

University Faculty Council Meeting Minutes
April 11, 2017
3:15 – 5:00 PM
Jones Room, Woodruff Library

Attended: Angela Amar, Juliette Stapanian Apkarian, Kimberly Jacob Arriola, Henry Bayerle, Carla Berg, Tamara Caspary, Elizabeth Corrie, Carrie Cwiak, Erica Duncan, Christine Dunham, Cam Escoffery, Sheryl Heron, Jason Hockenberry, Jaffar Khan, Anna Leo, David Lynn, Kristy Martyn, Judy Raggi Moore, Jim Nagy, Mimi Newell, Nichole Powell, Karen Stolley, Jason Schneider, Pamela Scully, Patrick Sullivan, Anand Swaminathan, Kristin Wendland, Cynthia Wetmore, Karen Scheib, Holly York, Stuart Zola.

Excused Absences: Deborah Bruner, James Hughes, Astrid Prinz.

Unexcused Absences: Matthew Klopman.

Ex Officio Absences: Abdullahi A. An-Naim, Noel Erskine, Peter Topping, Frank Wong, Lynn Zimmerman, Claire Sterk.

Guests/Visitors/Correspondents: Del King, Mindy Simon, Anjulet Tucker.

I. Call to Order

Emory University Faculty Council Chair Kristin Wendland called the meeting to order at 3:17 p.m.

UFC motion: Wendland made a motion for amending the meeting agenda to include an academic year end report by the University Faculty Council (UFC) Title IX small working group and its discussion. Judy Raggi Moore seconded the motion, and the motion carried unanimously.

II. Approval of University Faculty Council Minutes

The March 2017 meeting minutes have been posted for review in the University Faculty Council (UFC) Box folder.

UFC motion: Wendland requested to hear a motion to approve the March 2017 meeting minutes. Judy Raggi Moore made the motion, and Anand Swaminathan seconded it. The motion passed unanimously.

III. New Criminal Background Check Policy for New-faculty Hire: Update – Mindy Simon and Del King

Simon and King had conducted an informative session in the February 2017 meeting of the UFC about the new criminal background check policy for new-faculty hires. Although UFC members had endorsed this policy, they also requested to hear more details about what the final policy would look like. Simon first summarized reasons and requirements for the policy and noted that this policy will not apply to physician faculty appointments, which already follow a credentialing process that includes background checks. Then, she outlined procedures for the criminal background check as (1) Employee/prospective employee is asked to voluntarily disclose any criminal convictions and consent to the background check (giving false or incomplete information is sufficient cause to disqualify a potential faculty member from appointment or to cause termination of a current faculty member); (2) Emory contracts with a third-party vendor to conduct the background check; (3) if the background check reveals a criminal conviction, the results are reviewed by the Vice President of Human Resources (or designee) in the Department of Human Resources. Human

Resources will also consult with the Office of the Provost or School Dean's Office if necessary; (4) Human Resources focuses on (a) the type of criminal activity, (b) the length of time since conviction, and (c) the duties and location of the faculty member; (5) the applicant will be given the opportunity to refute the results before an offer is withdrawn or other action is taken. Next, King gave some examples of prior convictions that have led to the withdrawal of an offer of employment, such as aggravated assault/battery, theft, child pornography, child abuse, drug trafficking/distribution, rape, robbery, sexual assault, embezzlement, murder, and fraud. In response to a question, King said they currently have no plans to conduct background checks for existing faculty. Anand Swaminathan said, in his opinion, they do not really need a separate policy for faculty; one policy should apply to all employees. Pamela Scully asked if deans were included in the discussion should some issue surface about an application. Mindy Simon said this could be discussed in the implementation document.

UFC motion: After further UFC discussion, Wendland moved to form a small working group to continue the discussion on faculty concerns regarding this subject, perhaps to work over the summer, and asked for volunteers. Scully seconded her motion, and the motion carried unanimously. Anand Swaminathan, Carrie Cwiak and Pamela Scully volunteered to serve on this small working group.

