Call to Order

Approval of Minutes of May 9, 2016

Report of the Executive Committee

- Welcome to new senators
- Focus
  - Wellness/Mental health
  - Diversity, equity, and inclusion
- Elected Senators Only Meeting – November, 2016
- Communication
- Updates

Remarks by the Chancellor

Standing Committee Reports

Ad Hoc Committee Reports

Old Business

New Business

Scheduled Remarks

- George Hill, Ph.D.
  Chief Diversity Officer and Vice Chancellor for Equity, Diversity, and Inclusion

Good of the Senate

Adjournment

Voting Members present: Andrews; Bachmann; Benton; Cannon; Carnahan; Chakravarthy; Christenbery; Cliffel; Dewey; Fauchet; Finch; Fleming; Friedman; Guthrie; Goddu; Haglund; Halevi; Heuser; Hopkins; Johnson; Kim; Koutsoukos; Lowe; Luo; March; Martin; McCammon; Murphy; Norman; Outlaw; Pearson; Reeves; Robinson; Rowe; Schildcrout; Segovia; Shay; Smrekar; Townes; Walden; Walsh; Weavind; Webb; Weil; Weintraub; Wilson; Wooders; and Wuerth
Voting Members absent: Ackerly; Allos; Balser; Benbow; Brown; Chang; Christman; Green; Greene; Griffith; Massion; McCain; Merryman; Miga; Oskay; Rohde; Seymour; Simmons; Talbot; Trigo; Wait; Wallace; and Wright

Ex Officio Members present: Anderson; Bandas; Beasley; Brady; Cyrus; Geer; Hill; Hotchkiss; Kopstain; Lutz; Price; Wente; Willis; and Zeppos.

Ex Officio Members absent: Carroll; Fortune; Hall; Marnett; McNamara; Miller; Raghavan; Raiford; Stalcup; and Williams.

Guests:

Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:10 pm.

Approval of the minutes of May 9, 2016

Chair Dewey asked for approval of the minutes. A motion was made and seconded to approve the minutes. The motion passed unanimously by voice vote.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).

- She began by welcoming new senators, noting that the EC will align the Faculty Senate with the initiatives of diversity, equity, inclusion, and wellness. These are priorities on which the Faculty Senate will focus. She also noted that other items are also under review by the EC and the standing committees.

- Some standing committees have already met. Other committees will be meeting soon. Charges are being finalized and will be posted once finished.

- The Fall Faculty Assembly highlighted the achievements of some of our most distinguished accomplishments over the past few years.

- The November 3, 2016 Faculty Senate Meeting will be for elected senators only. The meeting, to discuss important issues coming before the Senate this year, will be more of a debate style forum. Attendance was encouraged.

- Chair Dewey encouraged effective communication among the assembly. There are various ways for senators to communicate and receive updated information.
– *Engage*, The Newsletter of the Faculty Senate is a tool to stay updated on what is happening in the Faculty Senate.
– The Faculty Senate website has continuous updates.

- Updates: Chair Dewey reminded the Senate that Debbie Hayes, Administrative Manager of the Faculty Senate is an outstanding resource and senators may/should contact her via the Faculty Senate at FacultySenate@vanderbilt.edu email address or anonymously through the Faculty Senate Portal on the web page.

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business and invited Chancellor Nicholas S. Zeppos to take the floor.

**Remarks by the Chancellor**

The Chancellor emphasized the priorities of the administration. He commended Vice Chancellor George Hill for his leadership in Equity, Diversity, and Inclusion. He noted that Eric Kopstain will work closely with Vice Chancellor Hill to search for the new Vice Provost of Equity, Diversity, and Inclusion. The search committee will dialogue on the role and duties of this new position. He highlighted the important work of Provost Susan Wente and the need for the vice provost to assist in diversity and inclusion issues across vice chancellors but also within the realm of the provost across the institution to programs, to classrooms, to resident halls. Provost Wente works with students, faculty and deans and she needs help to assure accomplishments in all these areas.

He further emphasized:

- Vanderbilt is off to a phenomenal start this year.
- The report of the Committee on Diversity Inclusion and Community and the exceptional efforts of faculty members Keivan Stassium and Beverly Moran.
- Deans within schools are assisting and taking on initiatives for their school; such as Andre Churchwell, at VUSM
- As Chancellor, one thing he knew he had to do was the renaming the Confederate Memorial Building to the Memorial Building. He gave appreciation to the many individuals including the BOT that was involved in making this initiative a reality. It was the right thing to do and it was time. That name was a source of divisiveness at Vanderbilt.
- Mental health is central to a great community. He will host upcoming town halls, balance sheet reviews, and other things around campus to address this.
- The chancellor noted the receipt of a $300M graduate research endowment. He, Provost Wente, Graduate Research Chair Larry Marnett and Jennifer Pietenpol are reviewing the best options. He asked the Senate to stay tuned to forthcoming information on graduate education research. A graduate resident building is one thing on which he is focused.
Chancellor Zeppos called for questions. There were two comments.

1. A senator noted a concern about expanding administration without expanding the size of the faculty.

Chancellor’s response: Expanding the faculty should be as a result of education. To expand the faculty, we should look at how we become great.

2. A senator comment noted the housing challenges of undergraduate students with children.

The Chancellor supported that as an important issue and suggested things are moving forward in this area to be inclusive of all types of students coming to Vanderbilt. Dean of Students, Mark Bandas response: VU already makes efforts to house students with children in close proximity to the campus.

**Standing Committee Reports**
Chair Dewey introduced standing committee chairs. Academic Policies and Services Chair, Gayle Shay; Faculty Life Chair, Scott Pearson; Faculty Manual Chair, Myrna Wooders; Grievances Chair, Tom Christenbery; Senate Affairs Chair, Kevin Murphy; Student Life Chair, David Cliffel; and Strategic Planning and Academic Freedom Task Force Chair, Xenofon Koutsoukos. Each stood to be recognized by new senators and others present.

Chair Dewey asked for reports from committee chairs. The chairs gave the following reports:

- Gayle Shay, Academic Policies and Services reported that their charges have been confirmed by the EC.
- Scott Pearson, Faculty Life reported that Faculty Life has a full agenda. Their first priority is diversity, equity, and inclusion. Their second priority is faculty mental health. His committee has a meeting scheduled on Monday of the next week.
- Myrna Wooders, Faculty Manual reported that they have dedicated people on their committee. They are charged with reviewing the faculty manual.
- Tom Christenbery, Grievances made no report before the Senate.
- Kevin Murphy, Senate Affairs reported that they will be meeting in the next couple of weeks. They are charged with apportionment and will review the apportionment structure in light of the VU/VUMC split.
- David Cliffel, Student Life Chair reported that they have a wide range of charges.
- Xenofon Koutsoukos, Strategic Planning and Academic Freedom Task Force Chair reported that they have had their first meeting. The committee is working on its charges. In their meeting, they discussed the Academic Freedom statement and its application to different situations.

**Old Business**
Chair Dewey announced that the faculty manual is still under review and there were interim changes over the summer. There was then discussion and clarification of next steps. Provost Wente noted once approved from the chancellor they go to the provost and then back to the Faculty Manual Standing Committee and then the cycle repeats.

**New Business**

There was no new business from the EC.

Senator Wooders, Chair of the Faculty Manual Committee, informed the body that the interim changes made over the summer will take a while for the committee to process. This is especially true for the interim change on technology which will require involvement of the Technology Review Committee.

Dean Donald Brady asked to be recognized by the Chair. He was recognized by Chair Dewey. Dean Brady noted that protocol would call for a motion regarding the role of the parliamentarian. The Chair informed the body that she asked Dr. Brady to serve as the Faculty Senate Parliamentarian this past spring. She explained the Parliamentarian’s role especially for new senators.

Chair Dewey called for a motion on this appointment. The motion was made and seconded to appoint Donald Brady as Parliamentarian. The Voice Voting proceeded. The motion passed unanimously by voice vote. Donald Brady is the Faculty Senate Parliamentarian for the 2016-2017 academic year.

**Scheduled Remarks**

Senator Dewey, Chair of the Faculty Senate introduced Dr. George C. Hill, Chief Diversity Officer and Vice Chancellor of Equity, Diversity, and Inclusion.

Vice Chancellor Hill began his presentation by reading the first two paragraphs of *Invisible Man*, by Ralph Ellison. His presentation focused on:

- The goals of the Office of Equity, Diversity & Inclusion
- Fall Faculty Assembly
- Wellness
- Diversity and Inclusion
- Removal of “Confederate” from the Memorial Building
- Our work is not complete.
- The retreat for senior administration
- Reviewing the Diversity, Inclusion and Community report.

Dr. Hill encouraged the body to read the report.
He stated that we must figure ways to get people from different journeys to experience Vanderbilt. We must be collaborative. He talked about things that prevent us from accepting people such as:

- Racism
- Sexism
- Homomisia
- Elitism
- Sectarianism
- Privilege
- Intersectionality
- Income disparity
- Intolerance

He further acknowledged that The Black Lives Matter Movement makes some people uncomfortable. This movement is an extension of the Civil Rights Movement. He made the connection that this is the same work James Lawson got expelled from Vanderbilt for doing.

We are doing a good job of bringing students to Vanderbilt from different walks of life. Still, some students have experienced microaggression and weathering tactics. We are striving for Inclusive Excellence. That means whatever we do is inclusive. That means the techniques that we use are excellent. He displayed slides depicting microaggressions at Vanderbilt and challenged senators to fully raise their hands when they disagree or feel uncomfortable with things in order to raise a culture of diversity and inclusion.

In the last eight years, the presence of underrepresented groups at Vanderbilt has doubled. In 2008, the underrepresented population was 22.2%. In 2016, it is 41.3%.

The four recommendations that Dr. Hill presented for faculty to take back to their departments were on his last two slides. They were:

- Each school or college should develop an operational mission statement for diversity.
- Each department should develop a Diversity Action Plan and set goals.
- Designate a faculty member to be Department Coordinator.
- Department faculty and chair should evaluate progress at the end of the academic year.

Dr. Hill charged the assembly to learn from individuals who are different from themselves. He will pay for lunch for those who invite someone who is different from them to lunch. This will strengthen our ability to learn about people who are different from us. We must examine ourselves and be part of Inclusive Excellence. Inclusive Excellence also includes mental health.

Dr. David Satchel, former US Surgeon General, did three reports on mental health. He will be speaking at Vanderbilt next week. He noted that some people are made to feel uncomfortable
when they discuss certain topics. It was noted that students of color tend not to talk about certain issues.

Vice Chancellor Hill concluded his presentation by advancing the premise that we must promote a safe culture and environment for everybody. We need to create a culture that accepts people for who they are. We must have inclusive teams. We must figure out not how we are different, but how we are the same. He noted teamwork is the way things will happen. He quoted Chancellor Zeppos on collaborative efforts. A handout of the “Equity, Diversity and Inclusion Matter” September 2016 issue was provided in addition to his remarks. Overall, the recommendations from the retreat are being finalized and will be available after review by the Chancellor.

Dr. Hill opened the floor for questions.

It was asked if we are in a better place than we were ten years ago. The answer was, “Yes.” A senator also asked that the mental health stigma be included in the list of barriers that prevents individuals from being accepted and seeking help. One senator revealed that some of the most influential figures in history had mental health issues including, Winston Churchill and Abraham Lincoln. Discussion on the rates of mental health issues in the community ensued along with the importance of reducing barriers for those with mental health challenges.

**Good of the Senate**

Senator Ann Price, Past Vice Chair of the Faculty Senate, explained the role of the Vice Chair as Secretary of the Senate. She also explained the purpose of the green labels on some senator name tents. The green indicates the senator as a voting member. A quorum of voting senators is needed for all Senate votes.

Senator Richard Willis, Past Chair of the Faculty Senate, reminded the body of the Chancellor’s Reception for the Faculty Senate. The reception is Thursday, September 15 at the university residence. The time is 6:00 – 7:30 pm.

Chair Dewey concluded the meeting by informing the assembly that the Chair and Vice Chair-elect positions come from the cycle of first year senators. She encouraged first year senators to think about how they might serve and contribute in an elected office. She also stated that the Chair-elect and Vice Chair-elect will attend SEC Leadership Training.

**Adjournment**

The meeting adjourned at 5:30 pm.

Respectfully submitted,

Brian L. Heuser
Vice Chair
Call to Order

Approval of Minutes of September 8, 2016

Report of the Executive Committee
  • COACHE
  • Shared governance
  • Wellness/Mental health
  • Diversity, equity, and inclusion
  • Deans meetings
  • EC and Faculty Senate meeting speakers - calendars
  • Other

Remarks by the Chancellor

Standing Committee Reports

Ad Hoc Committee Reports

Old Business

New Business

Scheduled Remarks
  • Cynthia J. Cyrus, Ph.D.
    Vice Provost for Learning and Residential Affairs
  • Rachel Eskridge, M.Ed.
    Director of Wellness Programs and Alcohol Education

Good of the Senate

Adjournment

Voting Members present: Ackerly, Bachmann; Carnahan; Christenbery; Dewey; Finch; Friedman; Guthrie; Haglund; Heuser; Hopkins; Johnson; Kim; Koutsoukos; Lowe; March; Martin; McCammon; Outlaw; Pearson; Reeves; Robinson; Rowe; Schildcrout; Segovia; Shay;
Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:10 pm.

Approval of the minutes of September 8, 2016

Chair Dewey asked for approval of the minutes. A motion was made and seconded to approve the minutes. The motion passed unanimously by voice vote.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).

The Executive Committee (EC) continues to meet frequently and meets with the Provost and the Chancellor every month. The EC meets with leadership as needed. The EC focuses on its main goals and other issues as they come up.

- COACHE survey data is complete. Provost Wente and her team are forming committees to look at the data. They will roll the date out to faculty via town halls. The Faculty Life Committee will look at COACHE survey items to determine which issues the Faculty Senate should ask about in terms of faculty mental health and diversity.

- The EC met with Chancellor Zeppos and discussed forming a shared governance task force. This is the direction in which VU is going. Leadership has embraced this process. Senate representation will be visible. It is hoped that Past Chair Willis will serve on this task force.
• The *Engage* Newsletter will feature a “Faculty Wellness Corner” in each edition to be released the Monday after the Faculty Senate meetings. This section will challenge and engage faculty in things that can be done to promote mental health and wellness.

• The EC is working closely with Dr. George Hill, Vice Chancellor of Diversity, Equity, and Inclusion. They will continue to look at the recommendations from Beverly Moran and Keivan Stassun to determine how to work effectively with the issues faced by the University.

• Chair Dewey and Vice Chair Heuser have been meeting with the deans and getting insight from their perspectives of things at their level. They have been open and willing to collaborate efforts.

• The EC is finalizing the speaker calendars for the Faculty Senate and the EC meetings. The calendars will be placed on the web page upon completion.

• The BOT meeting is in November. Chair Dewey and Vice Chair Heuser will attend the meeting to report on behalf on the Faculty Senate. They will solicit help from Past Chair Willis and Past Vice Chair Price to develop a summary to deliver to the BOT.

• The November 3, 2016 Faculty Senate Meeting will be for elected senators only. Senators will receive a survey link to prioritize topics for that meeting. There may be a second Senators Only meeting in the spring.

• Discussions with Vanderbilt Student Government (VSG) have been positive. VSG has been inviting to the Faculty Senate in the hopes of promoting a collaborative relationship. We are looking for opportunities to collaborate. Last year, the Faculty Senate set a precedence of having students participate in a special meeting. The EC is looking at how to plan another of those meetings. The plans will develop over the next couple of months.

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

**Remarks by the Chancellor**

There were no remarks by the Chancellor.

**Standing Committee Reports**

Chair Dewey called for reports from committee chairs. The chairs gave the following reports:

• Gayle Shay, Academic Policies and Services has reviewed their charges and have nothing significant to report.
• Tom Christenbery, Grievances reported that they have no grievance. They are working on a primer for Part IV, Section 2B that will serve as clarification of the grievance process in terms of faculty responsibility.

• Scott Pearson, Faculty Life reported that they have reviewed their charges. Faculty Life has discussed the community of faculty and the Vanderbilt Faculty Club. Their next meeting is Monday, October 10. They invited Eric Kopstain to attend that meeting.

• Kevin Murphy, Senate Affairs Chair was absent. No report was made.

• David Cliffl, Student Life Chair was absent. No report was made.

• Xenofon Koutsoukos, Strategic Planning and Academic Freedom Task Force Chair had nothing significant to report.

• Myrna Wooders, Faculty Manual reported that they have been busy working on different parts of the Faculty Manual. Part I, Chapter 5 gives the Faculty Senate an opportunity to voice its opinion on any issue raised in the Faculty Manual, including interim changes. Her concern was that the Administration will be responsive.

Senator Wooders had motions to present. The Senate prepared for voting. Senator Wooders introduced the members of the Faculty Manual Committee.

• Myrna Wooders, A&S, Chair
• Geoffrey Fleming, School of Medicine (Executive liaison)
• Senta V. Greene, A&S
• Benigno Trigo, A&S
• Tony Weil, SOM
• Duco Jansen, Engineering (ex-officio)
• Becky Keck, Nursing (ex-officio)
• Richard Willis, Owen Graduate School of Management (ex-officio)

Senate Faculty Manual Committee Motion on the Athletics Committee Proposed Title Change to Part I, Chapter 4 of the Faculty Manual (Faculty Manual Committee Chair, Senator Myrna Wooders)

Senate Faculty Manual Committee Motion on Consistency Proposed Paragraph Change to Part I, Chapter 2 of the Faculty Manual (Faculty Manual Committee Chair, Senator Myrna Wooders)

Senate Faculty Manual Committee Motion on Owen Proposed Sentence Change to Part I, Chapter 1 of the Faculty Manual (Faculty Manual Committee Chair, Senator Myrna Wooders)
Senator Wooders stated that the Senate Faculty Manual Committee is placing before the Senate six motions related to the Faculty Manual. The first motion related to a title change in Athletics. The second motion related to consistency of elected faculty members. The third motion related to Owen and the master of marketing degree. The fourth motion related to the TRC and the way the committee’s membership is constituted. The fifth motion related to the Vice Chancellor for Health Affairs. The sixth motion related to Vice Chancellors and Deans.

The clickers were tested to ensure a quorum and proper balloting results.

Senator Wooders noted that the Faculty Manual requires revision. Some motions that were going to come before the Senate had been eliminated. Most of the day’s motions were small changes. She then introduced the following motion:

Motion 1 – Athletics Committee

- Whereas the Vanderbilt Faculty Manual (as archived on 8/17/2016) requires revision and updating, and
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
- Whereas, the Faculty Manual Committee has now circulated the following proposed revision to the Faculty Senate and placed this revision before the University faculty for comment,

Be it resolved that the following paragraph from Part I, Chapter 4 on the Athletics University Committee,

“The purpose of this Committee is to give advice, support, and guidance to the Vice Chancellor for Athletics and University Affairs and to the Chancellor. The Committee has the general advisory responsibility for athletics.”

