

University Senate Meeting
Wednesday, November 2, 2016
3:00-5:00 pm
Gerlinger Lounge

DRAFT

Attendance can be found at the bottom of the page.

1. Call to Order: 3:03 pm

1.1 Introductory Remarks – Senate President Bill Harbaugh. President Harbaugh reviewed the agenda and reminded senators and guests to use a microphone when speaking, so those viewing can hear what's being said. He also explained that the parliamentarian had ruled that the 2/3 majority vote needed to pass bylaws changes means 2/3 of the senators present and voting.

Harbaugh apologized for having provided commentary on the IAC motion while introducing it at the previous meeting. He said Vice President Chris Sinclair would lead the discussion today. Harbaugh noted that approving a presidential advisory board would be something new for the Senate and asked senators to consider whether eliminating the Senate's own committee on intercollegiate athletics would represent a weakening of shared governance.

Harbaugh also commented on the university administration's decision to propose a time, place, and manner policy for free speech activities and use of campus facilities. He said the administration had first raised this issue in April as a way of clarifying current rules in this area, but by this fall was talking about imposing its proposal as an emergency policy. Harbaugh said he was offered a copy of the proposed policy for comment, but when he refused to comment, he was cut off from access to revised versions. The university administration has now issued a formal policy proposal and will send it through the Policy Advisory Council (PAC) process. The Senate will have an opportunity to review the policy that emerges from the PAC, though Harbaugh suggested that the Senate should have a greater role in the process, because the policy should be considered an academic matter. He announced that he will be forming a Senate task force to review the proposed policy and urged anyone interested in serving on it to contact him.

2. Approval of Minutes:

2.1 October 19, 2016. Minutes have not been prepared yet and will be considered at the next Senate meeting.

3. State of the University:

3.1 Update from Provost Scott Coltrane: Provost Coltrane spoke about the recent incident involving a law professor who appeared in blackface at her Halloween party. He said that the faculty member is currently on administrative leave and the university's

Office of Affirmative Action & Equal Opportunity (AAEO) will be investigating to see if any university policies have been broken.

6. Reports:

6.1 Update on UO Board of Trustees: Susan Gary, Kurt Willcox, and Will Paustian. The three campus-based members of the Board of Trustees described how the Board operates and their personal experiences serving on the Board. Gary noted that while the campus-based members come from particular constituencies, they serve in a fiduciary capacity for the university, not as representatives of the groups they belong to. Willcox stressed the important perspective that campus-based Board members can provide for other Board members who are not regularly on campus and must rely primarily on information provided by top administrators. Paustian explained how much he appreciated the opportunity to connect with UO administrators and other Board members and described the importance of having a student voice on the Board during a time of tight finances and rising costs.

4. New Business:

4.1 Vote: US16/17-06: Approve Revised Committee on Committees Membership; Chris Sinclair (Math), Senate Vice President. President Harbaugh read the motion.

Motion to adopt. Presented by: Chris Sinclair. Second: Christopher Chavez.

Vote to adopt: Unanimous. Moved/Seconded/Carried.

4.2 Vote: US16/17-04: Revise Charge and Name of IAC committee; Andy Karduna (Human Physiology), immediate past chair of IAC. Karduna read the motion and described his conversations with UO President Schill last academic year about how to create an effective forum for addressing intercollegiate athletics. He said Schill wanted only one committee, wanted it to focus on student-athletes, and wanted it to be advisory to the president. Karduna said he consulted with previous IAC chairs, contacted other Pac-12 schools, and worked with Schill to develop the proposed revisions to the committee's status and membership that last year's IAC recommended for Senate adoption. Karduna then reviewed each of the proposed revisions and explained the thinking behind them.

Vice President Sinclair, a member of the current IAC, then described the discussion in yesterday's IAC meeting regarding the proposed membership changes for the new Intercollegiate Athletics Advisory Committee (IAAC). Those changes will mean both that numerous people who were elected to the IAC last spring will have no role on the new IAAC and that classified employees who currently have two elected positions on the IAC will have no positions on the IAAC. He said two suggestions emerged from the IAC discussion and subsequent conversations with President Schill: 1) Establish the new IAAC, keep the existing IAC, and have IAC members designated to sit in on meetings of the IAAC, so they can communicate information from the Athletics Department back to

the IAC. This approach would retain an existing Senate committee with its broader charge. 2) President Schill has indicated he is willing to have one of the four elected IAAC positions filled by a classified employee, rather than all of them being faculty members.