IV. Review of 2016 – 2017 Year – Kristin Wendland

Wendland said the UFC is essentially a subset of the University Senate, and she presented an overview of the purpose, mission, and accomplishments of the UFC this year. Two of Wendland's major goals for this year were strengthening the communication (among the members of the UFC, and between the members and their constituents), and engaging the faculty members in shared governance. In relation to these goals, she then summarized the communication and governance infrastructure presentations carried out throughout the year. Next, she summarized the highlights of the UFC's discussions and activities, including the "pretext" workshop (for creative pedagogy in action and community building); responses to presidential executive orders (DACA and travel ban); academic freedom under Title VII and Title IX policies; and distinguishing the personal from the professional as members of the Emory community. Wendland also summarized the work done by the small working groups and task forces this year, including the RAS Task Force, the Peer Mediation Task Force, and the Title IX/VII Working Group, and acknowledged the UFC members who served on them. She said the UFC needs to determine the status/function of Faculty Peer Mediation Committee in September 2017 under the UFC chair-elect Henry Bayerle's leadership. She finally outlined the challenges that she projects for the next year, especially ongoing efforts to strengthen communication and engagement. She suggested the UFC consider forming a communications working group, designate a person to produce UFC summaries, and review the interface between standing committees and the UFC.

V. UFC Committee Reports

Wendland said all committee reports have been posted for review in the University Faculty Council (UFC) Box folder, and she reminded the UFC members that there is currently a call for UFC committee membership applications.

a. Distinguished Faculty Lecture Committee – Henry Bayerle, Chair (Oxford College)

Bayerle addressed the UFC and summarized the selection process of Distinguished Faculty Lecture honorees. The anticipated time for determination of the 2018 honoree is September 2017.

b. Faculty Hearing Committee – Kristin Wendland (for the committee chair Jim Hughes, School of Law)

Due to an excused absence of Jim Hughes, Kristin Wendland read the committee's report to the UFC. In 2017 the committee received just one faculty request for a hearing, and the request was denied on the jurisdictional basis.

c. Faculty Life Course Committee (FLCC) – Angela Amar, Chair (School of Nursing)

Amar updated the UFC about her committee's work. One of the FLCC's main focuses for this year was responding to the Class and Labor II report. As a result the review, the FLCC committee drafted the "Emory Statement on Civil Discourse," which was endorsed by University Senate in its March 2017 meeting. Wendland added that, as per President Sterk's suggestion, she and Henry Bayerle will bring this statement to the Academic Affairs Committee of the Board of Trustees in May 2017.

d. Learning Outcomes Assessment Committee – Jason Hockenberry, Chair (School of Public Health)

Hockenberry said this is the second year of their new schedule for the "report, review and feedback" loop instituted by the UFC a couple of years ago. He said that, after two years, it has become evident that Emory may be lacking expertise in program assessment. Hockenberry also announced that he is stepping down as the chair of this committee, due to his other professional commitments. The UFC Executive Committee has recommendations for possible successors.

a. University Research Committee (URC) – James Nagy, Co-chair (Emory College)

Nagy presented the highlights of the URC's accomplishments this academic year. He informed the UFC that the URC launched a new international category of grants as a pilot project. He then said the URC gave 2017 Junior and Senior Albert E. Levy Awards to Sam Sober and Ahmed Ansari, respectively. Nagy then provided some statistics about the submitted URC proposals and awarded grants. In response to Juliette Apkarian's question about how URC defines interdisciplinary grants, Nagy said that for interdisciplinary grants typically people from different areas of expertise submit a proposal together, and that there is also a clear definition on the URC website. Nagy also announced the replacement of co-chair Frank Wong by Craig Castellino. He added the fact that Castellino previously served as the chair of the Biological and Health Sciences Sub-committee of the URC, which was the main rationale for his appointment as the new co-chair of the URC. Nagy next thanked all contributors of the URC for this year, such as reviewers, subcommittee chairs and co-chairs, and liaisons. He invited applications for a few available sub-committee chair positions. Tamara Caspary commented on the possibility for the URC's new electronic grant submission and tracking system to track previously awarded grants in order to obtain information about previous awards and impact of the grants.

VI. Title IX Working Group Academic Year End Update – Pamela Scully, Group Leader (Emory College), Lynne Huffer (Emory College Faculty Senate liaison), Stu Marvel (School of Law), Jason Schneider (School of Medicine), Anand Swaminathan (Goizueta Business School), Karen Scheib (School of Theology), Adrienne Ivey (Oxford College), Angela Amar (School of Nursing)

In Fall 2016 this working group was charged with examining how Title IX relates to academic freedom, in particular with regard to the issue of "hostile environment" and the current Emory interpretation of Title IX that makes all faculty responsible parties and thus mandatory reporters. Scully summarized the key activities of their working group so far, such as researching Title IX policies and interpretations at different universities; studying the American Association of the University Professors (AAUP) report, *The History, Uses, and Abuses of Title IX* (2016); and hosting a lecture by Prof. Risa Lieberwitz, who is the legal counsel of the AAUP and who chaired the subcommittee which authored the report on Title IX. They found

the Office for Civil Rights in the U.S. Department of Education does not require all faculty to be responsible parties, and an increasing number of universities creating different levels of protection for faculty autonomy related to mandatory reporting. The working group recommends:

1. Changing current mandatory reporting requirements for faculty. Currently all Emory faculty are considered responsible parties under Emory University's interpretation of Title IX. They specifically recommend that
 - a. the classroom be considered a protected space free of reporting requirements—as is done at NYU.
 - b. only faculty in supervisory or official advisory positions, as designated by schools or units, be considered as responsible parties (i.e. area chairs; deans; vice deans; director of undergraduate and graduate studies; department chairs; advisors of student groups when they are working in that role, as is done in many institutions.)
 - c. faculty considered as responsible parties receive appropriate in-person training on how to respond to a report of sexual misconduct.
2. Constitution of a committee of faculty and Title IX staff and administrators to shape policy going forward.

UFC motion: Per the discussion and recommendations by UFC chair Wendland and chair-elect Bayerle, Scully made a motion for UFC to endorse these two recommendations and act on them first thing in Fall 2017. Erica Duncan seconded the motion, and it passed unanimously.

VII. Faculty Club Task Force Report – David Lynn (Emory College), Pamela Scully (Emory College), and Kristy Martyn (School of Nursing)

On behalf of the Faculty Club Task Force, David Lynn presented a vision for a faculty club at Emory. Lynn first reminded the UFC that the formation of a faculty club has been a matter of conversation since 1998. The survey conducted by Mike Kutner and John Bugge, with the support of UFC, in November 2016 asked all Emory faculty's opinions about forming an Emory faculty club. With a 46% response rate, the idea to form a faculty club received 80% support. Also, all deans voiced support for the establishment of an Emory faculty club. Lynn further emphasized that while several of our peers, including Harvard, Chicago, Stanford and Duke Universities have faculty clubs, there is no reason we have to follow their models. However, he provided a summary of faculty feedback, including the idea that such a forum would support President Sterk's call for renewed emphasis on cultural and academic community excellence. He mentioned recent publications on the increasing difficulty of building connections between units and departments and said a venue that provides a common meeting place for faculty and their guests is merely a first, and possibly critical, step towards building the dynamic faculty community necessary to nurture and grow the broader inclusive scholastic excellence of Emory University. Lynn next shared the group's immediate and expanded visions on the features, accessibility and logistics of such a faculty club. Possible venue sites include the Oxford Road lounge, the Carlos Ackerman reception hall or the dining area, the Woodruff Library, the side lounge of the old Candler Library, Pitts Library, and the new DUC. Lynn also talked about their group's opinion on the sustainability and costs. FLCC or another UFC committee would have oversight, faculty would pay an annual fee to join (as supported by their responses to the survey), and schools would pay for new and junior faculty for the first three to four years to encourage broad participation.

Following Lynn's presentation, an extensive discussion took place by the UFC members. While many members reiterated their support, several other members said that, while they were not initially in support

of this idea at the beginning of this year, they are now convinced about the benefits of an Emory faculty club. Thanks to how the working group presented this discussion in a community context, members could understand how a faculty club (or whatever we finally call it) would foster an intellectual culture at Emory. Some reservations were made about the concept of a club, particularly the name, since historically faculty clubs had excluded women and minorities. It was suggested that a different term be used to be as inclusive as possible. In response to Erica Duncan's question, Lynn said no fee is foreseen for students and post-docs. Finally, Wendland thanked this working group for its communication and engagement, and said their report is now in the hands of the Provost and President for the next steps.

UFC motion: Wendland made a call to hear a motion to endorse the vision for an inclusive intellectual community, for now called the Emory Faculty Club, as outlined in this working group's report. The motion was made by Judy Raggi Moore, and seconded by Erica Duncan. It carried unanimously.

VIII. Remarks from Interim Provost – Stuart Zola

Interim Provost Zola acknowledged Kristin Wendland's activity this year as the University Senate President and UFC Chair. He said in several weeks a new provost will be determined and he/she eventually will be the person engaged with the reports that have been submitted about an Emory faculty club, Title IX, and Class and Labor II. He then updated the UFC about the search for the dean of Emory College, saying four candidates are coming to campus soon, and that this search is intentionally lagging behind the provost search so that the new provost could have a role in the selection process. Interim Provost Zola also the Research Administration Services (RAS) Task Force had begun the two RAS pilot studies, and they were proceeding satisfactorily. He concluded by thanking all members of the UFC for their hard work this academic year.

IX. Adjournment

The meeting was adjourned at 5:04 p.m.