Be replaced by the following paragraph:
“The purpose of this Committee is to give advice, support, and guidance to the Vice Chancellor for Athletics and University Affairs and Athletic Director and to the Chancellor. The Committee has the general advisory responsibility for athletics.”

Chair Dewey, opened the floor for discussion.

There was a grammatical question about the second “to” in the proposed paragraph, which was a title change. It was explained that this motion corrects only the title, which is incorrect in the manual.

Noting no further questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 35 affirmative, 0 opposed, 2 abstentions.

Senator Wooders explained that the next motion is to make the Faculty Manual consistent with the Constitution. She then introduced the following motion:

**Motion 2 - Consistency**

- Whereas the Vanderbilt Faculty Manual (as archived on 8/17/2016) requires revision and updating, and
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
- Whereas, the Faculty Manual Committee has now circulated the following proposed revision to the Faculty Senate and placed this revision before the University faculty for comment,

Be it resolved that the following paragraph from Part I, Chapter 2

“Each Faculty elects its own representatives to serve for a three-year term on the Faculty Senate. Only full-status faculty members with the academic rank of Instructor or above are eligible for election to the Faculty Senate. Upon the expiration of his or her first full term, a senator is eligible for reelection to a second subsequent term. All full-status faculty members with the academic rank of Instructor or above, part-time faculty members having full-status, and such other part-time faculty members as the full-status faculty of a school or college may designate, are eligible to vote for representatives to the Faculty Senate. The Executive Committee of the Faculty Senate, elected by members of the Faculty Senate, consists of the Chair, Vice Chair, the Chair-elect, and the Vice Chair-elect. The Faculty Senate meets at least four times each academic year. Unless otherwise announced as Senators' only meetings, all meetings of the Faculty Senate are open to full-status faculty members who hold the rank of Instructor or above (including administrative officers who hold faculty appointments) and to part-time faculty members with full status.”
“Each Faculty elects its own representatives to serve for a three-year term on the Faculty Senate. Only full-status faculty members with the academic rank of Instructor or above are eligible for election to the Faculty Senate. Upon the expiration of his or her first full term, a senator is eligible for reelection to a second subsequent term. All full-status faculty members with the academic rank of Instructor or above, part-time faculty members having full-status, and such other part-time faculty members as the full-status faculty of a school or college may designate, are eligible to vote for representatives to the Faculty Senate. The Executive Committee of the Faculty Senate, elected by members of the Faculty Senate, consists of the Chair, Vice Chair, the Chair-elect, and the Vice Chair-elect. The immediate past Chair and Vice Chair will serve as ex officio members of the committee for one year following their term. The Faculty Senate meets at least four times each academic year. Unless otherwise announced as Senators’ only meetings, all meetings of the Faculty Senate are open to full-status faculty members who hold the rank of Instructor or above (including administrative officers who hold faculty appointments) and to part-time faculty members with full status.

Chair Dewey, opened the floor for discussion.

Noting no questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 36 affirmative, 0 opposed, 1 abstention.

Senator Wooders explained that the next motion is to add the Master of Marketing degree that Owen now offers. The Senate approved the program last year. The Faculty Manual needs to reflect that change. She then introduced the following motion:

**Motion 5 - Owen**

- Whereas the Vanderbilt Faculty Manual (as archived on 8/17/2016) requires revision and updating, and
- Whereas revisions to Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
- Whereas, the Faculty Manual Committee has now circulated additional proposed revisions to the Faculty Senate and placed those revisions before the University faculty for comment,

We the Faculty Manual Committee, move that the following sentence from Part I, Chapter 1
“The Owen Graduate School of Management was established in 1969. The Owen School offers the Master of Business Administration, Master of Science in Finance, Master of Accountancy, and Master of Management in Health Care.”

Be revised to state:

The Owen Graduate School of Management was established in 1969. The Owen School offers the Master of Business Administration, Master of Science in Finance, Master of Accountancy, Master of Marketing, and Master of Management in Health Care.

Chair Dewey, opened the floor for discussion.

Noting no questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 36 affirmative, 1 opposed, 0 abstentions.

Senator Wooders explained that the next motion is about the interim change of the Technology Review Committee and faculty membership on the committee. She then introduced the following motion:

**Motion 6 - TRC**

- Whereas a number of changes were made in the summer of 2016 as interim changes, currently included in Faculty
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all such interim changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
- Whereas, the Faculty Manual Committee has now circulated the following interim change and its proposed revision to the Faculty Senate and placed this revision before the University faculty for comment,

Be it resolved that in the following paragraph from Part III, Chapter 4, describing the Technology Review Committee:

“The TRC is appointed by the Chancellor with nominations for faculty positions being made by the Consultative Committee of the Faculty Senate. The TRC is chaired by a faculty member and the majority of members are faculty members without administrative appointments. The committee reviews and monitors the activities of CTTC on matters relating to the administration of this policy. The committee must be consulted in advance concerning any material changes to the policy and participate fully in the future development of the policy. Faculty employed by VUMC will constitute at least 40% of the total membership.”
Be approved by the Senate with the proposed revisions in the paragraph quoted below:

The TRC is appointed by the Chancellor. The TRC is chaired by a faculty member and the majority of members are faculty members without administrative appointments. The committee reviews and monitors the activities of CTTC on matters relating to the administration of this policy. The committee must be consulted in advance concerning any material changes to the policy and participate fully in the future development of the policy. Faculty employed by VUMC will constitute at least 40% of the total membership.

Chair Dewey, opened the floor for discussion.

The question was asked, “Why isn’t it 40% of the 13 members?”

Senator Wooders conjectures that what is meant is 40% of the faculty on the committee, not 40% of the total membership.

It was moved that this motion be taken up in committee. Senator Wooders did not know to which committee this should go.

It was asked that the Senate receive clarity on the composition of TRC membership from Senate colleagues in the medical center.

Provost Wente explained that the intent of the interim change was to be 40% of the faculty membership.

Dr. David Raiford provided a history of the journey with the CTTC and the reorganization. He and Alan Bentley recommended to the EC that this interim change be recommended to the Chancellor. That was done. The Chancellor approved it. He further explained that the policy allows for the TRC to consider making changes to the policy and the TRC can receive suggestions. Dr. Raiford informed the body that the TRC can make recommendations for changes to this policy to the Chancellor. He advised that if there was concern about imprecision, the Senate could pass a motion to ask the TRC to look into this and make any appropriate corrections.

A senator then suggested that the motion be amended. The motion was seconded. The body was informed that the previous motion to remand to committee superseded the motion to amend. It was explained that the motion could go to the Senate Affairs or the Faculty Life Committee. Then, the motion to remand to committee was withdrawn.

It was noted that the main impediment to shared governance has been the Faculty Senate. There was agreement that a mistake had been made in the language of the interim change.

Noting no further questions, Chair Dewey asked for a vote to amend by adding the word “faculty” to the interim change to state – “total faculty membership”.

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Point of order - to amend; if the vote is taken to amend, then there must be a vote on the amendment. A voice vote was suggested. It was also suggested that a new slide be put into the deck for voting purposes.

One senator voiced their understanding that the Faculty Senate should advise the TRC to amend the language. It was further voiced that this problem has already been pointed out to Alan Bentley, assistant Vice Chancellor for Technology and Commercialization.

A new motion was made concerning the TRC to recommend that they consider changing the wording to “total faculty membership”. The motion to amend was withdrawn and replaced with the new motion as stated. The motion was seconded. In support of that motion, it was stated that the TRC is the only body that can change their language. It was stated that the Faculty Senate changing the wording would only be binding in the Faculty Manual and inconsistent with the changes the TRC might make.

Clarity was given to the voting procedure on this motion. Nay meant that the body did not wish for 40% of the membership to be from VUMC. Then, the second motion will be to send the interim change back to the TRC to add the words “total faculty membership”.

Noting no further questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 0 affirmative, 34 opposed, 2 abstentions. The motion was not approved.

The next motion was to send the interim change back to the TRC to add “total faculty membership” to the last line of the paragraph.

Noting no further questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 36 affirmative, 0 opposed, 0 abstentions.

This marks the first time an interim change has been declined by the Faculty Senate. Senator Wooders explained that the next motion is to change the title Vice Chancellor for Health Affairs to Dean of the School of Medicine”. She then introduced the following motion:

**Motion 7 – Vice Chancellor for Health Affairs**

- Whereas the Vanderbilt Faculty Manual (as archived on 8/17/2016) requires revision and updating, and
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
Whereas, the Faculty Manual Committee has now circulated the following proposed revision to the Faculty Senate and placed this revision before the University faculty for comment,

Be it resolved that in the following paragraph from Part III, Chapter 5

“Researchers are obligated to inform their department chairs, Deans, and the appropriate Sponsored Research office in writing in advance of project sponsorship of any special relationship that they have or intend to have with a sponsor. This disclosure should detail fully the nature and purpose of the relationship but normally need not provide specific amounts of financial reimbursement figures except when necessary to determine the existence of conflicts of interest, allocation of effort, or other University interests defined by the Provost or the Vice Chancellor for Health Affairs, as appropriate. This provision applies to all participants in a project, including faculty members, research associates, members of the staff, and students. It is expected that sponsors may inquire whether a researcher is receiving support from a competitor and whether safeguards are in place to protect proprietary information from being misused. To avoid conflicts of interest, researchers should be especially cautious when accepting support from competitor sponsors who are providing proprietary information.”

The words “or the Vice Chancellor for Health Affairs be replaced by the words “or the Dean of the School of Medicine”.

Chair Dewey, opened the floor for discussion.

Noting no questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 36 affirmative, 0 opposed, 1 abstention.

Senator Wooders explained that the next motion refers to the reporting structure for Vice Chancellors and Deans. She then introduced the following motion:

**Motion 8 – Vice Chancellors and Deans**

- Whereas the Vanderbilt Faculty Manual (as archived on 8/17/2016) requires revision and updating, and
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual, and
- Whereas, the Faculty Manual Committee has now circulated the following proposed revisions to the Faculty Senate and placed those revisions before the University faculty for comment,
Be it resolved that the following paragraph from Part I, Chapter 1, Section C, Administration

“Vanderbilt University is governed by a Board of Trust which appoints the Chancellor as the Chief Officer. The University's other administrative officers serve at the pleasure of the Chancellor and include the Provost and Vice Chancellor for Academic Affairs, the Vice Chancellor for Investments and Chief Investment Officer, the Vice Chancellor for Administration, the Vice Chancellor for Finance and Chief Financial Officer, the Vice Chancellor for Public Affairs, the Vice Chancellor for Athletics and University Affairs, the Vice Chancellor for Development and Alumni Relations, the Vice Chancellor for Information Technology, and the Vice Chancellor, General Counsel and Secretary. Each of the ten schools of the University is led by a dean, nine of whom report to the Provost and the Dean of the School of Medicine who reports to the Chancellor.”

Be replaced with the following paragraph:

“Vanderbilt University is governed by a Board of Trust which appoints the Chancellor as the Chief Officer. The University's other administrative officers serve at the pleasure of the Chancellor and include the Provost and Vice Chancellor for Academic Affairs, the Vice Chancellor for Investments and Chief Investment Officer, the Vice Chancellor for Administration, the Vice Chancellor for Finance and Chief Financial Officer, the Vice Chancellor for Public Affairs, the Vice Chancellor for Athletics and University Affairs, the Vice Chancellor for Development and Alumni Relations, the Vice Chancellor for Information Technology, the Vice Chancellor for Equity, Diversity and Inclusion and Chief Diversity Officer, and the Vice Chancellor, General Counsel and Secretary. Each of the ten schools of the University, with the exception of the School of Medicine, is led by a dean who reports to the Provost. The Dean of the School of Medicine reports to the Chancellor, while the Dean of Basic Sciences, within the School of Medicine, reports to the Provost.”

Chair Dewey, opened the floor for discussion.

Noting no questions, Chair Dewey asked for a vote by electronic ballot on the Senate Faculty Manual Committee motion on proposed changes.

Voting proceeded: Tally: 37 affirmative, 0 opposed, 0 abstentions.

Old Business

There was no old business from the EC.

New Business

There was no new business from the EC.
Scheduled Remarks

- Cynthia J. Cyrus, Ph.D.
  Vice Provost for Learning and Residential Affairs
  Professor of Musicology
  Affiliate Faculty in Women and Gender Studies
- Rachel Eskridge, M.Ed.
  Director of Wellness Programs and Alcohol Education
  Office of the Dean of Students

The Invited Speakers were at the meeting to discuss three things:

1. The Chancellor’s mental health and well-being initiative and its broader context
2. To help faculty feel equipped to guide students to appropriate campus resources
3. To help faculty understand the variety of wellness resources available to faculty and staff colleagues

They began their presentation by reiterating that Chancellor Zeppos launched a critical initiative to enhance mental health and well-being across the entire Vanderbilt campus. He just started a new strategic committee that will evaluate mental health and wellness resources. That committee is chaired by DR. Donald Brady and Dr. Velma Murray.

The targeted populations on campus have not always felt that they had full access to help. Dr. Cyrus has worked with Dean Mark Wallace to improve resources for graduate and professional students, and post-doctoral fellows. The services have been expanded. The goal is to make sure the community knows the services Vanderbilt provides and that they are covered.

Last spring a new coordinator for access and inclusion at the Psychological and Counseling Center (PCC) was hired to address Vanderbilt’s diverse populations. The PCC has recently established a particular psychologist as specialist to provide consultation services to graduate and professional student populations and post-doctoral fellows. The graduate school is in the process of launching a search for an additional well-being coordinator to serve a more coaching function because sometimes needs are medical. At other times, needs are on a community support basis.

They explained further that the broad objective of the Chancellor’s initiative is to improve the mental health and well-being of the Vanderbilt community. His initiative objectives are to:

- Encourage healthy, help-seeking behavior
- Cultivate resilience
- Instill value: you matter
- Reduce stigma associated with help-seeking
- Examine the role of identity and wellness
- Collect and analyze data to improve practice
In order to achieve the Chancellor’s objectives, the inclusive initiative engages a broad array of campus partners. Among them are the:

- Faculty Senate
- Office of the Chancellor
- Office of the Provost
- Office of Equity, Diversity and Inclusion
- Dean of Students
- Center of Well-being
- Student Health Center
- Psychological & Counseling Center
- Human Resources
- University Staff Advisory Council
- Vanderbilt Student Government

To collect and analyze data, all students will be invited to participate in the Healthy Minds Study, a web based survey designed to assess students mental health status, health behaviors, and use of health services. The confidential study is conducted by researchers from the University of Michigan. The survey will be customized to reflect Vanderbilt’s needs. One benefit of this analysis is that it will allow Vanderbilt to compare its results to national samples. The Faculty Senate is collaboratively working to design a similar survey that will address the concerns of faculty and post-doctoral fellows.

Kognito At-Risk is an online 24 hour a day training simulation resource that is recommended for all faculty, staff and students. Learners engage in simulated conversations with virtual students to learn management techniques for challenging conversations. It increases the ability to recognize signs of distress, approach students of concern, and refer them to the appropriate resources. It takes about 45 minutes to complete.

Three units dedicated to supporting the student population are:

- Center for Student Well-being
- Psychological & Counseling Center
- Student Health Center

The chaplain’s office is also a resource as it provides the GriefNet program.

Rachel Eskridge highlighted the grand opening of the Center for Student Well-being which was held on August 31, 2016. The mission of the Center is to create a culture that supports the personal development and academic success of students using an integrative, holistic framework. Through inclusive and collaborative programming, support services, and campus initiatives, the Center cultivates engagement in lifelong wellbeing practices that enhance students’ ability to thrive within the Vanderbilt community and beyond.
The full staff of the center is actively involved in improving the well-being of all students. The center offers services including:

- Wellbeing, academic, and peer coaching
- Recovery support services
- Meditation and yoga
- Student-led initiatives
- Skill-building workshops
- Trainings to identify and respond to student needs
- Substance use screenings
- Awareness and prevention programming
- Referrals

Key resources for faculty and staff include:

- Work/Life Connections – EAP
- Health Plus
- Occupational Health

The University’s online presence is a key component of the mental health and well-being initiative. The portal is comprehensive and designed for all members of the campus community.

After the presentation, Dr. Cyrus and Rachel Eskridge opened the floor for questions.

It was asked if it would be helpful to have a laminated sheet containing the services that are available. That was thought to be a good idea. In the interim, the PowerPoint presentation will be posted to the Faculty Senate website.

It was noted that the grand opening of the Center for Student Well-being was a Herculean effort.

It was asked what faculty can do if a student comes with a serious issue. Listening is the first step with the goal being to move students into some sort of support. Kognito helps train the conversation to lead it to the right place.

A senator commended Kognito for doing a good job helping students. Over 3,000 have completed the module to better support the community.

It was noted that faculty health insurance does not cover in network mental health options.

At the conclusion of the question and answer period, Chair, Charlene Dewey thanked Dr. Cyrus and Rachel Eskridge for sharing this helpful information and their expertise with the Faculty Senate. She also thanked G.L. Black and Lara Walaszek for attending the meeting.

Good of the Senate
Chair Dewey called for comments or concerns for the good of the Senate. Hearing none, she proceeded.

**Adjournment**

The meeting adjourned at 5:30 pm.

Respectfully submitted,

Brian L. Heuser
Vice Chair
Call to Order

Approval of Minutes of October 6, 2016

Report of the Executive Committee

Remarks by the Chancellor
  • Q & A with the Chancellor, Vice Chancellor for EDI

Standing Committee Reports

Ad Hoc Committee Reports
  • Motion 1 – Resolution Statement of Faculty Principles
  • Motion 2 – UCC
  • Motion 3 – Succession
  • Motion 4 – Quorum
  • Motion 5 – Diversity, Equity, and Inclusion
  • Motion 6 – Consensual & Familial Relationships
  • Motion 7 – Faculty Awards

Old Business

New Business

Scheduled Remarks

Good of the Senate

Adjournment

Voting Members present: Ackerly; Allos; Andrews; Bachmann; Benton; Cannon; Chakravarthy; Christenbery; Dewey; Finch; Fleming; Friedman; Goddu; Green; Greene; Halevi; Heuser; Koutsoukos; Lowe; Luo; March; McCammon; Merryman; Miga; Murphy; Norman; Outlaw;
Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:10 pm.

Approval of the minutes of October 6, 2016

Chair Dewey announced minor changes to the draft minutes. No motions or content was changed. Chair Dewey asked for approval of the minutes. A motion was made and seconded to approve the minutes with the necessary corrections. The motion passed unanimously by voice vote. Due to technological failure, a hybrid model will be used for voting.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).