During extended discussion, senators asked a variety of questions, including what about the new structure would make the IAAC more effective than the IAC, how both committees would be able to work together or address particular issues involving student athletes, what exactly the term “student life of student athletes” in the proposed IAAC charge means, and why the Athletics Department has been allowed to refuse to cooperate with the IAC.

Motion to postpone consideration of this proposal until the next Senate meeting on November 16. Presented by: Bill Harbaugh. Second: Ed Pederson.

Vote to postpone: Unanimous. Moved/Seconded/Carried.

4.3 Vote: US16/17-03: New Program Proposal: Spatial Data Science and Technology (Geography); Allison Schmitke (Education), Chair of Undergraduate Council and Chris Bone (Geography) President Harbaugh read the motion.

Vote to adopt: Unanimous. Moved/Seconded/Carried.

4.4 Discussion: US16/17-07: Student Sexual and Gender-Based Harassment and Violence Complaint and Response policy proposal; Merle Weiner (Law), Chair of Senate Responsible Reporting Work Group. Weiner introduced the work group members and briefly reviewed their efforts since August. She noted that the work group was sponsoring a public forum on November 7 from 5-6:30 pm in 180 PLC for all community members to comment on the proposed policy. The policy may be revised further based on the feedback received.

Weiner explained that under the current temporary policy, which is in effect into February 2017, all university employees, except those classified as confidential, must report all incidents involving the sexual harassment of students of which they become aware. Weiner said research shows that mandatory reporting policies actually reduce the likelihood that incidents of sexual harassment will be reported. Reports can also harm many victims who feel they have lost control of the situation once a report is made, especially when they themselves didn't make the report. So, a key goal for the work group was to reduce the number of people who are required to make such reports. Instead, the work group wanted to focus on providing resources and support for victims of sexual harassment while also ensuring that the policy complies with all known legal requirements.

Weiner noted that the work group addressed only disclosures of sexual harassment that involve students and didn't try to address all the forms of discrimination covered by the

temporary policy. The Senate will need to review those other topics in some fashion, in order to update the rest of the temporary policy.

Under the proposed policy, Weiner explained, there would be three categories of employees: 1) Designated reporters – about 100 top administrators who would be required to report incidents of sexual harassment involving students to the UO's Title IX Coordinator. They would be identified clearly in the UO Directory and with stickers on their office doors. 2) Confidential employees – This group includes primarily health care, mental health, and social work professionals who have a legal privilege of confidentiality. They can provide victims with support and access to resources without making a report to the Title IX Coordinator. These employees would also be clearly identified. 3) Student-Directed Employees – All other employees would fall into this category. They would be obligated to offer information (a brochure) to victims about available resources and to follow the victim's decision about whether or not to report anything to the Title IX Coordinator. The only situation in which employees in this group would be required to report to the Title IX Coordinator is when they determine that failure to do so would result in "imminent harm" to the victim or to others.

Weiner then highlighted a few other provisions of the proposed policy. For example, the work group hopes that a number of employees will volunteer to become Identified Resource People (IRP) for their departments and other units on campus. The IRP's job will be to provide information to employees who learn about the sexual harassment of students on how to comply with the policy and assist the victim. The IRPs will have identifying stickers on their office doors and will be trained about resources and procedures. The university is also looking to contract with an information escrow provider, so victims can enter information online about what happened to them and have it available for their use later, if they decide to report. The policy also includes language stating that the university will defend employees who take action to implement their obligations under the policy.

One senator asked how an employee was supposed to determine "imminent harm". Weiner noted that there will be very few such situations and that the employee could call Crisis Intervention for confidential advice on how to evaluate the situation. Another senator asked if the university's General Counsel felt the proposed policy was in compliance with Title IX requirements and guidance from the federal Office of Civil Rights (OCR). President Harbaugh noted that the university intends to ask OCR to review the proposed policy if it is adopted. Weiner said the work group and General Counsel's office had communicated regularly in developing the proposed policy. She said the biggest question will be whether OCR accepts the way the policy defines those who must report incidents of sexual harassment to the Title IX Coordinator. Another senator complimented the work group on its efforts to address all the concerns that had surfaced in the Senate debate last spring on a different policy proposal, but also inquired about the amount of training that will be required under this proposal. Jennifer Freyd pointed out that OCR will require training for those most directly involved anyway. She also noted that 10-12 other schools have already adopted policies with a greatly reduced list of required reporters.

