Senate
Date of Meeting May 10, 1990***

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