- The BOT meeting was attended by Chair Dewey and Vice Chair Heuser, who gave a presentation on behalf of the Faculty Senate. The BOT was interested in the use of technology in teaching. Chair Dewey asked that faculty email stories and examples of technology used in the classroom.

- The Elected Senators Only meeting was engaging. A second Elected Senators Only meeting will be held in February.

- The Shared Governance Task Force co-chaired by Richard Willis and Holly McCammon will meet December 15 to get their charges from the Provost.
• Wellness and mental health will form an ad hoc committee through Faculty Life. All deans meeting have concluded. The deans were helpful and supportive. The Faculty Senate looks forward to receiving more data.

• Diversity, inclusion, and community – The Faculty Senate will foster a healing initiative to address the stigma of mental health. Savor Diversity was suggested to promote an understanding of women’s issues, sanctuary cities, and a panel discussion. She gave challenges to the Faculty Senate for this and for Project Safe below. The Faculty Senate will incorporate best practices to celebrate diversity at Vanderbilt.

• Vanderbilt Community concerns have been at the forefront. Chair Dewey communicated with a faculty member about their child who was the victim of a hate crime. The Faculty Senate supports a safe environment. It does not support hate. Resources are available for faculty support.

• Deans meetings have concluded. Chair Dewey and Vice Chair Heuser met with every dean. They found each dean to be extremely welcoming. Wellness and diversity are at the top of their priorities.

• Communication avenues are available. There are several mediums for faculty to stay informed, including: MyVU, MyVUMC, Engage newsletter, DEI Inclusive newsletter, DEI Connect, and Open Dore.

• COACHE data is still being looked at.

• VUPS is looking at a de-escalation policy. VUPS is planning a training module. Project Safe is an organization which helps students across campus. Chair Dewey encouraged the Senate to complete the Project Safe Training Module. The module takes about fifteen minutes to complete.

• Chair Dewey and Vice Chair Heuser met with the VSG yesterday. They discussed Vanderbilt becoming a sanctuary city, their student statement of academic freedom, and their plan to meet with the SPAF Committee. The BOT is supportive of the Faculty Senate mentoring students.

• Chair Dewey expressed personal thoughts and comments. She reflected that Vanderbilt has made significant strides. All leadership has supported diversity and inclusion. The Senate must think about moving forward and not live in the past.

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

Remarks by the Chancellor
Chancellor Zeppos began by stating that what we are experiencing now is a question of history. Vanderbilt is planning a major conference on race and history. Dennis Dickerson is working on that.

Chancellor Zeppos and Vice Chancellor Hill responded to the following questions that were received through the Faculty Senate email.

**Chancellor**

1) What are the roles of the FS and administration in times of crisis?
   
   The faculty is the one constant in the University. Faculty plays an important role in times of crisis. We need to look at, “What are emerging trends in our university that promote challenges?” We are in a challenging time of political divisiveness. There is a concern of over-reacting. The faculty plays a critical role in defining who we are as a community. Sometimes a crisis evolves. During the recent crisis, faculty gave their raises back because that is who we are.

2) When will Vanderbilt's efforts to increase diversity include efforts to increase the ideological diversity of the faculty? (Vice-Chancellor Hill and Provost Wente to also address)
   
   The university has an ideology, a value system, reinvention, destruction of old theories, critical race theories. The Chancellor speaks out on policy. We are a human capital institution. We do not shy from philosophical political questions. He likes ideas that are new, exciting, brilliant ideas.

3) What role do you see the FS playing in effective governance to advance shared governance? What is the most valuable thing(s) the senate should concern itself within its role for the most effective shared governance?
   
   The Chancellor is reluctant to tell the Faculty Senate how to do things. He wants to know what the Vanderbilt community wants Vanderbilt to be and what is our vision? We are a world class university. The Chancellor is energized by imagining a better Vanderbilt.

**Vice-Chancellor DEI:**

1) When will Vanderbilt's efforts to increase diversity include efforts to increase the ideological diversity of the faculty?
   
   Faculty plays a very important role. We are an educational institution. Demonstrations are of intellectual stimulation. It is not new. We must accept and encourage that type of dialogue. Peaceful, respectful demonstrations are good. Some students expressed their view of the faculty as leftist. Some students feel they cannot express their opinions. Dr. Sandra Barnes will help us understand what unconscious bias mind is all about. We all have unconscious bias.

   He noted that Chair Dewey had extended two challenges.
   
   a. Savor Diversity - The Faculty Senate should ask how many participated.
b. Project Safe training

VC Hill asked the question, “When it comes to wellness, how does the Faculty Senate address wellness and diversity to converse and heal?”

2) Related to the recent hate emails on some college campuses, please describe the reporting process for students, faculty and staff who are victims of hate emails and other comments/events.
For steps to take when hate mail occurs... There is a process of mandatory reporting by several offices. We will not tolerate acts of hate by anyone on this campus. The Faculty Senate is making an excellent effort to be inclusive. We have to do a better job and look at who is not at the table as we try to make a decision. The Faculty Senate is a great forum.

The institution’s General Counsel, Audrey Anderson, reminded the entire body that ALL members of the faculty (as well as all administrators) are required to report incidents of discrimination to one of two places: to VUPS if the matter is urgent (e.g. an ongoing event) or to EAD, the investigative arm of the institution. To clarify, reporting is as easy as calling the EAD, unless it looks like VUPS should be involved.

Standing Committee Reports

Chair Dewey moved the Ad-hoc Committee Report to be heard before the Standing Committee Reports.

Senators Brooke Ackerly and Lou Outlaw reported that as a result of recent discourse, a resolution from the Faculty Senate was drafted. This resolution is designed for everyone in the Vanderbilt community. Senator Scott Pearson, Chair of the Faculty Life committee suggested that the concept of open discourse was to not to promote hate but open, respectful discourse. It was further suggested that the 5) list of the draft be alphabetized. These two changes were accepted by the body and the resolution was updated.

A motion was made to accept the resolution with the updates. The motion passed.
Voting proceeded: Tally: 36 affirmative, 1 opposed, 2 abstentions.

Chair Dewey called for reports from committee chairs. The chairs gave the following reports:

- Gayle Shay, Academic Policies and Services looked at two new degree programs. CMAP, and a Bachelor of Musical Arts degree program from Blair. There was discussion that the school requires 126 hours. The norm for accreditation is 120 hours. There were no questions about CMAP.
- Scott Pearson, Faculty Life reported that they are working on a wellness initiative and gaining information from peer institutions with faculty clubs.
Myrna Wooders, Faculty Manual reported that they would like to reinstate the faculty Senate into the Conflict of Interest discussion. The Faculty Manual Committee had three motions. At this time, a quorum was present. She began to introduce the Consensual Relations motion, highlighting consensual relationships between faculty and students.

In response to questions received from the Faculty Senate email, both the Chancellor and Vice Chancellor Hill made lengthy remarks at the top of the meeting. Before Senator Wooders could bring the Faculty Manual Committee motion forward, it was stated by a Senator that the Senate body had lost its quorum.

Past Vice Chair Price raised a point of order explaining that the material could still be presented even without a quorum, but could not be voted upon without a quorum. She suggested that Senator Wooders skip down to…Be it resolved. Senator Wooders continued her presentation.

Per Senator Wooders, “Today the FMC is bringing forward a particularly important motion. In 2012 the Faculty Senate was removed from Part III, Chapter 3, on Conflict of Interest (COI) and Conflict of Commitment (COC). Other changes were made in that Chapter, which, with removal of the Senate, left no role for the Senate in Part III, Chapter 3, and put COI and COC both under the University Conflicts Committee, chaired by the Counsel General. I believe this makes us unique; I have not been able to find another university where COC is under the General Counsel.”

One senator voiced their understanding that a quorum was no longer present and that the Faculty Senate should table all upcoming discussions until the next meeting with a quorum present. The Faculty Manual motion nor any Standing Committee motions were made due to lack of a quorum and because the meeting was already past its stated ending time.

A motion was made to adjourn.

Old Business
There was no old business from the EC.

New Business
There was no new business from the EC.

Scheduled Remarks
There were no scheduled remarks from the EC.

Good of the Senate
There was no additional information given for the Good of the Senate.

Adjournment
The meeting adjourned at 5:45 pm.
Respectfully submitted,

Brian L. Heuser
Vice Chair
Call to Order

Approval of Minutes of December 8, 2016

Report of the Executive Committee

Remarks by the Chancellor

Standing Committee Reports

  Motion 1 – Succession
  Motion 2 – Quorum
  Motion 3 – Diversity, Equity, and Inclusion
  Motion 4 – UCC
  Motion 5 – Faculty Awards
  Motion 6 – Consensual & Familial Relationships

Ad Hoc Committee Reports

Old Business

New Business

Scheduled Remarks

Good of the Senate

Adjournment

Voting Members present: Allos; Cannon; Carnahan; Chakravarthy; Christman; Cliffel; Dewey; Fauchet; Finch; Fleming; Friedman; Goddu; Green; Greene; Haglund; Halevi; Heuser; Hopkins; Johnson; Kim; Koutsoukos; Luo; March; Martin; McCammon; McCoin; Merryman; Murphy; Outlaw; Pearson; Reeves; Robinson; Schildcrout; Shay; Stengel; Trigo; Wallace; Weavind; Weil; Weintraub; Wooders; and Wright
Voting Members absent: Ackerly; Andrews; Bachman; Balser; Benbow; Benton; Brown; Chang; Christenbery; Guthrie; Lowe; Norman; Massion; Miga; Oskay; Rohde; Segovia; Seymore; Simmons; Smrekar; Talbot; Townes; Wait; Walden; Walsh; Webb; Wilson; and Wuerth
Ex Officio Members present: Anderson; Bandas; Beasley; Brady; Carroll; Cyrus; Hill; Lutz; Marnett; Pietenpo; Price; Sweet; Willis; and Zeppos

Ex Officio Members absent: Fortune; Geer; Hall; Hotchkiss; Kopstain; Miller; Raghavan; Raiford; Stalcup; Wente; and Williams

Guests: Catherine Wood

Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:10 pm.

Approval of the minutes of December 8, 2016

Chair Dewey asked for approval of the minutes. A motion was made by Senator Friedman and seconded by Senator Weintraub to approve the minutes. A Senator asked if the changes to the minutes had been posted. They had been posted to the portal. The motion passed by voice vote.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).

Faculty Resolution – Chair Dewey was most appreciative of Vice Chair (VC) Heuser and Administrative Manager, Debbie Hayes for their work publicizing the Faculty Resolution from December’s meeting. The resolution went out to numerous parties and the student response was overwhelmingly supportive and appreciative. She acknowledged the expeditious efforts of all those members who helped bring the resolution to life. A Senator added the name of Ed Saff to be recognized and said it was he and Doug Hardin who originally proposed the resolution. The EC is grateful to The Senate for passing the resolution.

Senator Recognition – The Faculty Senate celebrated the holidays with a luncheon on Friday, December 16. Senators who went above and beyond during the first semester were recognized. Certificates of appreciation were given to Senators Pearson, Koutsoukos, Ackerly, Outlaw, and Heuser. Ex-officio members Willis and Price also received certificates. Thanks was given to everyone who attended the luncheon. Kudos was given to Dean Fauchet, [Vice Chancellor Hill], and General Counsel, Audrey Anderson for attending. Kudos also went to Debbie Hayes for her efforts in planning the event.
Standing Committee Chairs Retreat – The EC and Standing Committee Chairs mid-year retreat was held Wednesday, December 14. Discussed at the retreat was the status of activities for most of the standing committees and succession planning for those committees with third year senators. Chairs are working hard to accomplish the charges posed to their committees.

Wellness and Mental Health -The EC initiated discussions to implement a mental health task force. Last month’s Engage article focused on substance use disorders. The January issue will focus on mental health depression and anxiety.

Savor Diversity – This is a collaborative effort with the Faculty Senate and the Office for Diversity, Equity and Inclusion. Chair Dewey proposed this as a challenge for all Senators. Positive feedback has been received from VUMC faculty. Participants who do not want to organize their own event are invited to the one Chair Dewey is hosting in her area. It is at the Center for Professional Health, 1107 Oxford House, on Monday January 16 at 1 pm.

Reminders/announcements – Provost Susan Wente will be the guest speaker for the February Faculty Senate Assembly meeting.

The Consultative Committee will meet to review nominees for the spring faculty awards. The meeting is Wednesday, January 18 at 1:00 pm in 306 Rand.

New leadership training will be on Wednesday, January 18 at 2 pm in 306 Rand. The purpose is to engage those who are interested in Faculty Senate leadership positions and provide insight into EC and standing committee leadership activities. Everyone is welcome to attend. Information will be in the next Engage.

Those not receiving Engage or who knows of colleagues not receiving Engage were asked to contact Debbie Hayes.

Elected Senators Only Meeting is March 2, 2017. Requests for agenda topics will be sent to all Senators. The time is 3:00 pm to see if we can have a better attendance rate.

April 13 Faculty Senate Assembly meeting will be joined by Vanderbilt Student Government.

I Support Inclusion – will feature a Faculty Senate video/photostory supporting diversity and inclusion at Vanderbilt. It will also feature pictures and examples from faculty members supporting inclusion and valuing safety at Vanderbilt.

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

**Remarks by the Chancellor**

Chancellor Zeppos remarked that he had no remarks. He had been asked to cede his remarks. Chair Dewey responded that she was good with that if he was good with that.
Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

Standing Committee Reports

Chair Dewey called for reports from committee chairs. The chairs gave the following reports: Senator Kevin Murphy, Senate Affairs Committee (SAC), thanked Past Vice Chair (PVC) Price for her contribution. He thanked the members of the SAC for their work on the three motions he stood before the Senate to present.

Presented by Senator Kevin Murphy, Chair, Senate Affairs Committee (SAC)

Senate Affairs Committee
Kevin Murphy, A&S, Chair
Ann Price, School of Medicine (Executive liaison)
William Robinson, Engineering
Andy Finch, Peabody
Pierre Massion, Medicine
Jonathan Schildcrout, Medicine
Peter Martin, Medicine

Motion 1 – Succession Motion

Whereas the Vanderbilt Faculty Senate Constitution Article II, Organization, Section 2 currently states: “At the last regularly scheduled meeting of the Senate each year, the Senate shall elect a Chair-elect and a Vice Chair-elect (not from the same School or College) from among those elected members who at that time are in their first year of service in the Senate. [2006] The persons elected shall at that time become members of the Executive Committee, shall succeed to the offices of Chair-elect and Vice Chair-elect the following July first, and shall succeed to the offices of Chair and Vice Chair on July first of the year following their election. [2004] [2006] The Senate shall have the power to fill vacancies and to resolve questions of eligibility for these offices. In the event of a permanent vacancy in any of the offices, an election shall be held at the next Senate meeting to fill the vacancy. [1989]” and

Whereas the Vanderbilt Faculty Senate Constitution Article II, Organization, Section 2 requires further clarification to address vacancies that occur during times of the year when a meeting cannot be held for practical reasons (e.g. during Summer break).

Be it resolved that the Vanderbilt University’s Faculty Senate Constitution paragraph (Organization, Section 2) be amended by addition to read:

. . . The Senate shall have the power to fill vacancies and to resolve questions of eligibility for these offices. In the event of a permanent vacancy in any of the offices, an election shall be held
at the next Senate meeting to fill the vacancy. [1989] “Until such special election, the vice-chair of the Faculty Senate serves as acting chair. In the case that the vice-chair cannot serve, then the past chair will serve as acting chair until the election is held.”

The wording is based on examination of peer institutions who have dealt with these issues. Chair Dewey opened the floor for discussion. There was no discussion and no debate.

Chair Dewey called for a vote on Motion 1 by electronic ballot. A mock vote was taken to ensure a quorum was present. There were 40 electronic responses.

The Voting proceeded: Tally: 40 affirmative, 0 opposed, 0 abstentions.
The motion was adopted.

**Motion 2 – Quorum Motion**

Whereas the Vanderbilt Faculty Senate Constitution Article II, Organization, Section 1 currently states: “A majority of the voting members of the Senate shall constitute a quorum” and

Whereas attendance at the meetings of the Vanderbilt Faculty Senate have not reached a majority of thirty-six in five meetings since fall 2013 (at the times votes were taken),

Be it resolved that the Vanderbilt University’s Faculty Senate Constitution paragraph (Organization, Section 1) be amended by addition and deletion to read:

“The Senate shall meet at least four times each year, normally during September, December, March, and May. Additional special meetings may be called at the discretion of the Chancellor, or the Chair of the Senate, or upon written request of any eight members of the Senate. The number equivalent to a simple majority of the voting elected members of the Senate shall constitute a quorum. All meetings of the Senate shall be open to members of the Faculty Assembly, to the chief administrative officers, and to other persons invited by Senate action, except as provided in section 2d below. [1982]”

Chair Dewey opened the floor for discussion.

A Senator asked since this is a change to the Senate constitution, does this take effect immediately?

Chair Dewey responded, that the motion would be disseminated to the general assembly and a vote would be taken at the Spring Assembly meeting. This applies to the Succession Motion as well.
A Senator noted that it sounded like the motion referred to elected members. Sixty elected members meant that thirty-one elected members were needed, which was half plus one. It was further noted that the deans are doing better with attendance than the elected Senators.

SAC Chair Murphy responded that if the deans are there, they can be counted in the thirty-one. PVC Price clarified that “the equivalent of” wording was chosen to see if thirty-one people are available to vote. This wording allows for the possibility of appropriations numbers changing in the future.

Chair Dewey called for a vote on Motion 2 by electronic ballot.

The Voting proceeded: Tally: 40 affirmative, 0 opposed, 0 abstentions.
The motion was adopted.

**Motion 3 – Diversity, Equity, and Inclusion Motion**

Whereas the Executive Committee of the Faculty Senate is working closely with Dr. George Hill, Vice Chancellor of Diversity, Equity, and Inclusion to integrate DEI considerations into every aspect of our proceedings, and

Whereas the Rules of Order, Section IV establish the following standing committees: Academic Policies and Services, Faculty Life, Faculty Manual, Grievances, Senate Affairs, Student Life, and Strategic Planning and Academic Freedom, and

Whereas there is not currently a Diversity, Equity, and Inclusion Committee and

Whereas it has been stated that “The Faculty Senate standing committee on DEI would identify Faculty Senate specific issues/tasks as well as liaise with the established DEI officers in the university to encourage the flow of information to and from the faculty and the administration.”

Be it resolved that:

The Rules of Order, Section IV be extended to include “h. Diversity, Equity and Inclusion” and that the charge of the committee be as follows: “To be concerned with policies that will ensure considerations of diversity, equity and inclusion in the Faculty Senate and in the University.”

Chair Dewey called for a vote on Motion 3 by electronic ballot.