President Harbaugh said the proposed policy is scheduled for a vote on November 16.

4.5 Discussion: US16/17-05: Graduate Hybrid and Online Courses

Policy; (Graduate Council) Sara Hodges, Associate Dean of the Graduate School, explained that the proposed policy for graduate level courses is very similar to the policy the Senate adopted last academic year for undergraduate level courses. The Graduate Council simply wanted to ensure that any graduate-specific issues were addressed. The proposed policy will include a checklist of the key questions a faculty member needs to consider when proposing online or hybrid graduate level courses. One senator asked how much online work is needed for a course to be considered a hybrid and was urged to discuss this with Hodges after the meeting, which was drawing to a close.

5. Open Discussion:

5.1 General Education Reform: President Harbaugh noted the time and said he would reschedule discussion on this matter to the following meeting.

7. Notice(s) of Motion: None

8. Other Business: None

9. Adjournment: 4:55 pm

Attendance:

University Senate Members – 2015-16				Date: November 2, 2016			
Senators	Pres	Abs	Exc	Senators	Pres	Abs	Exc
CAS – Natural Sciences				School of Music and Dance			
N. Christopher Phillips	X			Alexandre Dossin	X		
John Conery		X		Idit Shner	X		
Dejing Dou		X					
Jennifer Freyd	X			Clark Honors College			
Elliot Berkman			X	Monique Balbuena	X		
Huaxin Lin	X						
Christopher Minson	X			Other Academic Units			
Hans Dreyer	X			Edward Davis	X		
Ilya Bindeman		X					
				Librarians			
CAS – Social Sciences				Lori Robare			
Jane Cramer			X	Edward Teague	X		
Eileen Otis							
Mike Urbancic	X			Officers of Administration			
Craig Parsons	X			Amanda Hatch	X		
Peter Walker		X		Keith Frazee	X		
				Stephanie McGee (L. Ennis)			X
CAS – Humanities							

Jane Averill (Gone Fall Term)			X	Students			
Lowell Bowditch			X	Hassan Almumen			X
Cristina Calhoon	X			Lisa Smith	X		
Pedro Garcia-Caro	X			Blair Toy (Nick Gioia)			X
Alison Groppe	X			Terra Wheeler	X		
Beata Stawarska	X			Hannah Thompson	X		
Daniela Vallega-Neu	X						
Eric Pederson	X			Classified Staff			
				Valerie Mickelson	X		
Architecture and Allied Arts				Theodora Ko Thompson			X
Jack Ryan	X			Jimmy Murray	X		
Laura Leete	X						
Ron Lovinger	X			Career NTF Research			
Richard Margerum			X	Greg Bryant	X		
College of Education				Academic Council Chair			
Deanna Linville		X		Frances White	X		
Laura Lee McIntyre	X						
Beth Harn			X	Ex-Officio			
				Bill Harbaugh, President	X		
Journalism and Comm.				Chris Sinclair, Vice President	X		
Christopher Chavez	X			Randy Sullivan, Past President		X	
				Michael Schill, UO President			X
School of Law				Scott Coltrane, Provost	X		
John Bonine		X		Quinn Haaga, ASUO President	X		
				Betina Lynn, Sen. Exec. Coord.	X		
College of Business				Paul Simonds, Parliamentarian	X		
Ali Emami	X						
Jennifer Ellis	X						

Ex Officio: Betina Lynn, Paul Simonds

Guests: Andy Karduna, Ian Gerig, Andrew Dunn, Melina Pastos, Chris Bone, Angela Wilhelms, Jennifer LaBelle, Chuck Triplett, Sandra Gladney, Merle Weiner, Kevin Reed, Will Campbell, Angela Wilhelms, Jennifer LaBelle, Chuck Triplett, Sandra Gladney, Jo Smith, Melanie Muenzer, Nicole Francisco, Christine Grummon, Kindra De'Arman, and Kurt Willcox.