

University Senate Meeting
Wednesday, November 16, 2016
3:00-5:00 pm
EMU – Redwood Auditorium

DRAFT

Attendance can be found at the bottom of the page.

1. Call to Order: 3:05 pm

1.1 Introductory Remarks – Senate President Bill Harbaugh. President Harbaugh reviewed the agenda. He noted that there would be a vote to suspend the rules under New Business, in order to determine if the Senate wants to consider two recently submitted resolutions. He reminded senators that the vote to suspend the rules will take a 2/3 vote of those present and voting. If that vote succeeds, it will take a simple majority to approve the proposed resolutions. Harbaugh also outlined the process for speaking on these two resolutions, if the Senate votes to consider them.

2. Approval of Minutes:

2.1 October 19, 2016 and November 2, 2016. Senators voted to accept the minutes as currently posted on the Senate website.

4. New Business:

4.1 Vote: US16/17-05: Graduate Online & Hybrid Courses policy proposal; Scott Pratt (Philosophy & Graduate Council) President Harbaugh read the motion.

Motion to amend the definition of hybrid courses in 1.3.1 to clarify that the online session(s) can be synchronous or asynchronous. Presented by: Chris Phillips. Second: Peter Walker.

Definition would read: “Hybrid courses are those courses offered in a blended format with one or more required face-to-face class sessions and with one or more required sessions offered online (whether synchronously or asynchronously).”

Vote on amendment: Yes – unanimously. Moved/Seconded/Carried.

Motion to further amend the definition of hybrid courses in 1.3.1 by including a sentence on virtual courses. Presented by: Keith Frazee. Second: Amanda Hatch.

Sentence to be added after previously amended definition: “Virtual courses include two types of delivery: (1) self-paced, asynchronous learning and (2) synchronous “live” learning.”

Vote on amendment: Yes – unanimously. Moved/Seconded/Carried.

Vote on main motion as amended: Yes – unanimously. Moved/Seconded/Carried.

4.2 Vote: US16/17-07: Student Sexual and Gender-Based Harassment and Violence Complaint and Response policy proposal; Merle Weiner (Law) & the Senate Responsible Reporting Working Group. Merle Weiner, substituting as senator for John Bonine, reviewed the efforts of the work group and the policy being proposed. She explained that the current temporary policy requires all university employees to report to the Title IX Coordinator all disclosures they receive of sexual harassment. The work group recognized that this arrangement can actually suppress disclosures of sexual harassment and that forced reporting can be harmful to survivors. The work group attempted to balance legal obligations under Titles VII and IX with the needs of survivors.

Weiner reviewed the principles behind the work group's deliberations. She noted that the group had held weekly meetings since late August that were open to the public, had held two town hall meetings, and had posted various drafts of the proposed policy on the Senate blog for comment. Weiner remarked that this was her third appearance at a Senate meeting and she said she had briefed the Senate Executive Committee (SEC) twice. Weiner reported that the work group had consulted regularly with the General Counsel's office and had reached out to specific departments it thought would have an interest in the policy. She said the result is a policy the work group feels proud of and hopes will become a national model.

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 (e.g. 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 noted that student Resident Assistants and Orientation Leaders would be classified as Student-Directed Employees, but would have added obligations to connect students who disclose sexual harassment to them to supportive resources. She said the policy also envisions creating a group of volunteers to serve as Identified Resource People (IRP). These Self-Directed Employees would receive additional training, in order to provide assistance to faculty and staff who want to know how to support students who have disclosed incidents of sexual harassment to them. The work group hopes that each department will eventually have its own IRP. In addition, the proposed policy

includes a recommendation that the university provide an online information escrow system, so survivors can record details of their sexual harassment for possible use later on.

Weiner said the group's work will not be done once the Senate adopts the proposed policy. They will be putting together a report for President Schill and the General Counsel's office explaining why the university administration should adopt the policy. The work group will also develop a set of FAQs to help explain the policy to faculty, staff, and students. The work group will likely also make recommendations to the Senate on how to address the other parts of the university's temporary discrimination policy that were not part of its assignment.

Motion to adopt the proposed policy. Presented by: Merle Weiner. Second: Jane Cramer.

President Harbaugh explained the next steps should the policy be approved by the Senate. It will go to UO President Schill who will have 60 days to consider it. The policy will also be sent to the US Department of Education's Office of Civil Rights (OCR) for review. If either or both parties want to see adjustments to the policy, there will be an opportunity for Senate leaders to work with them and negotiate an acceptable resolution. If this occurs, the revised policy will return to the Senate for a vote.

Several senators expressed strong support for the proposal and thanked the work group for its efforts in dealing with a difficult and complex issue, particularly after the divisive discussion that occurred in the Senate last spring over a related discrimination policy proposal.

Chris Minson asked for clarification that the policy only covered incidents of student sexual harassment that are disclosed to university employees, not ones that were directly observed. Weiner said that is correct. Employees who directly witness such incidents would still be required to report them to the Title IX Coordinator.