The Voting proceeded: Tally: 38 affirmative, 1 opposed, 2 abstentions.
The motion was adopted.

Chair Dewey call for a report from the Faculty Manual Committee (FMC).
Senator Myrna Wooders, Faculty Manual Committee (FMC), had three motion to present before the Senate.

Presented by Senator Myrna Wooders, Chair, Senate Affairs Committee (SAC)

**Faculty Manual Committee**
Myrna Wooders, A&S, Chair
Geoffrey Fleming, School of Medicine (Executive liaison)
Senta V. Greene, A&S
Benigno Trigo, A&S
Tony Weil, SOM
Duco Jansen, Engineering (ex-officio)
Becky Keck, Nursing (ex-officio)
Richard Willis, Owen Graduate School of Management (ex-officio)

**Motion 4 – UCC Motion**

Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual,

Whereas the following has now been circulated to the Faculty Senate and placed before the University faculty for comment,

Whereas “the Faculty Senate” was included in the following paragraph in the Faculty Manual from at least 2003 up until the spring of 2012 when it was removed,

Whereas during the last academic year the Chair and Vice Chair of the Faculty Senate brought to the attention of the Board of Trust, the Chancellor and the Provost, the need to “undo” the spring 2012 changes to Part III, Chapter 3,

Be it resolved that in the following paragraph from Part III, Chapter 3 of the current Faculty Manual, describing the University Conflicts Committee periodic review of the Conflict of Interest Policy,

“The Committee shall review this policy periodically and may make amendments to the policy, in consultation with the Office of Conflict of Interest and Commitment Management, the Office of Compliance, and the Office of General Counsel, by a majority vote of all current Committee members.”

Be revised as below to again include the Faculty Senate:

“The Committee shall review this policy periodically and may make amendments to the policy, in consultation with the Faculty Senate, the Office of Conflict of Interest and Commitment...
Management, the Office of Compliance, and the Office of General Counsel, by a majority vote of all current Committee members.”

The Chair of the Faculty Senate shall inform the full Senate and the Chancellor of the outcome of this vote.

Senator Wooders revised the motion. The last “whereas” was removed from the motion since it would add to the time for discussion and was not necessary.

Chair Dewey opened the floor for discussion.

A Senator asked what the word “vote” referred to in the last sentence. It was asked if it referred to votes by the UCC. It was further asked if the last sentence was part of the motion.

VC Heuser explained that the sentence meant votes taken by the UCC. Senator Wooders further revised the motion to remove the last sentence.

Chair-elect Fleming made a motion to amend the main motion. The amendment required a redaction of the last sentence. He put the motion forth. The motion was seconded.

A Senator adding clarity said that since the sentence being discussed was not in blue, it did not represent a change. He asked if it the sentence was in the manual currently. Senator Wooders responded that the last sentence is not in the Faculty Manual. It is language that was used in past motions.

The validity of the motion was asked of Faculty Senate Parliamentarian, Donald Brady. He agreed that chair-elect Fleming followed the Rules of Order by making a motion to amend.

Chair Dewey pointed out that the motion also read…” and placed before the University faculty for comment” which may not be an accurate statement. She asked if that sentence could be removed. Senator Wooders felt that the information had been posted and made available to all faculty. Parliamentarian Brady clarified that if the full faculty had access and were asked to comment, the motion stands. Senator Wooders stated if this is a problem with the motion, it is a problem with everything that has been done. According to the Rules of Order, the Faculty Senate must place things before the whole faculty.

A Senator suggested that one way to resolve this problematic issue is to insert a statement on the portal that faculty are invited to comment on anything that is posted there.

Another Senator wondered how one would know to check the portal.

VC Heuser stated the Engage newsletter is distributed to all faculty. In every edition of Engage, all faculty is invited to the portal and asked to comment. Engage encourages anonymous
feedback via the portal. If Senators know things are on the portal and review them, the schools should review them too. It is the job of Senators to ask for comments from the schools.

A Senator stated that this motion was confusing because it had a lot of unnecessary stuff.

Parliamentarian Brady confirmed that the voted upon motion would be the motion to amend put forth by Chair-elect Fleming.

There was a technological issue. While that issue was being resolved, a Senator asked Senator Wooders to what withdrawn paragraph was she referring. Senator Wooders gave some background information about the UCC and Faculty Manual COI and COC revision of articles and chapters, explaining that in spring of 2012, there were substantial changes to Part III, Chapter 3 and related changes throughout the Faculty Manual. According to documents that were available to her, these changes were not brought to the Faculty Senate, as is required by Part I, Chapter 5. She invited anyone who wanted to talk further about these issues to let her know.

General Counsel, Audrey Anderson, Chair of the University Conflicts Committee announced that she would be happy to give any Senator a list of the faculty members on the committee so that they could get a better understanding of their work and what they do. Senators may talk to any faculty member on the committee. She is also available to anyone who would like to speak with her.

Chair Dewey called for a vote on the amended Motion 4 by electronic ballot. The amended motion removed the last bullet and removed the last sentence.

The Voting proceeded: Tally: 36 affirmative, 0 opposed, 2 abstentions. The motion was adopted.

Senator Wooders continued to discuss the importance of Motion 4 and the unapproved changes made to the Faculty Manual in 2012. A Senator pointed out that the vote had been taken and it was time to move on.

**Motion 5 – Faculty Awards Motion**

Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual,

Whereas the Chancellor, the Provost, and the members of the Faculty Manual Committee agree that Part 5: Awards of the Faculty Manual was in need to updating and modification of the amounts of several of the awards,

Whereas the following has now been circulated to the Faculty Senate and placed before the University faculty for comment,
Be it resolved that in the following revision of the current version of the Faculty Manual, be replaced by the attached revision.

**Part V Faculty Awards**

Faculty are at the core of what makes universities exceptional – our research, teaching, advising, mentoring, healing and service form the essential intellectual energy of Vanderbilt. Recognizing profound faculty contributions across these domains is an important aspect of our University’s culture and traditions.

The faculty awards described here are University-wide, or across schools in the case of the teaching awards. Other faculty awards are made within individual schools and colleges.

**Harvie Branscomb Distinguished Professor Award**

The Harvie Branscomb Distinguished Professor Award is made to a full-time, regular faculty member without restriction as to age, rank, or school, for distinguished accomplishment in furthering the aims of Vanderbilt University.

In defining the character of the award, the original committee stated:

The purpose of the award should be to recognize, and thereby to encourage in others, that combination of talents and achievements that we identify as desirable in the University faculty member: creative scholarship, including accomplishment in the creative arts and artistic performance; stimulating and inspiring teaching that results in learning of a high order; and service to students, colleagues, the University at large, and society at large. The award should be made for the total contribution and not solely for notable accomplishment in any single or narrow aspect of University endeavor. Neither shall long service nor promise of future accomplishment be a prime factor in the selection.

The award was established in 1963 to honor retiring Chancellor Harvie Branscomb. It is endowed with funds contributed by members of the faculty. The winner receives a cash award of $2,500, an engraved silver tray, and official designation as Harvie Branscomb Distinguished Professor for one academic year. Announcement is made at the Spring Faculty Assembly.

Members of the Faculty are invited to submit nominations to the Faculty Senate. The Faculty Senate Consultative Committee reviews the nominations and makes recommendations to the Provost. Final selection is made by the Chancellor in consultation with the Provost.

**The Alexander Heard Distinguished Service Professor Award**
The Alexander Heard Distinguished Service Professor Award was created on the occasion of the retirement of Chancellor Heard in 1982. It is endowed with funds contributed by faculty, staff, and others.

The title is conferred upon a full-time faculty member, regardless of rank or school, for distinctive contributions to the understanding of problems of contemporary society. The purpose of the award is to encourage, recognize, and honor faculty members’ contributions to the analysis and solution of contemporary social problems, broadly construed. Contributions may take the form of teaching, writing, basic or applied research, and consultative or other forms of service. Announcement is made at the Spring Faculty Assembly.

The recipient carries for one year the title Alexander Heard Distinguished Service Professor, and receives a $5,000 cash award and an engraved silver tray.

Members of the Faculty are invited to submit nominations to the Faculty Senate. The Faculty Senate Consultative Committee reviews the nominations and makes recommendations to the Provost. Final selection is made by the Chancellor in consultation with the Provost.

Selection is made by the Chancellor, upon recommendation by the Provost, who requests nominations from the faculty councils or executive committees of the various schools and the Faculty Senate. The Executive Committee of the Faculty Senate has the responsibility of reviewing the nominations and proposing nominees to the Provost.

**The Madison Sarratt Prize for Excellence in Undergraduate Teaching**

**The Ellen Gregg Ingalls Award for Excellence in Classroom Teaching**

Two teaching awards are made annually at the Spring Faculty Assembly. They are the Madison Sarratt Prize for Excellence in Undergraduate Teaching and the Ellen Gregg Ingalls Award for Excellence in Classroom Teaching.

Each recipient receives a cash prize of $5,000 and an engraved pewter Washington Camp Cup. Names of winners of the Madison Sarratt Prize are mounted on a permanent plaque in the Sarratt Student Center.

The Madison Sarratt Prize for Excellence in Undergraduate Teaching was established by the Board of Trust in 1964 and is supported by Living Endowment funds contributed by alumni. The Ellen Gregg Ingalls Award for Excellence in Classroom Teaching was endowed by the Ingalls Foundation of Birmingham, Alabama, in 1965.

Final selection for both awards is made by the Chancellor on the basis of nominations made online by undergraduates of all schools and colleges. Students are asked to rate a nominee according to the nominee’s concern for an individual student’s learning, the organization and engagement of classroom presentation, the clarity and fairness of criteria for awarding grades, and accessibility and helpfulness outside of class.
Final selection for both awards is made by the Chancellor on the basis of nominations made online by graduating seniors of the undergraduate schools and with advice of the designated honor societies. In addition, chairs of departments with top-ranking candidates are asked to summarize student evaluations of undergraduate courses taught by these candidates.

**The Thomas Jefferson Award**

The Thomas Jefferson Award is made annually “for distinguished service to Vanderbilt through extraordinary contributions as a member of the faculty in the councils and government of the University.”

The award is presented by the Chancellor at the first meeting of the Fall Faculty Assembly, which officially begins each academic year. The prize carries with it an engraved pewter goblet and $5,000 cash.

The recipient is named by the Chancellor on the basis of nomination of the Consultative Committee of the Faculty Senate. Faculty members in all schools are eligible. The Thomas Jefferson Award is endowed at several universities by the Robert Earl McConnell Foundation. It was first established at the University of Virginia in honor of that institution’s founder. It has been presented at Vanderbilt since 1967.

**The Earl Sutherland Prize for Career Achievement in Research**

The Earl Sutherland Prize for Career Achievement in Research was established by approval of the Board of Trust at its spring meeting of 1976.

The recipient is chosen annually by the Chancellor in consultation with the Provost, on the basis of nomination of the Faculty Research Awards Review Committee. The competition is University-wide. The prize consists of $10,000 and an engraved pewter julep cup, and the winner’s name added to a silver bowl following a famous design by Paul Revere. The recipient keeps the bowl for a year. Announcement is made during the Fall Faculty Assembly fall meeting of the Board of Trust.

**Joseph A. Johnson, Jr., Distinguished Leadership Award**

The Joseph A. Johnson, Jr., Distinguished Leadership Professor Award recognizes faculty leadership in equity, diversity, and inclusion. It is awarded at the Spring Faculty Assembly to full-time, regular faculty member for distinguished leadership at Vanderbilt University. In 1954, Johnson became the first African American to earn a Vanderbilt degree, the bachelor of divinity. He also was the first African American to earn a doctoral degree, the Ph.D., in 1958. Established in 2016 by Chancellor Nicholas S. Zeppos, the Johnson Award recognizes a faculty member whose contributions to the university have enhanced equity, diversity, and inclusion in the university’s academic endeavors. It recognizes, and thereby inspires in others, initiatives related to diversity and inclusion in the university community, and efforts to support equity for faculty,
students, staff, and alumni. The winner will receive a cash award of $5,000, an engraved silver tray, and official designation as Joseph A. Johnson, Jr., Distinguished Leadership Professor for one academic year.

Members of the Faculty are invited to submit nominations to the Faculty Senate. The Consultative Committee will review nominations and make recommendations to the Provost and the Vice Chancellor for Equity, Diversity, and Inclusion. Final selection will be made by the Chancellor in consultation with the Provost and the Vice Chancellor for Equity, Diversity, and Inclusion. The announcement will be made at during the Spring Faculty Assembly.

**The Chancellor’s Cup**

The Chancellor’s Cup is given annually for “the greatest contribution outside the classroom to undergraduate student-faculty relationships in the recent past.” The faculty member’s contribution “shall be one of educational importance, relevant to the central purpose of the University.”

Established by the Nashville Vanderbilt Club in 1963, the award is presented by the President of the Club during the Homecoming activities in the fall. The award consists of a cash prize of $2,500 contributed by the Club, an engraved pewter julep cup as a permanent trophy, and one year’s custody of a silver bowl by Tiffany bearing the names of all recipients since 1963. Full-time faculty in all schools who are actively engaged in undergraduate teaching are eligible. Selection is made by the Chancellor on the basis of recommendations submitted by Mortar Board, Omicron Delta Kappa, deans of schools with undergraduate schools, and administrators in the Office of the Dean of Students.

**The Alumni Education Award**

The Alumni Education Award is given each year to a faculty member who has contributed substantially to developing or participating in those programs of the Vanderbilt Alumni Association that further the education of alumni. Any full-time faculty member actively engaged in teaching in any of the schools or colleges is eligible.

Final selection is made by the Chancellor on the basis of a recommendation from the Board of Directors of the Alumni Association. The Education Committee of the Association is responsible for initiating the nomination. Nominations are solicited through the Vanderbilt Magazine, through Vanderbilt clubs, and from various active participants in alumni programs.

The award consists of a cash prize of $2,500 and an engraved julep cup. It is presented at the spring meeting of the Alumni Association Board of Directors. The first recipient was named in 1982.

**The Chancellor’s Awards for Research**
The Chancellor’s Awards for Research recognize excellence on the part of faculty for published research, scholarship, or creative expression. The awards will be given for works presented or published in the preceding three calendar years. Up to five of these prizes may be awarded each year. Unlike the Sutherland Prize, which is awarded for lifetime achievement in research, the Chancellor’s Awards for Research recognize excellence for research published during a given year. All full-time faculty members are eligible for these research prizes. Works by research teams (two or more faculty) at Vanderbilt are also eligible for consideration. The team would be a single nomination and would share the award.

The Faculty Research Awards Review Committee, chaired by the Vice Provost for Academic and Strategic Affairs, will review all nominations and then make recommendations to the Provost who in turn will forward final recommendations to the Chancellor. The award consists of a cash prize of $2,000 and an engraved pewter julep cup. It is presented during Fall Assembly.

The Chancellor’s Research Awards for Research for on Equity, Diversity and Inclusion

These Chancellor’s Awards for Research will recognize excellence in research, scholarship, or creative expression that advance our understanding of equity, diversity and inclusion. The awards will be given for works presented or published on these topics in the preceding three calendar years. All full-time faculty are eligible for consideration. Furthermore, research teams (two or more faculty) at Vanderbilt are also eligible for consideration. The team would be a single nomination and would share the award.

The Faculty Research Awards Review Committee, chaired by the Vice Provost for Academic and Strategic Affairs, will review all nominations and then make recommendations to the Provost who in turn will forward final recommendations to the Chancellor. The award consists of a cash prize of $2,000 and an engraved pewter julep cup. It is presented during Fall Assembly. The first recipients were named in 2016.

Joe B. Wyatt Distinguished University Professor Award

The Joe B. Wyatt Distinguished University Professor Award was created to honor Chancellor Wyatt upon his retirement in 2000. The award is intended to recognize accomplishments that span multiple academic disciplines.

The title is conferred upon a full-time faculty member, regardless of rank or school, for the development of significant new knowledge from research or exemplary innovations in teaching. The announcement is made at the Spring Faculty Assembly.

The recipient carries for one year the title Joe B. Wyatt Distinguished University Professor and receives a cash award and an engraved silver tray. Members of the Faculty are invited to submit nominations to the Faculty Senate. The Faculty Senate Consultative Committee reviews the nominations and makes recommendations to the Provost. Final selection is made by the Chancellor in consultation with the Provost.
Chair Dewey opened the floor for discussion.

As Senator Wooders began, a Senator stated they had already received a printed version with changes of everything that was being proposed. The Senator stated, “We got this ahead of time. Maybe you ask if there is anybody who has not had enough time to review it as a motion. “

Senator Wooders summarized - all award amounts were doubled with the exception of those with outside donors who provide the money. The Chancellor agreed to double the amounts of the university awards.

A Senator stated it was extremely generous on the part of the Chancellor to double these awards. There was nothing controversial in the motion.

VC Heuser moved that all awards be voted upon as one motion instead of individual motions. The motion was seconded. The motion passed by voice vote.

It was moved that the vote be taken so that the Senate could move on. The motion was seconded.

Chair Dewey called for a vote on Motion 5 by electronic ballot.

The Voting proceeded: Tally: 39 affirmative, 0 opposed, 0 abstentions. The motion was adopted. Applause was given to Chancellor Zeppos and Provost Wente for their generosity.

Motion 6 - Consensual and Familial Interpersonal Relationships Motion

Whereas Part III, Chapter 7: Consensual Relationships, of the Faculty Manual is in need of revision,

Whereas the following has now been circulated to the Faculty Senate and placed before the University faculty for comment,

Be it resolved that in the following Part III, Chapter 7 of the current version of the Faculty Manual, be replaced by the attached revision, with additions and deletions in blue.

Part III
Chapter 7: Consensual and Familial Interpersonal Relationships

Vanderbilt University is committed to maintaining an academic environment in which members of the University community can freely work together, both in and out of the classroom, to further education and research. When members of the faculty and administrative staff are entrusted with advising and teaching students, evaluating students’ papers and course work, and recommending students to other colleagues, they are in a delicate relationship of trust and power.
This relationship must not be jeopardized by the appearance or perception of or reality actual of either favoritism, bias or unfairness inequity in the exercise of professional judgment.

In their relationships with students, members of the faculty and administrative staff are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias.

Consensual sexual relationships are prohibited between a student and any faculty member, teaching assistant, or administrative staff member who teaches, supervises, evaluates, or otherwise is in a position to exercise power or authority over that student. Efforts by members of the faculty, teaching assistants, or administrative staff members to initiate these relationships are also prohibited. If a prohibited relationship arises, effective steps must be taken to ensure unbiased evaluation or supervision of the student. Violation of this policy may be grounds for discipline as provided for in Part IV, Chapter I.

To ensure that the teaching, evaluation and supervision of students remain unbiased, consensual sexual and/or romantic relationships between faculty and students are prohibited when a faculty member is in a position to exercise power or authority over that student. If such a relationship predates the academic relationship or subsequently arises, this relationship must be disclosed to the Department Chair or Dean of the appropriate school.

Efforts by members of the faculty, teaching assistants, or administrative staff members to initiate sexual and/or romantic consensual relationships with students are prohibited. If such a relationship exists, this must be disclosed to the Department Chair or Dean of the appropriate school for the creation of a conflict management plan. Initiating or failing to disclose such any of the aforementioned relationships is may be grounds for disciplinary action as provided for in Part IV.

Consensual romantic and/or sexual relationships between a student and any faculty member, who is not in a position to exercise direct influence, power or authority over that student (e.g., when the student is in a different school or department) may also be inappropriate because of a perception of power or influence. Any faculty member, teaching assistant, or administrative staff member who engages in such a relationship must accept responsibility for assuring that it does not result in a conflict of interest or raise other issues of professional ethics. If such a relationship exists, this must be disclose this relationship to the Department Chair or Dean of the appropriate school(s).

Conflict of interest may potentially arise from relationships between a faculty member and a staff member or between faculty members at different ranks. Consensual romantic and/or sexual relationships between a faculty member in a position to exercise influence, power or authority over the staff member or another faculty member also requires disclosure to the Department Chair or Dean of the appropriate school(s).
To ensure that the teaching, evaluation and supervision of students remain unbiased, it is also necessary that Family relationships between student and faculty be disclosed to the Department Chair or Dean. Here, "Family" is as defined in Part III, Chapter 3, for purposes of Vanderbilt employment."

All disclosures will result in a review and, if necessary, a plan to ensure unbiased evaluation and supervision of students and staff. Violations of this policy may be grounds for disciplinary action as provided for in Part IV of the Faculty Manual.

Chair Dewey opened the floor for discussion.

A Senator did not understand what the last slide in the presentation had to do with consensual relationships.

VC Heuser explained that the policy had been revised in accordance with half dozen AAU institutions. Their Faculty Manuals were examined to see whether Vanderbilt's policy was too narrowly specific. Most of the peer institutions moved in the direction of including familial relationships.

A Senator asked General Counsel, who had worked with the FMC, about these changes. Counsel was comfortable with the changes but felt the most important paragraph had been skipped over while reading it to the Senate. She emphasized, consensual romantic or sexual relationships between a faculty member and a student where the faculty member has a position of power or authority over the student is prohibited, period. That was the most important sentence to the General Counsel.

Chancellor Zeppos added, Title IX and Title VII prohibitions against sexual harassment and unwelcome advances are important. The reason some universities are stricter is the view of inherent risk and problematic behavior even if no supervisory relationship exists. There is a broader regulatory, behavioral, and moral issue that arises.

A Senator noted, for example, that when such relationships exist, there are perceptions of inequity among the other students.

VC Heuser informed the body that the FMC had looked at literature and trends in this area. They wanted to close any perception of repulse.

A Senator noted that the reference to TA’s was omitted. General Counsel explained that the HR Manual prohibited employees of the university from having a sexual relationship with any student, period. If TA’s are employees, the HR Manual covers their behavior. If they are not employees, the HR Manual doesn’t cover their behavior.

A Senator asked, “As a department chair, if someone comes to me with information that is disclosable, what is this review supposed to be that is referenced in the last paragraph?”
The General Counsel encouraged the Senator and the entire body to contact HR if someone comes to them with this kind of information. HR will advise how to approach the situation. Faculty could also call the General Counsel’s office for advice on how to handle the particular circumstances. The Provost office and the office of Cynthia Cyrus might also need to be contacted to assist the student. It was said that it is never all right to ask a student if they are married, AND ESPECIALLY NOT for the purpose of dating them in the future.

A Senator asked, “What is the definition of romantic? It was seen to have different meanings among different people. The General Counsel reminded Senators that faculty behavior perceived by students as “romantic” could be unlawful sexual harassment under Title IX regardless of the policy stated in the Faculty Manual.

An FMC member noted that the word “romantic” was already used in the Faculty Manual. The committee only changed some of the language around it.

A Senator liked some of the language in the proposed motion but was not sure it was ready for a vote.

Chair Dewey announced that the Faculty Senate could remand the motion back to committee for further discussion and revision, or vote on it as is.

Another Senator stated that a lot of important issues had been raised and handled. The language was carefully vetted.

Chair Dewey called for a vote on Motion 6 by electronic ballot. There were only thirty-five responses, which did not meet quorum. The motion went back to the FMC to bring forth at the February meeting.

Senator Wooders said she would let all Senators know when the next FMC meeting would be held. Everyone was welcome to come.

Old Business

There was no old business from the EC.

New Business

Chair Dewey recognized chief HR Officer, Barbara Carroll who introduced Catherine Woods, the new Executive Director of University Benefits. She comes to Vanderbilt from Koch in Atlanta where she handled benefits related work.

Chair Dewey recognized Chancellor Nick Zeppos for being named the Nashville Tribune Person of the Year. It was announced in the Nashville Tribune. He received this honor for his work and
leadership in the fields of equity, diversity and inclusion. One of the hallmarks of his equality initiative is that at great expense to Vanderbilt, he changed the name of the Confederate Memorial Hall by removing “Confederate” from its name. The building is now officially Memorial Hall. The Faculty Senate applauded the Chancellor for his courage and accomplishments.

Scheduled Remarks

There were no scheduled remarks from the EC.

Good of the Senate

There was no additional information given for the Good of the Senate.

Adjournment

A motion was made to adjourn. The motion was seconded. The meeting adjourned at 5:30 pm.

Respectfully submitted,
Brian L. Heuser
Vice Chair
DRAFT MINUTES
Vanderbilt University
Faculty Senate Meeting
February 2, 2017 - 4:10 pm
Frist 140, School of Nursing

Call to Order

Approval of Minutes of January 12, 2016

Report of the Executive Committee

Remarks by the Chancellor

Standing Committee Reports

Ad Hoc Committee Reports

Old Business
• Motion #1 - Consensual Relations

New Business
• Motion #2 – Coalition on Intercollegiate Athletics (COIA)

Scheduled Remarks

Good of the Senate

Adjournment

Voting Members present: Ackerly; Benton; Cannon; Carnahan; Christenbery; Dewey; Finch; Fleming; Friedman; Goddu; Green; Greene; Guthrie; Heuser; Hopkins; Koutsoukos; March; Martin; McCammon; Miga; Norman; Oskay; Outlaw; Pearson; Reeves; Schildcrout; Stengel; Talbot; Walden; Wallace; Weintraub; Wooders; Wright; and Wuerth

Voting Members absent: Allos; Andrews; Bachman; Balser; Benbow; Brown; Chakravarthy; Chang; Christman; Cliffl; Fauchet; Haglund; Halevi; Johnson; Kim; Lowe; Luo; Massion; McCain; Merryman; Murphy; Robinson; Rohde; Segovia; Seymore; Shay; Smrekar; Trigo; Townes; Wait; Walsh; Weavind; Webb; Weil; and Wilson;

Ex Officio Members present: Bandas; Beasley; Cyrus; Geer; Hill; Kopstain; Lutz; Marnett; Price; Raghavan; Raiford; Wente; Williams; Willis; and Zeppos.
Ex Officio Members absent: Anderson; Brady; Carroll; Fortune; Hall; Hotchkiss; Miller; Pietenpo; Stalcup; and Sweet

Guests: Ruby Shellaway; Sheree Wright

Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:15 pm.

Approval of the minutes of January 12, 2016

Chair Dewey asked for changes to and approval of the minutes. A Senator asked for a lot of edits to the minutes.

The Senator wanted Ed Saff and Doug Hardin to be recognized for their contributions to the Resolution Statement of Faculty Principles.

The Senator thought a page had been deleted and wanted a page reinserted into the December minutes.

The Senator wanted the last whereas to be removed from the UCC motion that came before the Senate in January.

The Senator wanted to include a statement about a technological issue that happened in the January meeting.

The Senator wanted it known that because of their efforts, the Chancellor and Provost received applause for their generosity during the January meeting.

The Senator stated again that they wanted a page to be reinserted into the December minutes. Chair Dewey and Vice Chair Heuser had looked at the December minutes and stated the December minutes had been approved and no changes would be made to the December minutes. Vice Chair will investigate the issues that were raised about the December minutes.

A motion was made to approve the minutes with changes. The motion was seconded. The motion passed by voice vote.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).
• Faculty Senate Communications – Chair-elect Geoffrey Fleming has been working to improve communications with MyVU and MyVUMC to increase visibility of the *Engage* newsletter. Dr. David Raiford in Faculty Affairs at VUMC has helped assure the newsletter goes to all VUMC employed faculty members. Chair Dewey thanked them for their efforts.

• Faculty wellness – There will be a task force on faculty wellness. More information about this will be discussed at the Senators Only Meeting in March. The Faculty Life Committee is working on this initiative.

• Savor Diversity – There were 10 events held in January with 185 possible participants. The breakdown by schools is as follows:
  
  - Engineering – 2
  - Graduate school – 1
  - School of Medicine – 5
  - Other – 2 (SkyVU and Dean of Students)
  - Senators (4) vs non-senators (6)

  Dr. Andre Churchwell, Dean of Diversity at the SOM would like to adopt The Savor Diversity format for the SOM’s Gold Humanism Project. Chair Dewey thanked Vice Chancellor Hill for collaborating with the Faculty Senate on this initiative. She thanked everyone who participated and announced there is still time to host an event. The initiative will continue.

• Board of Trust (BOT) – The BOT meeting is February 10. Chair Dewey and Vice Chair Heuser will give an interim report focusing on VSG and Faculty Senate relationships, Innovations and teaching activities. They will also address a couple of challenges being faced by faculty. Any Senator with topics to add to the list was asked to let the Chair know. Vice Chair Heuser acknowledged that he and Chair Dewey have been invited to all strategic planning sessions of the BOT. They will be part of the strategic planning on graduate education and on land use. They will be communicating directly to the full BOT. This was seen as a positive sign of the deepening relationship regarding faculty governance. BOT leadership will change this year. The BOT will try to schedule a time to meet with the Faculty Senate as that change takes place.

• Elected Senators Only Meeting – March 2 at 3:00 pm. Chair Dewey will email a rankings list for Senators to rank their top 3 or 4 topics for discussion at that meeting.

• 2017-18 Leadership Orientation – A leadership orientation was held on January 18. Two new Senators attended along with Standing Committee Chair, Tom Christenbery. It was an orientation for the roles of Chair, Vice Chair as the formal Secretary of The Senate, and the relationship developed within the Executive Committee. Each EC member works within an area of their strength. All new Senators were asked to consider leadership in
their interests. Chair Dewey will send the information from the orientation to anyone who is interested.

- April – April will be a busy month.
  - Spring Assembly is April 6. Senator Teresa Goddu is the Spring Assembly speaker. Congratulatory applause was given to Senator Goddu.
  - Faculty Senate Meeting is April 13. Dr. Jeff Balser is the guest speaker.
  - The Faculty Senate and VSG joint meeting date will be announced at the March meeting.

- Reminders/basic housekeeping items – Chair Dewey reminded everyone to sign in when they come to meetings. That is how attendance is recorded. Anyone wishing to serve on a standing committee or on the EC was encouraged to let Chair Dewey know.

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

**Remarks by the Chancellor**

Chancellor Zeppos began by discussing his mental health town hall meeting which was well attended and the talk by Kay Redfield Jamison on her bestselling classic, *An Unquiet Mind*. Jamison told the story of her challenges with mental illness and the stigma of, “There’s something wrong with me.” She aims to create equal environments. The Chancellor wants honest engaged discussions so that we can make progress. One thing Jamison emphasized was that mental health must be treated like it is curable. That is what makes it less discriminatory.

There is a Chancellor’s committee co-chaired by Donald Brady and Velma Murray to deal with the issue of mental illness and wellness for the Vanderbilt community given our capacity to discover and heal.

The Chancellor talked about his diversity, equity, and inclusion strategy. The report has many recommendations and lends insight into what we can do better. The report looks at the history of Vanderbilt and higher education. It adds structure to the challenges we have and reveals the complexity and historical backdrop that is woven into the institution. Vanderbilt will take sustained strong measures. Vice Chancellors have looked at their own domains and begun the conversations that will cascade down to clinics, departments, and student organizations. The goal is to find out what we can do better. Eric Kopstain, Brett Sweet, Susie Stalcup, John Lutz, and all Vice Chancellors are looking at themselves and their organizations patterns of behavior. We can see some progress.

The Chancellor continued.
The university has started a Pipeline Project also called Academic Pathways to create post-doctoral fellowships for under-represented faculty. Conversations and actions have to occur.

Hats off to the SOM for being #1 in under-represented Ph.D.’s in biomedical disciplines. We are ranked #1 in the country. The BRET office does a phenomenal job. We are looking to move the Bridge Program to other disciplines.

The renaming of Confederate Hall sent a signal that things are changing.

The Chancellor is working on a project named The History of Black Nashville with Susan Wente and Ifeoma Nwankwo, Fisk University, American Baptist College, and TSU, to look at the history in our own backyard. We have focused on Vanderbilt but missed the story of Nashville. This is important as we build more connections and Immersion experiences. Jane Landers has worked with this topic in depth.

The wellness center is presenting itself in a more appropriate culturally diverse way. The Chancellor will discuss this more at the Spring Assembly.

The Chancellor mentioned the environment in which we work. He and other university presidents wrote a respectful letter to the President of the United States. The faculty represents the value of the university, of equality, of inclusion, of rigor, of science, of debate, and of full opportunities when barriers are up. This is what the Chancellor stands for. This “is all hands on deck”. He is looking for value and support on core missions.

Chancellor Zeppos was asked how we can have all hands on deck. He responded that the Senatorial role is the opportunity to say what we stand for. We should promote a culture of discovery and rigor inclusion that fosters those discussions. This is how we get all hands on deck.

A Senator commented that there is a lot of pressure levied on universities to disinvite certain kinds of speakers. He confirmed what Vanderbilt is already doing, which is that we have different speakers that other campuses are not inviting or they are disinviting. Continuing to create a space in which people with whom we may disagree can come, speak, and be heard is not trivial. We cannot take this for granted.

The Chancellor further expressed that we have to continue finding our core values to build a safe inclusive community.

A Senator announced that if people are looking for concrete action they can take, the Indivisible Movement is a great place to start. They have a website and was formed by two former congressional staffers who looked at what worked for the Tea Party.

The Association of Black Alumni is becoming more engaged. They are coming back for a special weekend. Chancellor Zeppos just appointed a group of alumni called Dores of
Distinction Alumni. They are thirty-five Vanderbilt graduates who will come back to talk about their Vanderbilt experiences.

His remarks then focused on the Academic Strategic Plan within the following four areas:

- Undergraduate Residential Experience
- Trans-Institutional Programs
- Education Technologies
- Healthcare Solutions

He discussed growing Immersion, theory, practice, and work to increase the size of the platform. He is looking for help and grassroots ideas. This information can be found on the Strategic Planning website. ([http://vanderbilt.edu/strategicplan/](http://vanderbilt.edu/strategicplan/))

Chair Dewey thanked the Chancellor for his remarks. She had spent about thirty-five minutes on the Strategic Planning website and gave kudos for all of the amazing things that are going on at Vanderbilt. Strategic Planning is on the list of things to rank for the Senators Only meeting. She encouraged The Senate to check out the webpage.

Chair Dewey proceeded to the next item of business.

**Standing Committee Reports**

Chair Dewey called for reports from committee chairs. The chairs gave the following reports:

- Gayle Shay, Academic Policies and Services was absent. No report was given.
- Scott Pearson, Faculty Life reported that they are developing a faculty survey on wellness and mental health. The hope is that it will compliment and inform other campus initiatives. For diversity, equity, and inclusion, their focus is looking at the promotions and tenure process and how that effects retention and recruitment of faculty, given the diversity report. They have been looking at a faculty club or a faculty association concept. They envision it as a common space where faculty may meet, and where trans-institutional programs and ideas can flourish, which would require accessible space.
- Tom Christenbery, Grievances had nothing to report.
- Kevin Murphy, Senate Affairs Chair was absent. No report was given.
- David Cliffel, Student Life Chair was absent. No report was given.
- Xenofon Koutsoukos, Strategic Planning and Academic Freedom Task Force Chair had nothing to report.
- Myrna Wooders, Faculty Manual Committee had the Consensual Relations Motion from January. Chair Dewey verified by electronic ballot if a quorum was present. There were thirty-three responses. The Senate did not have a quorum to vote. The report noted that
at the April Faculty Senate meeting, they will look at Part IV, having to do with Disciplinary Actions and Grievances. If anyone has comments or wants to look at that on the web portal it is encouraged.

Chair Dewey announced that the quorum change cannot happen until after the Spring Assembly vote.

Chair Dewey moved to the next item of business.

Scheduled Remarks

• Susan Wente, Provost
  Vice Chancellor for Academic Affairs

Provost Wente had four questions to answer that were received via the Faculty Senate portal.

1. Please discuss the implications for Immersions as it relates to faculty and the endowed chairs.

Immersion Vanderbilt calls for each undergraduate student to participate in an intensive learning experience that takes place in and beyond the classroom and culminates in the creation of an academic project. It was designed and developed by 60 faculty over two years. This is a Quality Enhancement Plan (QEP). It has been vetted through town halls, roadshows, faculty, and school governance committees. Fall 2018 students will have Immersion Vanderbilt as a path. There will be pre-Immersion work, the Immersion experience, and the Immersion project.

Immersion Vanderbilt has four pathways.

• International
• Civic and professional
• Creative Expression
• Research

Financial Support

• Philanthropy
• Funds directed to schools with allocation based on a plan developed by the school
• Resources for central support and advising

Immersion and the Undergraduate Residential Experience

• Interconnected and rely on faculty support
  o iSeminars in the Commons
  o Faculty Heads of House
• Building out the College Halls
Vanderbilt Barnard under construction planning for West End

- Graduate and Professional Housing planning
- Stevenson 6 will be replaced.

2. What is the current progress/outcomes of TIPS?

The Provost encouraged everyone to visit the Provost Office blog called VU BreakThru which chronicles progress made by faculty involved in TIPs, University Courses, Discovery Grants and Research Scholar Grants. The Provost’s blog highlights the work of the faculty.

3. Please provide your thoughts and insight into the future of on-line education at Vanderbilt and the roles faculty will be encouraged/forced to take in on-line education. How will this influence faculty time and compensations?

Every school and college decides what is best for them. The models of compensation vary by type and by school. This is driven by the faculty and deans. One size does not fit all. Online provider contracts must be in Vanderbilt’s favor.

4. What is the status of unionization efforts amongst non-tenured faculty?

Service Employees International Union (SEIU) is attempting to organize the university’s graduate students and non-tenured track faculty, including adjuncts. Faculty Forward an affiliate of SEIU is from whom the university has received messages concerning non-tenured track faculty.