A few senators asked about training – what a campus-wide training program might look like and cost, as well as what the training obligation might involve for individual faculty and staff. President Harbaugh said the time commitment would probably be similar to the university's current online course. However, he feels the content will be significantly improved, since it will be developed by the Title IX office to aid survivors, rather than to address the UO's legal liability concerns. Jennifer Freyd noted that extensive training would be necessary under any policy, that the UO needs something much better than the online training, and that she has great confidence in what the Title IX Coordinator's office can produce with the proper administration support.

Laura Lee McIntyre expressed support for the proposed policy, but pointed out that it only addresses part of the overall temporary policy on discrimination. She asked what will be done about the rest of that policy. Weiner noted that the proposed policy does contain a section on workplace sexual harassment, but said the work group would

definitely like the Senate to establish a new committee to address these other areas. Harbaugh said that is his intent and he would welcome volunteers to serve on that committee. Laura Leete also spoke in support of the proposed policy, but recommended that the Senate develop some kind of review process to ensure that it is operating as intended.

Vote on the proposed policy: Yes – unanimously. Moved/Seconded/Carried.

3. State of the University:

3.1 Remarks by UO President Michael Schill: President Schill noted that the university community has been through a difficult couple of weeks, including the national presidential election and blackface incidents involving a law professor and some middle school students. He said there is a good deal of fear, insecurity and upset on campus which he's attempted to address. This morning, he and Provost Scott Coltrane issued a statement regarding immigration concerns that said the UO will not facilitate enforcement activities on campus by Immigration and Customs Enforcement (ICE) without a warrant, will not share information with the federal government on student immigration status without a court order, and will direct the UOPD not to act on behalf of federal officials in enforcing immigration laws. Schill urged those present to make sure that students hear this message. He said it is important that we take care of each other right now and that we stand up and say that those behaviors causing these fears are not right. He then introduced UOPD Chief Matt Carmichael and Assistant General Counsel Missy Matella to provide specifics about the UO's anti-bias approach.

Chief Carmichael said that his department is concerned about hate talk, even if it doesn't qualify as a crime, because it is hurtful in ways that can't be undone. He said his main concern is student safety. He has increased patrols and the general police presence on campus and will maintain this approach for several months. Carmichael has met with student leaders to discuss how they can protest "properly" and has had officers escort student demonstrators when they have left campus and marched downtown in order to keep them physically safe. He also noted that the department has begun offering self-defense classes for students. He asked the campus community to tell the UOPD what it needs at this time, so the department can provide it.

Matella said she had been working on equity and inclusion issues the past few weeks and that many parts of campus are clearly supportive of such efforts. She noted that the UO's Crisis Intervention staff is available 24/7 not just for incidents of sexual harassment, but also for bias incidents. They can provide both confidential and non-confidential resources. Matella announced that the university will be launching a new website soon to better publicize available resources for addressing bias and equity concerns. She emphasized that all members of the campus community have the right to be free of discrimination and said the university wants to support students who are experiencing bias, isolation, and fear.

President Harbaugh asked Matella if UO employees are required to report incidents of discrimination or harassment that they become aware of. Matella said that is definitely the case under the current temporary discrimination policy, but she noted that there also are confidential resources available to victims of discrimination. Jennifer Freyd asked if the university administration could issue a new temporary policy on discrimination modeled on the Senate's just-passed sexual harassment policy. President Schill said he still needs to review that policy and will consider what actions ought to be taken. Blair Toy thanked President Schill for attending the rally sponsored by the Black Student Union on Friday, but asked that in the future he not presume to tell her and other minority students how to act or feel.

President Schill said he is very concerned about the level of trust students of color have in the university in the wake of the blackface incidents. He said he has met with African-American student leaders and that we are all pushing forward to make the UO a more diverse, inclusive, and welcoming place. We should all know now, he said, that it is not OK to wear blackface at a party. Schill said he's asked all departments to provide him with detailed diversity plans within 90 days. The actions of faculty make a huge impression on students, Schill said, so please help out.

Motion to suspend the rules and allow debate on both of the following resolutions. Presented by: Ed Pederson. Second: Monique Balbuena.

Chris Phillips objected to hearing the sanctuary resolution, because it had been posted so late that he hadn't had a chance to read and consider it. Huaxin Lin raised the same objection and suggested voting separately on each of the resolutions to determine whether to suspend the rules and discuss them. President Harbaugh said that the Senate Bylaws normally require three weeks' notice and a complete draft of the motion five days before voting, however those rules can be suspended by a 2/3 vote of those senators present.

Vote on suspending the rules and allowing debate on the two resolutions. Requires a 2/3 majority: No – 1, Yes – all other votes. Moved/Seconded/Carried.