Unionization is based upon employment; VU employed faculty vs VUMC employed faculty. The university respects everyone’s right to freedom of expression. No member of the university will suffer harm or retaliation for their union beliefs or union support. The university is developing a position in regard to the unionization of our graduate students in particular because those unionization efforts have the potential to significantly change the relationship between the faculty and mentor and to potentially change students’ educational training while they are here.

Some generic union material has been distributed. The material is not specific to non-tenured track at Vanderbilt. The university is committed to addressing the concerns of all employees, and students. Each school is studying how it engages with their graduate students and non-tenured track faculty. More information will be forthcoming at a later time. Questions about graduate student unionization efforts may be addressed to Mark Wallace. Questions regarding unionization of non-tenured track faculty in the Provost area may be addressed with John Geer and the dean of each respective school.

A Senator commented that the Provost website is terrific. It is full of great information. Applause were given to the Provost. She informed the body that her office just got a new IT platform to facilitate the submission of TIPS, Discovery, and everything. InfoReady is the new platform and it is a great new tool being used to collect better data.
Vice Chair Heuser added to the remarks that the EC has been hearing increasingly from faculty about the responsiveness of the Provost and her office. Regarding her efforts to increase communications with faculty, and Senators, she has been outstanding. He thanked the Provost for being an advocate for faculty and for all of her incredible work.

**Old Business**

Chair Dewey had skipped over this item. There was no old business from the EC.

**New Business**

Chair Dewey had skipped over this item. There was no new business from the EC. It will be held until the next regular meeting in April.

**Good of the Senate**

Jeff Balser is the next guest speaker. Padma Raghavan comes after that. Chair Dewey encouraged everyone to send questions through the portal so speakers can respond appropriately.

A Senator pointed out that three things were wrong on the Project Safe website. Dean Mark Bandas made note of the Senator’s concerns so that he could address them.

**Adjournment**

A motion was made to adjourn. The motion was seconded. The meeting adjourned at 5:30 pm.

Respectfully submitted,
Brian L. Heuser
Vice Chair
Call to Order

Approval of Minutes of February 2, 2017

Report of the Executive Committee

Remarks by the Chancellor

Standing Committee Reports
  • Motion #1 - Constitution and Rules of Order
  • Motion #2 – Part IV, Chapter 1 Disciplinary Actions
  • Motion #3 – Part IV, Chapter 2 Faculty Appeals and Grievances

Ad Hoc Committee Reports

Old Business
  • Motion #4 – Amend December 2016 Minutes
  • Motion #5 – Amend January 2017 Minutes

New Business

Scheduled Remarks

Good of the Senate

Adjournment

Voting Members present: Balser; Benbow, Benton; Cannon; Carnahan; Chakravarthy; Christenbery; Cliffel; Dewey; Fauchet; Fleming; Friedman; Goddu; Greene; Halevi; Heuser; Hopkins; Johnson; Koutsoukos; March; Martin; McCammon; Murphy; Outlaw; Pearson; Reeves; Robinson; Schildcrout; Trigo; Walden; Wallace; Weavind; Wooders; Wright; and Wuerth

Voting Members absent: Ackerly; Allos; Andrews; Bachman; Chang; Christman; Finch; Green; Guthrie; Haglund; Kim; Lowe; Luo; Massion; McCoy; Merryman; Miga; Neimat; Norman;
Oskay; Rohde; Segovia; Seymore; Shay; Simmons; Smrekar; Stengel; Talbot; Townes; Wait; Walsh; Webb; Weil; Weintraub; and Wilson;

Ex Officio Members present: Anderson; Bandas; Beasley; Brady; Cyrus; Hall; Hill; Lutz; Pietenpol; Price; Raghavan; Raiford; Wente; and Zeppos.

Ex Officio Members absent: Carroll; Ertel; Geer; Hotchkiss; Kopstain; Marnett; Miller; Stalcup; Sweet; Williams; Willis

Guests: Ruby Shellaway

Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:14 pm.

Approval of the minutes of February 2, 2017

Chair Dewey asked for approval of the minutes. Senator Ray Friedman made the motion. The motion was seconded. The motion passed by voice vote.

Report of the Executive Committee (EC)

Chair Dewey gave the following report of the Executive Committee (EC).

- Spring Assembly
  - Senator Teresa Goddu was thanked and received applause for her thoughtful presentation on activism and climate control.
  - Both motions put forth at the Spring Assembly were approved by the assembly. Thanks were given to Senator Price and the Senate Affairs Committee for their work on the Succession and Quorum motions.

  The results of the vote taken at the Spring Assembly were as follows:
  Motion 1 – Succession 52 Affirmative 0 Opposed 2 Abstain
  Motion 2 – Quorum 51 Affirmative 1 Opposed 2 Abstain

- Faculty Senate Town Hall on Faculty Unions
  - It was a well-balanced discussion with approximately 60 attendees.

- Faculty wellness survey
  - The survey is out and it is long.
Everyone was asked to complete the survey. The last email reminder will be sent on Monday.

Information from the survey will help generate motions and main issues for the task force to address.

- Executive Committee nomination bios and statements are due by April 19. Voting will take place at the May meeting.

- April meetings:
  - VSG special meeting – Tuesday, April 18, 2017 at 4:30 pm
  - Board of Trust meeting - April 20-21, 2017

Chair Dewey called for questions. Hearing no questions, she proceeded to the next item of business.

Remarks by the Chancellor

- Faculty Assembly - Senator Teresa Goddu gave a brilliant talk analyzing the abolitionist movement and how that model fits into global warming.

- Chancellor Zeppos sent out an email update to things that he is working on with the Senate, the deans, faculty, students, staff, and the Board concerning equity, diversity, and inclusion. He received a comprehensive report that will serve as a template for an action plan. It is a structure on how to transform the University over a series of years.

- He acknowledged members of the Peabody faculty. Peabody is engaging in creative re-thinking of Cluster hiring and how to bring strength and diversity for inclusive excellence together. Peabody is doing exciting and innovative things.

- Mark Wallace, George Hill, Susan Wente, and John Geer, started the Academic Pathways program to build the future pipeline. They invited 12 scholars. They all came. Vanderbilt is setting a high bar for consistent follow-through and partnership to transform Vanderbilt into a more inclusive and diverse institution.

- The John Seigenthaler Chair in History has been filled. A person from Case Western will be joining us.

- The Chancellor highlighted the importance of our learning environment and FutureVU. FutureVU involves parking. Eric Kopstain and faculty members are working on this. Jonathan Gilligan is doing amazing things in and out of the classroom.
• Full equality of opportunity requires us to be very intentional about spaces. It is an important project for people with physical and mental disabilities to be successful in college. We have to think about everyone in our community. Eric Kopstain is setting up a 3 floor exhibition entitled FutureVU at the Wond’ry. It is a drop-by event. It brings to life through planning, design, and videos, the most fundamental attributes of our intellectual and physical spaces, and aspirations for an inclusive excellent community. Everything we build should reflect our values.

• We continue to move into enhancing the curriculum. Provost Wente is still conducting her search for a Vice Provost of Diversity.

• The Chancellor received an interim report from Donald Brady and Velma Murray co-chairs of the mental health and planning committee. They have done excellent work and a number of listening sessions. The Faculty Senate has been a phenomenal partner. The mental health and wellness of our community is something that we do not want to talk about. The Chancellor will talk about this topic a lot more and Vanderbilt will invest in those areas.

• Academically, we are stronger than ever. Financially, we have not had this little dance since 1999. We just went through the re-accreditation process without even a jaywalking ticket. We have to make clear that we are a research university of the greatest importance. We will continue to teach, discover, cure, and to push the boundaries of existing knowledge because those boundaries need to be broken.

Chair Dewey congratulated the SACS Committee. She asked the Chancellor to explain the Cluster hiring model. He deferred to Dean Benbow who explained the strategy and hiring practices.

Chair Dewey proceeded to the next item of business.

**Standing Committee Reports**

Chair Dewey called for reports from committee chairs. The chairs gave the following reports:

Senator Kevin Murphy, Senate Affairs Chair brought forth the following motion.

**Motion 1 - Constitution and Rules of Order**

- Whereas the Vanderbilt University’s Faculty Senate Constitution and Rules of Order have been revised on numerous occasions through the years, and

- Whereas these revisions have resulted in a mix of outline and bulleted styles that have made several embedded references inaccurate, and
Whereas the AY 2016/2017 SAC was charged with reviewing the Faculty Senate Constitution and Rules of Order and offering an amendment to correct formatting issues and to correctly align all references to sections within the Constitution and Rules of Order,

Be it resolved that the 4/6/2017 snapshot of the Vanderbilt University Faculty Senate Constitution and Rules of Order be amended by addition and deletion to read: (see attached),

Be it further resolved, that the Faculty Senate endorses the circulation of these proposed formatting changes to the Faculty Assembly as prescribed by the Faculty Senate’s Constitution, Article III, Amendments, and

Be it further resolved, that the proposed formatting changes will be placed before the Faculty Assembly as amendments to the Faculty Senate’s Constitution and Rules of Order, to be adopted if accepted by a two-thirds majority of those present and voting at the Faculty Assembly at the Fall Meeting, 2017.

Senate Affairs Committee
Kevin Murphy, A&S, Chair
Ann Price, School of Medicine (Executive liaison)
William Robinson, Engineering
Andy Finch, Peabody
Pierre Massion, Medicine
Jonathan Schildcrout, Medicine
Peter Martin, Medicine

Vanderbilt University Faculty Senate
Constitution

I. Article I (Effective as of April 29, 2016), The Faculty Assembly

The Faculty Assembly

1. A. Voting membership of the Faculty Assembly consists of the full-time members of the Faculties of the several Schools who hold the rank of Instructor or above (which includes administrative officers who hold Faculty appointments). Part-time members of the Faculties having full status with partial load are voting members of the Faculty Assembly. [1974]

2. B. The Faculty Assembly shall meet at least once during each academic year, normally at the opening of school. It may be called into additional sessions by the Chancellor, or by the Faculty Senate, or upon the written petition of any sixty voting members of the Faculty Assembly. Twenty percent of the voting membership shall constitute a quorum. [1982]
3. **C.** The Chancellor or someone designated by the Chancellor shall preside at the required Faculty Senate (or, in the latter's absence, the Chair-elect shall preside. [1982]

4. **D.** The Vice Chair of the Faculty Senate (or, in the Vice Chair's absence, the Vice Chair-elect) shall serve as Vice Chair of the Faculty Assembly. [1971] [2006]

5. **E.** The Faculty Assembly is convened:

   - 1. to hear reports on the state of the University from the Chancellor or other officers of administration. [1982]
   - 2. to permit members to direct questions to the Chancellor or other officers of administration or to the Chair of the Faculty Senate. [1982]
   - 3. to discuss any subject of common concern and to express its opinion thereon. Formal expression of opinion shall be by a majority of the voting members present. [1971]
   - 4. to pass upon proposed amendments to this Constitution as specified in Article III. [1971]

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**Article II (Effective as of April 29, 2016), The Faculty Senate**

The Faculty Senate

- **A. Composition**
  1. The Faculty Senate is composed of the Deans of the several Schools and Colleges, elected members, and ex officio members. Elected members are representatives of the Faculties of the Schools and Colleges in accordance with the following distribution [2005] [2010] [2016]:

     College of Arts and Science 16
     Blair School of Music 2
     Divinity School 2
     School of Engineering 6
     School of Law 2
     Owen Graduate School of Management 2
     School of Medicine 20
     School of Nursing 4
     Peabody College 6

  2. Non-voting ex officio members of the Senate include the following: the Chancellor, the Provost, the Vice Chancellors, other administrative officers that the Senate may invite, and persons listed as such in the Senate Rules. In addition, the past Chair and Vice Chair of the Faculty Senate shall hold non-voting ex officio status for one year following the end of their term. At the beginning of the academic year, the Executive Committee of the Faculty Senate will consult with the Provost to invite no more than four administrative staff members as non-voting ex officio members for that year. Such administrators should be those whose responsibilities relate most directly to the faculty matters. Non-voting ex officio
members may participate fully in open deliberations. In instances where one person holds both non-voting and voting positions, the voting role takes precedence. [2010] [2016]

3. The Chair of the Senate shall consult with the Executive Committee prior to discharging the Chair’s responsibilities under the Promotion and Tenure Grievance Procedure. [2000]

4. The Senate shall at least once every five years review the numbers of elected representatives from the several Faculties, taking into account the relative sizes of the Faculties and of the student bodies of the several schools. Each school shall have at least two Faculty Senators. The number of elected representatives of any one school or college shall be no more than one-third of the total number of elected senators. [2000] Changes may also be proposed to the Senate by any Faculty. Proposed changes in the composition of the Senate shall be made known to the members of the Faculty Assembly at least one month before Senate action, and shall become effective when adopted by the majority of the Senate voting membership. [1984]

5. Each Faculty shall elect its own representatives, and each representative so elected shall serve for a term of three years, unless specifically chosen to complete the remainder of an unexpired term. Terms shall commence on July first and terminate on June thirtieth. [2004] Elections shall be held before May 1 each year, by a process of secret balloting, with each Faculty electing the number necessary to maintain its full delegation for the following academic year. Only full-time Faculty members with the academic rank of Instructor or above shall be eligible for election to the Senate. No single full-time Faculty member may represent more than one School. All full-time Faculty members with the academic rank of Instructor or above, part-time faculty members having full status, and such other part-time Faculty members as the full-time Faculty of a School or College may designate, shall be eligible to vote for such representatives. Distribution of representation within a School or College shall be arranged in accordance with the will of the Faculty concerned. Terms of Senators shall be staggered so that insofar as possible each year one-third of them will complete their terms. Upon the expiration of his or her full term, a Senator shall be eligible for reelection for one additional consecutive term, but shall not be eligible for reelection to another term until three years have passed (but upon the expiration of a partial term, the period of ineligibility shall correspond only to the length of the term served). This amendment permits members of the Senate to serve up to two terms in a row. [1999] A Senator on leave of absence from the University does not forfeit membership, but during any extended absence a duly elected alternate shall serve. [1977]

B. Organization

1. The Senate shall meet at least four times each year, normally during September, December, March, and May. Additional special meetings may be called at the discretion of the Chancellor, or the Chair of the Senate, or upon written request of any eight members of the Senate. The number equivalent to a simple majority of the elected members of the Senate shall constitute a quorum. All meetings of the Senate shall be open to members of the Faculty Assembly, to the chief
administrative officers, and to other persons invited by Senate action, except as provided in section 2d. Article II., Section B. 4. below. [1982] [2017]

2. At the last regularly scheduled meeting of the Senate each year, the Senate shall elect a Chair-elect and a Vice Chair-elect (not from the same School or College) from among those elected members who at that time are in their first year of service in the Senate. [2006] The persons elected shall at that time become members of the Executive Committee, shall succeed to the offices of Chair-elect and Vice Chair-elect the following July first, and shall succeed to the offices of Chair and Vice Chair on July first of the year following their election. [2004] [2006] The Senate shall have the power to fill vacancies and to resolve questions of eligibility for these offices. In the event of a permanent vacancy in any of the offices, an election shall be held at the next Senate meeting to fill the vacancy. [1989] Until such special election, the vice-chair of the Faculty Senate serves as acting chair. In the case that the vice-chair cannot serve, then the past chair will serve as acting chair until the election is held. [2017]

3. The Vice Chair shall distribute or publish minutes of each open meeting of the Senate to the members of the Faculty Assembly. The Vice Chair shall distribute or publish copies of the agenda in advance of all open meetings of the Senate, when feasible. [1977] [2006]

4. The Senate may hold special sessions when matters of a confidential nature are being considered. Such sessions may be closed sessions, with only members present, executive sessions, with only voting members present, or special executive sessions, with only elected members present. No action taken at a special executive session shall be binding upon the Senate unless approved by a majority vote at a meeting where all voting members may be present. One special executive session shall be held in each academic year. In addition to the mandatory yearly special executive session, the Senate, acting by majority vote, or the Chair of the Faculty Senate, acting in consultation with the Executive Committee, shall have the authority to call a special session at any time. [2003]

5. Unless otherwise herein provided, the Senate may adopt its own regulations and rules of order. In the event it does not do so, the transaction of business shall proceed according to Robert's Rules of Order. [1967]

C. Jurisdiction, Duties, and Powers

1. The Senate is the representative, deliberative, legislative body of the Faculties. [1967]

2. The Senate may discuss and express its views about any matter affecting the University. [1967]

3. The Senate shall have the power to review and evaluate the educational policies and practices of the University and may make recommendations concerning them to any individual, Faculty, or other group within the University. It may provide for appropriate Faculty discussion of any educational policy or practice. It may advise and consult with the chief administrative officers and inform them of Faculty opinions about such matters. It shall facilitate and encourage communication within the University, among the several Schools, and reciprocally among Faculty, students, and administration. It is each Faculty's responsibility to devise internal
procedures for facilitating communication between that Faculty and its representatives in the Senate. [1971]

4. The Senate shall act in a consultative capacity when the establishment of new schools or colleges is considered or when new degrees are proposed. Its approval is necessary for the granting of honorary degrees. [1967]

5. The Senate is responsible for defining policies and procedures to be applied in cases involving conscience or academic freedom. [1967]

6. Senate actions which require affirmative implementation by the Chancellor shall be either accepted or rejected. In case of rejection, the Chancellor shall then follow the procedures specified in Chapter II, Section B1 of the Code of By-Laws of The Vanderbilt University. The Chancellor shall report at least annually to the Senate on the status of pending Senate recommendations. Should there be a disagreement between the Senate and a School or College as to the jurisdiction of the Senate, the Chancellor shall make a ruling to resolve the issue. [1981] [2016]

7. The Senate may request the Chancellor to call meetings of the Faculty Assembly and take such other steps as it deems wise in carrying out its duties of providing for discussion and furthering communication as described in section 3c Article II., Section C. 3. above. [1982]

8. The Senate may establish such committees and subcommittees as it chooses to aid in the performance of its duties, and may invite persons not members of the Senate to serve on these committees and subcommittees. [1967]

- **E. The Executive Committee**
  The Executive Committee of the Senate consists of the Chair, the Vice Chair, the Chair-elect and the Vice Chair-elect, and, from the time of their election until July first following, the persons elected to become the next Chair-elect and Vice Chair-elect. [2004]
  The immediate past chair and vice chair will serve as ex officio members of the committee for one year following their term. [2003] [2006]

- **F. The Consultative Committee**
  Elected members of the Senate in their final year of office, the Chair-elect, the Vice Chair-elect, and the immediate Past-Chair and the immediate Past-Vice Chair of the Senate, constitute the Consultative Committee, which is charged with consulting and advising with the Chancellor and assisting officers on matters of general University concern. [2006] Should there be no Senator from a School serving in his or her final year of office, the Dean of the School shall designate a Senator from that School to serve on the Consultative Committee. The Consultative Committee shall meet with the Chancellor upon his request, or upon request of a majority of the Committee, or by direction of the Senate. No formal votes shall be taken at such consultations, nor shall the Consultative Committee take any action that might commit the Senate against its will. [1982]

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*Article III (Effective as of April 29, 2016), Amendments*

*Amendments*

Amendments to this Constitution may be proposed by the Faculty Senate or by any one of the Faculties of the several Schools or Colleges. Except as otherwise provided in this Constitution, amendments shall become effective when approved by two-thirds of those present and voting at a
meeting of the Faculty Assembly. At least one month before such meeting, the members of the Faculty Assembly shall be notified in writing of the proposed amendments. [1967]

**Article IV** *(Effective as of April 29, 2016), Ratification*

This Constitution will come into effect when ratified in a mail ballot by the members of the Faculty Assembly (as defined in Chapter II, Section D1, of the Code of By-Laws of The Vanderbilt University), provided approval is expressed by at least two-thirds of those voting. [Ratified April 1967] [2016]

**Vanderbilt University, Faculty Senate, Rules of Order** *(Effective as of February 21, 2017)*

I. AUTHORITY

II. DEFINITION

III. RULES OF PROCEDURE

IV. COMMITTEES

V. EX OFFICIO MEMBERS

VI. PARLIAMENTARIAN

VII. OFFICIAL COMMUNICATIONS

VIII. DELEGATIONS

IX. AMENDMENTS

X. ENTRY INTO FORCE

I. AUTHORITY

These rules are promulgated pursuant to the authority granted to the Faculty Senate in Article II., Section B. 5. of the Constitution of the Faculty Assembly and Faculty Senate of Vanderbilt University. Except as otherwise provided in these rules, the transaction of Senate business shall proceed according to the current edition of Robert's Rules of Order (Newly Revised). [2014]

II. DEFINITION
The term "vote of the Senate" as used in these Rules means the vote of those present and voting, unless otherwise indicated.

III. RULES OF PROCEDURE

A. Order of Business

1. The following order of business shall be followed at all regular meetings of the Faculty Senate [2015]:
   - a. Call to order
   - b. Approval of the minutes of the last meeting
   - c. Report of the Executive Committee
   - d. Remarks by the Chancellor
   - e. Standing committee reports
   - f. Ad hoc committee reports
   - g. Old business
   - h. New business
   - i. Scheduled remarks
   - j. Good of the Senate
   - k. Adjournment

2. Motions for Senate action which accompany committee reports shall normally be acted upon at the time that they are presented, provided that such motions have complied with the notification requirements of the Faculty Senate Rules of Order, Article III., Section D.1. below.
   Committee reports not accompanied by motions for Senate action shall be filed with the Secretary, requiring no further action. The Senate may, however, refer such reports back to the originating committees or to the Executive Committee, or dispose of them in such other manner as it deems appropriate.

3. All floor discussions under the categories of old business and new business shall be preceded by a formal motion. Other general discussion shall be held under the heading of "Good of the Senate" or in connection with the reports of committees.

4. The order of business at specially called meetings shall be that set forth in the call for those meetings.

5. The order of business at regular or specially called meetings may be changed by motion to suspend the rules approved by a two-thirds vote of the Senate.

B. Voting

Voting on matters before the Faculty Senate for routine matters such as approval of minutes or when a roll call is effected shall normally be by "ayes" and "nays" (voice vote or show of hands). All other voting shall be anonymous by either electronic means or by written ballot. [2015] A roll call vote may be requested by any five voting Senators and shall be instituted if approved by two-thirds of the voting members present, except in the election of officers, which shall always be by closed vote. In the event that a roll call vote is taken, the vote of each individual Senator shall be recorded by the Vice Chair in the minutes of that meeting. [2003] [2006]
C. Election of Officers

1. Prior to the meeting when elections of officers of the Faculty Senate are regularly scheduled, the Chair of the Senate shall appoint a nominating committee, consisting of one member from each School or College of the University. That committee shall nominate one or more persons for each office to be filled. Any voting Senator may also nominate any eligible person from the floor at the meeting at which the election is to take place. No second is required.

2. Election of officers is by a simple majority of the votes cast. Voting shall be by secret ballot. In the event that more than two persons have been nominated for a single office and no person receives a majority of the vote, the name of the nominee receiving the lowest number of votes shall be eliminated and a new ballot shall be taken among those remaining. This procedure shall continue until a single nominee receives a majority.

3. In the event that two or more nominees receiving the highest number of votes received an equal number of votes, the Chair shall announce that fact and a second ballot shall be taken after the application of the Faculty Senate Rules of Order, Article III., Section C.2. above. If, following a second ballot, the votes remain equal, the Chair may, on its own motion, reopen the floor for additional nominations. In the event that two nominees with the lowest number of votes have an equal number of votes, the Chair shall announce that fact, including the names of those nominees, and shall conduct an additional ballot without dropping either name from the list of nominees. If, following this ballot, the tie vote shall still exist, and no other nominee shall have achieved a majority, the Chair may reopen the floor for additional nominations. The Chair may, at its discretion, order an additional ballot.

4. Nomination and election for the office of Chair-elect of the Senate shall be held first. Following the election of the Chair-elect, nominations and election of the Vice Chair-elect shall be held.

5. In the event that a term is not completed by either the Chair or the Vice Chair, the Senate may elect the Chair-elect, the Vice Chair, or any other eligible Senator to fill the vacancy.

D. Motions Under New Business

1. No motion shall be voted under the heading of New Business unless it has been received by the members of the Senate in writing at least three days before the meeting at which it is to be submitted.

2. Senators wishing to move under New Business shall communicate their proposed motions in writing to the Vice Chair of the Senate not less than eight calendar days before the meeting at which the motion is to be made. It shall be the responsibility of the Vice Chair of the Senate to communicate the proposed motion to the Senate membership. However, any Senator who so desires may communicate a proposed motion directly to the Senate membership.

3. A Senator desiring to make a motion which has not complied with the notification requirements in paragraph 1 of the Faculty Senate Rules of Order, Article III., Section. D. 1. above may do so, but the vote may not be taken until a meeting held at least three calendar days after the meeting at which the motion is presented. A motion which does not comply
with the notification requirements may be voted upon at the meeting at which it is presented only if this rule is suspended by a two-thirds vote of the Senate.

E. Debate

The Chair may, at the outset of debate on any issue, announce a time limit for debate. This limit may be extended by a majority vote of the Senators present and voting.

F. Vice Chair

The Secretary of the Senate shall also serve as Vice Chair of the Senate. All references to "secretary" and "secretary-elect" shall change to the "vice chair and secretary" and "vice chair and secretary-elect." [2006]

IV. COMMITTEES

A. Standing Committees

1. The Executive Committee of the Senate shall appoint the following standing committees. The charge to each committee shall be that set forth in this rule.
   a. Academic Policies and Services. To be concerned with new schools, new programs and new degrees. To consider policies regarding academic honors, leaves, grants, promotions, departmental and divisional chairmanships, programs abroad, the academic calendar, career planning and placement, Vanderbilt University Library, Information Services, the bookstore, and the University Press.
   b. Faculty Life. To be concerned with policies relating to wages and salaries, fringe benefits, management of investments, employment of non-academic personnel, faculty intellectual property including copyrights and patents, buildings and grounds, space, campus communications, traffic, parking, food services, and campus security.
   c. Faculty Manual. To be concerned with all changes and proposed changes to the Faculty Manual and changes in other University policies that have a direct bearing on the Faculty Manual. To be concerned with compliance and regulatory changes from federal/state agencies and other regulatory bodies that require revisions to the Manual. To be concerned with policy issues arising within the Colleges and Schools at Vanderbilt that require clarification of the Manual, especially where congruence between the Schools and University is concerned. To ensure that any changes to the Manual are clearly identified, communicated, and archived annually. [2015]
   d. Grievances (formerly known as Professional Ethics and Academic Freedom [PEAF]). To be concerned with grievances arising under Part IV, Chapter 2, Section B of the Faculty Manual (those that arise from issues other than reappointment, tenure, and promotion).
   e. Senate Affairs. To be concerned with all matters pertaining to the functioning of the Senate. To be responsible for a continuing review of the Rules of the Faculty Senate, recommending new rules when appropriate, and assisting in the
interpretation of existing rules. To consider proposed revisions of the Constitution of the Faculty Assembly and Faculty Senate when this duty is assigned by the Senate. To maintain at least yearly communication with the Staff Council leadership. To maintain at least yearly communication with the following university standing committees: Athletics, Calendar, Faculty and Staff Benefits, Religious Affairs, Technology Review, and Traffic and Parking.

f. Student Life [formerly known as Student Affairs]. To be concerned with policies relating to student matters including residential colleges, rules and discipline, student grievances, future composition of the student body, fraternities and sororities, intercollegiate athletics and club sports, intramurals, the Honor System, faculty-student relations, religious affairs, and the student health service.

g. Strategic Planning and Academic Freedom. To be concerned with long-term strategic planning and governance issues of the university. To be concerned with policy regarding professional ethics, conscience, and academic freedom under Article II., Section 3-e C. 5. of the Faculty Senate Constitution. [2012]

h. Diversity, Equity and Inclusion. To be concerned with policies that will ensure considerations of diversity, equity and inclusion in the Faculty Senate and in the University.

2. The Executive Committee of the Senate will normally assign items to committees pursuant to the subject matter of the committee's charge. The Executive Committee may assign matters to any committee for its consideration in an effort to avoid an undue workload on any particular committee. The Executive Committee of the Senate may refer items to ad hoc committees named for the immediate purpose when those items do not fall within the charge of a standing Senate committee or when directed to do so by Senate resolution.

B. Duties of Committee Chairs

1. The duties of Chairs of standing Senate committees are:

a. To be responsible for seeing that minutes of each committee meeting are kept and transmitted to the Chair and Vice Chair of the Senate.

b. To maintain a permanent agenda for the committee and to inform the Chair of the Senate of agenda changes.

c. To prepare a final written report covering the work of the committee during the academic year. This report shall be made to the Senate at the end of the academic year and the Chair shall submit a copy of that report to the Senate Chair and Vice Chair.

d. To prepare interim reports to be made to the Faculty Senate and to include in each report a short summary of its contents and a statement of what, if any, action is being recommended. The report should contain a recommendation for its disposition. Such recommendation may include, but is not limited to, transmittal to named parties or groups, filing for information in repositories generally available to the Faculty as a whole, or filing with University officers.

e. To assist in seeking out non-Senators who might be interested in serving on Senate committees. Approval and appointment of these persons shall be by the Executive Committee of the Senate on the recommendation of the Committee Chair.
f. To coordinate the work of the committee with the appropriate University officers and University committees. Since the functions of these officers and committees may change, the following relationships are illustrative rather than definitive.

1. (1.) Academic Policies and Services. Reporting through the Provost: Calendar, Computer Resources Board, Institutional Biosafety, Lectures, Officer Education Advisory, Research Council, and Vanderbilt University Library Committee. Reporting through the Vice-Chancellor for University Relations: Archives. [2016]

2. (2.) Faculty Life. Reporting to the Chancellor: Campus Security. Reporting through the Vice-Chancellor for Business and Finance: Radiation Safety, Traffic. Reporting through the Vice-Chancellor for University Relations: Patent Review. [2016]


2. The duties of ad hoc committee chairs shall be as stated above, except as modified by their committee's charge.

C. Relationship of Standing and Ad Hoc Committees to the Executive Committee

The standing and ad hoc committees of the Senate are designed to function in conjunction and cooperation with the Executive Committee, the only committee authorized to act and speak for the Senate officially. To facilitate and encourage communication with the Senate, any standing committee may respond unofficially to any specific request made to it directly by an administrative officer or recognized campus group. The Chair and the Vice Chair of the Senate should be immediately informed of any such request, whether or not a direct response is given. In making a response to such requests, a committee should make clear that the committee does not speak in any official way for either the Faculty or the Senate, and the comments given should be confirmed in writing, with copies being forwarded to the Chair and the Vice Chair of the Senate. If a committee feels that an official response to a request is desirable, it should refer the matter to the Executive Committee for action. The committee may request (1) that the Executive Committee take action; (2) that the Senate Chair refer the matter to the appropriate committee; or (3) that the Executive Committee prepare a motion for Senate action for establishing an official Senate position.

V. EX OFFICIO MEMBERS

The Constitution of the Faculty Assembly and Faculty Senate provides that "non-voting ex officio members of the Senate include the following: the Chancellor, the Provost, the Vice Chancellors, other administrative officers that the Senate may invite, and persons listed as such in the Senate Rules. In addition, the past Chair and Vice Chair of the Faculty Senate shall hold non-voting ex officio status for one year following the end of their term. At the beginning of the academic year, the Executive Committee of the Faculty Senate will consult with the Provost to invite no more than four administrative staff members as non-voting ex officio members for that
year. Such administrators should be those whose responsibilities relate most directly to faculty matters. Non-voting ex officio members may participate fully in open deliberations. In instances where one person holds both non-voting and voting positions, the voting role takes precedence."

[2010] [2016]

VI. PARLIAMENTARIAN

The Executive Committee shall appoint, with the advice and consent of a majority of the Senate, a Parliamentarian whose duty shall be to become and remain familiar with the Rules of the Senate, with Robert's Rules of Order, and with the Senate Constitution. The Parliamentarian shall attend all Senate meetings, and shall give an opinion on the manner of conduct of proceedings when requested by the Chair. The term of the Parliamentarian, who may be selected from outside the Senate membership, shall run for one Senate year but shall expire automatically with the tenure of the Senate Chair in whose term the appointment was made. The Parliamentarian may be reappointed. If selected from outside the Senate membership, the Parliamentarian shall be an ex officio member of the Senate.

VII. OFFICIAL COMMUNICATIONS

A. Chancellor's Report

The Report of the Chancellor to the Senate, referred to in Article II., Section 3f C.6. of the Faculty Senate Constitution contemplates a statement of the University's response to Senate recommendations received since the last such report. It is also contemplated that the Report shall contain references to issues pending from previous years. Such references may include a request by the Chancellor that the Senate determine whether its recommendation remains in effect.

B. Official Reaction to Senate Committee Reports and Other Actions

University officials wishing to state their views on committee reports which have been submitted to the Senate may do so either (1) at a meeting of the Senate, if the official has floor privileges or has been granted floor privileges by majority vote of the Senate for that purpose, or (2) in writing, communicated to the Chair of the Senate. In the event that the latter alternative is selected, the communication or a summary thereof shall be read by the Chair of the Senate, or the Chair's designate, to the Senate and its contents or a summary thereof shall be published as part of the minutes of the meeting at which it is read.

VIII. DELEGATIONS-Caucuses

Caucuses

The delegation of each school may organize a caucus of that school to facilitate the establishment of positions on issues before the Senate. No caucus may adopt a unit rule to limit the right of its members to vote as they see fit. If a delegation organizes its caucus with formal rules, a copy of those rules shall be deposited with the Secretary of the Senate.

IX. AMENDMENTS
A. These rules may be amended by a majority vote of the Senate except as otherwise indicated herein.
B. Amendments to these rules shall be submitted to the Senate at a regular meeting at least three calendar weeks before they are brought to a vote. Amendments may be voted upon at a specially called Senate meeting if the intention to take such action is included in the call for that meeting.

X. ENTRY INTO FORCE

These rules shall enter into force on the day they are passed by the Faculty Senate. A majority vote is sufficient to pass all provisions except those requiring a two-thirds vote for amendment, in which case a two-thirds vote is required for passage. These rules supersede and repeal all other rules heretofore passed by the Faculty Senate. They represent a complete codification of all existing Senate Rules as of their date of passage. [Adopted May 3, 1973]

Chair Dewey opened the floor for discussion. There was no discussion and no debate.

Chair Dewey called for a vote on Motion 1 by electronic ballot. A mock vote was taken to ensure a quorum of 31 was present. There were 35 electronic responses.

The Voting proceeded: Tally: 34 affirmative, 0 opposed, 0 abstentions.
The motion was adopted.

Committee reports continued.
Senator Myrna Wooders, Faculty Manual Committee introduced Motion #2 and Motion #3.

Senator Wooders began with the following preamble. “I would like to start with a discussion of the procedures of the FMC. This is in response to an email I received from a Senator with regard to the motions stating that they would “like to a) hear from others on the committee that they all agree with these changes, and b) that General Counsel has also agreed. If all those folks agree, I would defer to your collective judgment.”

Chairs can overstep their authority. On the FMC, I have continually tried to ensure that we have agreement regarding motions to be presented. We now vote on our revisions at the end of each meeting and I’m instituting further steps to ensure agreement. With regard to the OGC, we try to cooperate. We have spent many hours discussing “Respondents” instead of “Accused” and on final tweaks proposed by the OGC. But the OGC is not a “ghost writer” for the FMC; the FMC aims to introduce motions that reflect the voice of the Faculty Senate.

Goals:
To revise Part IV, Chapter 1 to:
1. Improve the writing and update the document.
2. Treat administrators and faculty with equal respect.
3. Ensure that suspensions are with pay.
4. Establish action deadlines.

**Motion 2 – Part IV, Chapter 1, Disciplinary Actions**

- Whereas Part IV, Chapter 1 is in need of revision and updating;
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual,
- In accordance with notice given of this motion:

Be it resolved that:
In the following revision of Part IV, Chapter 1 in the current version of the Faculty Manual, be replaced by the attached revision.

**Faculty Manual Committee**
Myrna Wooders, A&S, Chair
Geoffrey Fleming, School of Medicine (Executive liaison)
Senta V. Greene, A&S
Benigno Trigo, A&S
Tony Weil, SOM
Duco Jansen, Engineering (ex-officio)
Becky Keck, Nursing (ex-officio)
Richard Willis, Owen Graduate School of Management (ex-officio)

**Part IV Disciplinary Actions and Grievances**

**Chapter 1: Disciplinary Actions**

Section A

**SGrounds for Disciplinary Actions**

The faculty of the University is a community characterized by personal interaction and mutual trust. Standards for faculty conduct are derived from tradition and evolve with contemporary practice. Accordingly, grounds for
discipline for members of the faculty of a University are usually not made the subject of precise statement; when commonly held standards of conduct are broken, however, disciplinary action must be taken if the community is to be sustained.

At Vanderbilt, the Deans of the schools are responsible for assuring that the University's and Vanderbilt University Medical Center's standards for faculty conduct are observed. Accordingly, Deans will, in cases in which there is a pattern of activity by a faculty member that appears questionable, advise the faculty member at the earliest reasonable date and counsel the faculty member concerning applicable standards of performance. In serious cases, a single instance of unacceptable activity by a faculty member may be significant enough to warrant discipline in addition to counseling. In other cases, the continued pursuit of a course of unacceptable activity after counseling by the Dean may warrant discipline.