Huaxin Lin asked that the votes be counted. President Harbaugh asked if Lin wanted to register a "No" vote. Lin replied that he did not vote "No". President Harbaugh denied the request saying there was a clear 2/3 majority and that counting votes would just delay the meeting. Chris Phillips asked for a ruling on whether the needed 2/3 majority meant 2/3 of those in attendance or 2/3 of those voting. Harbaugh clarified that the parliamentarian had ruled that it meant 2/3 of those present and voting.

4.3 Vote: US16/17-08: Reaffirming our Shared Values of Respect for Diversity, Equity, and Inclusion; Senator Pedro Garcia-Caro (Romance Languages) et al. Pedro Garcia-Caro read the motion and offered a personal statement of support. We shouldn't tolerate hatred, he said. Garcia-Caro has seen fascism creep into liberal institutions in Spain and, as an American citizen, he doesn't want it to happen here. We must oppose vigilantism, he said. He noted that numerous departments have already expressed

support for this resolution, including History, English, Romance Languages, Philosophy, Environmental Studies, and the Honors College.

Motion to adopt. Presented by: Pedro Garcia-Caro. Second: _____.

Motion to amend by adding in 2 “regardless of which candidates or measures they supported or opposed in the recent election” and in 5.1 “regardless of which candidates or measures they supported or opposed”. Presented by: Chris Phillips. Second: Huaxin Lin.

Phillips said the purpose of the amendment is to be even-handed and recognize that problems are happening for those who supported Donald Trump, as well. Monique Balbuena said the original motion is meant to support those who are in danger and that it is non-partisan. Garcia-Caro agreed. Craig Parsons said he sees these tensions over equity and inclusion in the government course he teaches; he opposed the amendment. Phillips noted that he did not characterize the original motion as one-sided.

Vote on the amendment. Yes – 3. No – all other votes. Moved/Seconded/Failed.

Lynn Stephen spoke in support of the original motion and read a commentary by one of her students about the climate of hatred and fear he is experiencing.

Vote on the original motion. No – 1. Yes – all other votes. Moved/Seconded/Carried.

4.4 Vote: US16/17-09: Declaring UO a Sanctuary Campus; Lynn Stephen (Anthropology) et al. Lynn Stephen read the motion. She thanked President Schill and Provost Coltrane for their statement on immigration earlier in the day and for working together with the Senate. She noted that over 200 local jurisdictions throughout the United States, though not Lane County, have expressed their unwillingness to help ICE enforce immigration laws.

Motion to adopt. Presented by: _____ . Second: _____.

Craig Parsons expressed his concern about the Senate addressing issues like this one, which asks the UO to take a position on how it will deal with federal agencies. The previous resolution focused on the university’s own values, but this one requires a political stance from senators who were not elected based on their political beliefs. Jane Cramer said this resolution will make many students she knows feel safer. Chris Chavez said it is important for the university to speak up at critical moments like this.

Vote to adopt. No – 2. Yes – all other votes. Moved/Seconded/Carried.

5. Open Discussion: None

6. Reports:

6.1 Update on UO Accreditation: Ron Bramhall (AVP for Academic Excellence).

Because of extended discussion on other agenda items, President Harbaugh postponed this report until the next Senate meeting.

6.2 IFS & PAC12-Academic Leadership Council: Robert Kyr (Music)

Because of extended discussion on other agenda items, President Harbaugh postponed this report until the next Senate meeting.

6.3 Governor’s Campus Safety Workup Report: Robert Kyr (Music)

Because of extended discussion on other agenda items, President Harbaugh postponed this report until the next Senate meeting.

7. Notice(s) of Motion: None

8. Other Business: President Harbaugh reminded faculty members that the new Faculty Club is open tonight and tomorrow night.

9. Adjournment: 4:58 pm

Attendance:

University Senate Members – 2016-17				Date: November 16, 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 (D. Woken)			X
Eileen Otis		X					
Mike Urbancic	X			Officers of Administration			
Craig Parsons	X			Amanda Hatch	X		
Peter Walker	X			Keith Frazee	X		
				Stephanie McGee	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	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			
				Michael Schill, UO President	X		
School of Law				Scott Coltrane, Provost	X		
John Bonine (M. Weiner)			X	Quinn Haaga, ASUO President	X		
				Betina Lynn, Sen. Exec. Coord.	X		
College of Business				Paul Simonds, Parliamentarian	X		
Ali Emami	X			Angela Wilhelms, St.Fac.Ex.Crd	X		
Jennifer Ellis	X						

Ex Officio: Betina Lynn, Paul Simonds

Guests: Ian Gerig, Nick Gioia, Andrew Dunn, Chuck Triplett, Jennifer Winters, Cecilia Enjuto Rangel, Terry McQuilken, Will Campbell, Jasmine Jarupat, Melissa Barnes, Phyllis Barkhurst, McKenna O'Dougherty, Lynn Stephen, Matt Carmichael, Missy Matella, Dave Cecil, and Kurt Willcox.