12Faculty employed by the Vanderbilt University Medical Center will be subject to the standards of conduct adopted by the Vanderbilt University Medical Center, in addition to the standards of conduct adopted by the University, including those set forth in the Faculty Manual. Disciplinary and grievance actions for faculty members will be in accordance with the Faculty Manual. Vanderbilt University and Vanderbilt University Medical Center will coordinate actions whenever matters affecting both are involved. Disciplinary actions against faculty members may include, but are not limited to, a reprimand, a probationary period with specified conditions, suspension (with or without pay), or dismissal for cause. The grounds for cause include:

1) professionally incompetent performance or neglect of duty;

2) gross personal misconduct rendering the person unfit for association with students or colleagues;

3) misconduct in research; and

4) conduct employing unlawful means to obstruct the orderly functioning of the University or Vanderbilt University Medical Center or to violate rights of other members of the University or Vanderbilt University Medical Center community.
The severity of any discipline shall not exceed a level that is reasonably commensurate with the seriousness of the cause.

Misconduct in research is considered to be a special case of deviation from standards of conduct established by the University or other practices that seriously deviate from those that are commonly accepted within the scholarly community for proposing, conducting, or reporting research. Misconduct in the pursuit of truth is inimical to the goals of this community and represents a breach in the commonly held standards of conduct of the community. The University defines misconduct by individuals involved in research or research training as:

1) falsification, fabrication, or theft of data or samples;
2) plagiarism;
3) unauthorized use of privileged information;
4) abuse of authorship; and
5) significant failure to comply with federal, state, University, or Vanderbilt University Medical Center rules governing research (or with appropriate professional or international rules when research is conducted outside the United States). Examples include, but are not limited to, the following: rules involving human subjects, animals, recombinant DNA, new drugs, new devices, radioactive materials, and preservation of antiquities and natural resources.

The intent of the University with respect to allegations of misconduct in research is to:

1) recognize that honest error in judgment or interpretation of data does not constitute misconduct;
2) establish fair procedures for dealing with allegations of misconduct;
3) ensure that policies and procedures are made known to faculty and staff members participating in a research project; and
4) initiate confidential preliminary inquiries promptly after receiving an allegation of misconduct to determine whether a formal investigation is necessary.
A tenured faculty member may not be finally dismissed for cause prior to an opportunity for a hearing as provided in this section below Part IV, Chapter 1, Section B. In cases where in the judgment of the Dean, the Provost, or the Chancellor, and after consultation with at least one other of these officers, immediate action against a tenured or non-tenured faculty member of the faculty is necessary to prevent harm to the faculty member or others, the faculty member may be suspended pending a hearing. Any suspension is presumptively with pay; a decision to suspend a faculty member without pay requires a documented finding of exceptional circumstances by two officers (two among the Dean, Provost, and Chancellor) who authorize the suspension. See the remainder of this chapter as well as Part IV Chapter 2 Section B for further information about dismissal for cause.

Section B

Procedures*13

In reaching a decision to discipline a faculty member, the Dean of the relevant school, hereinafter referred to as “the Dean,” shall afford that faculty member, hereinafter referred to as “the Respondent”, appropriate procedural protections to assure that the decision is fully informed and fair. To that end, the following general procedures shall apply in all cases of alleged faculty misconduct, or misconduct by a staff member participating in a research project.

*13In the case of allegations concerning misconduct in research sponsored by the U.S. Public Health Service, the procedures found in the following Policy shall apply: The Vanderbilt University Policy for Responding to Allegations of Research Misconduct in Research Sponsored by the US Public Health Service.

1. Any allegation of misconduct should immediately be brought in written form to the attention of the Dean, who in turn will notify the Provost of the existence of the allegations.14 Initial allegations of misconduct that are found to be false and maliciously motivated may themselves become the basis of a disciplinary action. But no allegations made in good faith, however incorrect, will be the basis for discipline against a complainant (faculty, staff or student), and efforts will be made to assure that no retaliatory actions occur over the good faith reporting of alleged misconduct.
2. Upon receiving a report of misconduct, the Dean may conduct an initial inquiry to determine whether the allegations have merit and whether a formal investigation is warranted. Such an initial inquiry will be completed as expeditiously as possible with a goal of completing it within sixty (60) days. The Dean, at his or her discretion, may appoint one or more persons, including an ad hoc committee, to conduct the initial inquiry and make a recommendation to the Dean. The initial inquiry is not a formal hearing, but a gathering and reviewing of facts to determine whether a full investigation is warranted or, alternatively, whether the facts do not sufficiently support the need for a full investigation.

As soon as possible after they are received, the Respondent will be given written notice of the allegations, including references to the time, place, others present, etc., when the alleged acts occurred. This notice must reasonably inform the Respondent of the specific activity that is the basis of the allegations. The Respondent will be afforded confidential treatment to the maximum extent possible. It is normally expected that persons having or reasonably believed to have direct knowledge or information about the activity that is the basis of the allegations will be consulted and that those consulted will maintain the confidence of the consultation. The person or persons bringing allegations of misconduct may request that their identity be withheld during this stage of the initial inquiry, but their identity must be disclosed to the accused Respondent should the process proceed to the stage of formal investigation. The Dean will notify the Provost of the outcome of this initial inquiry. Where the initial inquiry involves allegations of misconduct in research, the records of the inquiry will be kept for at least three years and may be provided to authorized funding agency personnel.

\[14\] In the case of faculty in School of Medicine Basic Science Departments, the Provost or Provost’s designee will fulfill the functions of the Dean.

3. Regardless of whether the Dean decides to conduct an initial inquiry, the Respondent will be invited to make a response in writing to the Dean regarding the allegations of misconduct. The Respondent will be afforded a reasonable amount of time, no shorter than five business days, to provide a written response to the Dean. At his or her option, the Respondent may also respond in person.
4. Based on the allegations, the initial inquiry (if any), and the response of the Respondent, the Dean shall make a decision falling into one of two categories:

   a. That insufficient grounds have been presented to warrant further pursuit of the allegation and, therefore, that the Respondent will be subject to no discipline or that grounds exist only for minor discipline. The Dean will maintain sufficiently detailed documentation of inquiries to permit a later assessment, if necessary, of the reasons for determining that an investigation was not warranted.

   b. That there is presumptive evidence for major discipline and that a formal investigation is warranted. If so, the Dean will notify the Respondent in writing, summarizing the evidence received, relevant interviews, and the conclusions of the initial inquiry, if any.

5. If, in the previous step, the Dean determines that minor discipline is warranted, the final disciplinary action will be taken by the Dean at that point with the matter being subject to the grievance process set forth in Part IV, Chapter 2, Section B.

   If, in the previous step, the Dean concludes that grounds for major discipline may exist, the Dean will so notify the faculty member and appoint and convene an *ad hoc* faculty committee, hereinafter referred to as “the Investigative Committee,” generally within thirty (30) days to carry out an investigation.

6. If federal regulations require, as in the case of alleged misconduct in research, the Dean will, on or before the date the investigation begins, notify the Office of Research Integrity (ORI), within the Department of Health and Human Services, or other appropriate agency, of the circumstances and of plans to conduct an investigation. Similarly, the Dean will notify the ORI or other appropriate agency during any stage of the inquiry, and may take appropriate interim measures, if it appears that any of the following conditions exist:

   a. there is an immediate health hazard involved;

   b. there is an immediate need to protect federal funds or equipment or there is a need to protect the funding agency’s resources, reputation, or other interests;

   c. there is an immediate need to protect the interests of the person(s)
making the allegations of the individual(s) who is the subject of the allegations (as well as his/her co-investigators and associates, if any) or of third persons, such as other faculty, students, staff and patients;

d. it is probable that the alleged incident is going to be reported publicly;

e. the scientific community or the public should be informed;

f. there is a reasonable indication of possible criminal violation. In that instance, the University will inform, if applicable, the ORI or other research oversight agency, as well as the appropriate law enforcement agency, within 24 hours of obtaining that information.

If thought necessary by the Dean, he or she may elect to suspend research in the relevant program(s) pending the outcome of the investigation.

7. The purpose of the Investigative Committee investigation is to explore further the allegations in order to determine whether misconduct has actually occurred. In appointing the Investigative Committee, the Dean will include individuals with knowledge and background appropriate to carry out the investigation. The Dean will also take precautions against real or apparent conflicts of interest on the part of members of the Investigative Committee. Such conflicts of interest may include: administrative dependency, close personal relationships, collaborative relationships, financial interest, or scientific bias. The committee members will be expected to state in writing that they have no conflicts of interest.

The Investigative Committee will be given the notice of the allegations as provided the Respondent, and will be charged to investigate the matter. The Investigative Committee will be expected to talk with witnesses and review documentary evidence, generally within 60 days. The Investigative Committee will secure necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence, advise the Respondent of the evidence against him or her, and offer the Respondent a reasonable opportunity to respond and present evidence. As in the initial inquiry stage, it is normally expected that persons having or reasonably believed to have direct knowledge or information about the activity that is the basis for the allegations will be consulted, and that those consulted will maintain the confidence of the consultations.

Complete written summaries of committee interviews with witnesses shall be prepared, provided to the interviewed party for comment or revision, and
included as a part of the investigatory file. Detailed minutes of the investigation will be kept. Attorneys may not appear with or on behalf of the Respondent or any witness in proceedings before the Investigative Committee. The Respondent and other witnesses may rely on their own legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Investigative Committee.

During the formal proceedings before the Investigative Committee, the accused Respondent shall have full access to all evidence that may form the basis of discipline within a reasonable time to allow the Respondent to respond to the evidence, including knowledge of the person or persons alleging misconduct. Only with such full access is the Respondent afforded an adequate opportunity to refute or explain the evidence. Thus, evidence normally must be acquired by the Dean or Investigative Committee for use in the investigation with no assurances of confidentiality of sources. If such an assurance of confidentiality must be given to facilitate investigation, the evidence obtained under that assurance may not be used as a basis of disciplinary action. The Investigative Committee will allow the Respondent to submit a written response to the evidence that may form the basis for discipline before the Investigative Committee writes its report to the Dean. The Investigative Committee will reach findings of fact in regard to the Dean’s charge. If the committee finds facts that appear to constitute a breach of relevant University or scholarly standards of performance or conduct, the committee’s report shall state the nature of the breach and assess the seriousness of the breach. A written report containing the methods of procedure, how and from whom the information was obtained, including the views of those found to have been engaged in misconduct, conclusions, and recommendations of the committee will be submitted to the Dean with a copy to the Respondent at the end of the investigation. All records of the investigation will be maintained under the control of the Dean.

8. After receiving the report with findings of fact from the Investigative Committee, the Dean will reach a decision and determine the disciplinary action and the appropriate sanctions to be taken against the Respondent. The severity of the discipline will not exceed a level that is reasonably commensurate with the seriousness of the cause. The disciplinary actions or sanctions may include, but are not limited to, any of the following:

a) reprimand;

b) a requirement to correct or retract publications affected by the findings of the
investigation;
c) a special program for monitoring future research activities;
d) removal from a project;
e) probation;
f) suspension;
g) reduction in salary and/or rank; or
h) termination of employment.
The Dean will notify the Provost or the Dean of the School of Medicine and, if appropriate, will provide a full report to the ORI or any other appropriate agencies concerning the final outcome of the investigation.

All of the foregoing procedures should be carried out promptly and in confidence so that the risk to the reputation of the person under investigation is minimized. Diligent efforts will be made to restore reputations of persons alleged to have engaged in misconduct when allegations are found not to be supported.

9. The process of a formal misconduct investigation will be conducted as expeditiously as possible with a goal of being completed within 120 days. This period includes conducting the investigation, preparing the report of findings, making that report available for comment by the subjects of the investigation, and submitting the report to the Dean for decision and submission to the ORI or any other appropriate agency.

All of the foregoing procedures should be carried out promptly and in confidence so that the risk to the reputation of the Respondent is minimized. Diligent efforts will be made to restore reputations of persons alleged to have engaged in misconduct when allegations are found not to be supported.

10. A person who has been disciplined may file a grievance with the appropriate University committee in accordance with the grievance process set forth in Part IV, Chapter 2, Section B (“Faculty Grievances”). After a final decision is reached, the University may, at its discretion, provide notice of the outcome to those persons who were informed about the investigation, may have been affected by the misconduct, or otherwise have a professional need for such information.
In the case of faculty in School of Medicine Basic Science Departments, the Provost or Provost’s designee will fulfill the functions of the Dean.

Chair Dewey opened the floor for discussion.

There were concerns about the sentence, “The Dean will notify the Provost or the Dean of the School of Medicine and, if appropriate, will provide a full report to the ORI or any other appropriate agencies concerning the final outcome of the investigation.”

It was suggested that the sentence read “…notify the Provost or the Dean of the School of Medicine will notify the Chancellor.”

The Faculty Manual Committee will take this into account and revise it at their next meeting. Vice Chair-elect Leslie Hopkins moved to remand this motion back to committee. The motion was seconded. The motion passed by voice vote. The motion goes back to committee.

The Grievances Committee Chair Tom Christenbery voiced that they were appreciative of the Faculty effort that went into writing the changes for Chapter 2. They were requesting an opportunity to meet and discuss Chapter 2 before it comes before the Senate. He moved to table an impending motion. The motion was seconded. This upcoming motion was tabled before it reached the floor in order to allow the FMC and the GC time to look over the document together.

Chair Dewey asked for approval of the motion. The motion to table passed by voice vote.

Below are the goals of the motion and the motion that was tabled.

Goals:
To revise Part IV, Chapter 2 to

1. Improve and update the document.
2. Treat administrators and faculty with equal respect.
3. Clarify the role of the Process Chair.
4. Remove inconsistencies.
5. Remove a presumption that the Grievant does not have a justified grievance.
6. Place more restrictions on who can serve on a particular Grievance Committee.
7. Include steps to make the final process more fair.
8. Establish action deadlines.

Motion 4 – Part IV, Chapter 2, Faculty Appeals and Grievances

- Whereas Part IV, Chapter 2 is in need of revision and updating;
Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual,

In accordance with notice given of this motion:

Be it resolved that:

In the following revision of Part IV, Chapter 2 in the current version of the Faculty Manual, be replaced by the attached revision.

Faculty Manual Committee
Myrna Wooders, A&S, Chair
Geoffrey Fleming, School of Medicine (Executive liaison)
Senta V. Greene, A&S
Benigno Trigo, A&S
Tony Weil, SOM
Duco Jansen, Engineering (ex-officio)
Becky Keck, Nursing (ex-officio)
Richard Willis, Owen Graduate School of Management (ex-officio)

Chapter 2: Faculty Appeals and Grievances

A faculty member who believes that the University, acting through any representative, has breached an obligation owed to him or her may file a complaint, either an appeal or a grievance. The deadlines for filing depends on the nature of the complaint. A complaint alleging that the University breached an obligation owed to the faculty member in regard to a decision on her reappointment, tenure, or promotion shall be filed using the process set forth in Section A, below.

A complaint alleging that the University breached an obligation owed to the faculty member, in situations other than those arising out of a decision on reappointment, tenure or promotion, shall be filed with the Senate’s Grievance Committee utilizing procedures set forth in Section B below. In the School of Medicine, in situations other than those arising out of a decision on the faculty member’s reappointment, tenure or promotion, a faculty member may, as an alternative, file a grievance with the Faculty Advisory Council.

Faculty members other than those in the School of Medicine may file a complaint under Section A or Section B, but not both. Faculty members in the School of Medicine may file a complaint
with the Faculty Advisory Council or under section B but not both. Where the claims arising under Section A and Section B involve a common or overlapping set of factual circumstances, a grievant shall set forth all such claims and proceed under Section A. Faculty members are encouraged to contact the Chair of the Faculty Senate to determine where the grievance is best filed.\footnote{If the Chair of the Faculty Senate position is vacant then the Senate Executive Committee shall appoint another current member of the Senate Executive Committee to fulfill all duties ascribed to the chair of the Faculty Senate in Part IV Chapter 2 of the Faculty Manual related to new or pending grievances. The individual appointed will maintain their current Executive Committee title. This appointment shall remain in force only until such time as a new chair of the Faculty Senate is duly elected by a quorum of the voting members of the Senate. Such elections shall be held as soon as possible, but not more than 90 calendar days after the appointment is made. After the Chair is elected, all new and pending grievances will be handled by the newly elected Chair of the Faculty Senate. In addition to, and not exclusive of, the appeals and grievances procedures noted above and detailed below, faculty members may direct complaints of unlawful discrimination to the Vanderbilt Equal Opportunity, Affirmative Action, and Disability Services Department. Use of the procedures is not mutually exclusive with the filing of a civil action, although faculty members are encouraged to attempt to resolve grievances internally whenever possible.}

A faculty member should review the sections below to determine the deadlines applicable to the faculty member’s complaint.

\footnote{Grievance procedures should be carried out within the time limits specified. Durations specified and preceded by the phrase “not later than” express firm deadlines. Durations preceded by the phrase “generally within” represent strong recommendations. It is recognized that circumstances may prevent committees from completing their work in the time indicated. If a committee is unable to complete its work for any phase in the recommended time, the committee chair should inform the Chair of the Faculty Senate of the delay and the reason for the delay.}

\section*{Section A}

\section*{Appeals Arising from Reappointment, Tenure, and Promotion Decisions}

The Reappointment, Tenure, and Promotion Appeals Process is available to a faculty member, hereinafter called the “Appellant,” who believes that a decision on his or her reappointment, tenure or promotion raises (a) issues of professional ethics and academic freedom; (b) allegations of a failure by the University or those acting for it to follow stated or reasonable procedures; (c) complaints of a civil rights nature, including those of race or sex discrimination; or (d) allegations of the University’s failure to adhere to express or implied terms of the faculty member’s contract, including relevant portions of the Faculty Manual. As described below the
appeal process continues until the appeal is withdrawn, or is dismissed by an advisory ad hoc Appeal Committee, or the Appeal Committee prepares a recommendation to the Chancellor, who then makes his or her decision.

The Reappointment, Tenure and Promotion Appeals Process utilizes ad hoc committees appointed to handle individual grievances. The Reappointment, Tenure, and Promotion Appeals Process is headed by the Process Chair who serves a two-year term and is appointed by the chair of the Faculty Senate in consultation with, and the concurrence of the Provost, the Chair of the Reappointment, Tenure, and Promotion Appeals Process (the Process Chair), who is the initial point of contact for an Appellant. The Process Chair, who must be a tenured and must hold the rank of Professor, is the reference point for the filing of grievances and serves as a voting member of all ad hoc faculty grievance committees, who serves a two-year term, and is appointed by the Chair of the Faculty Senate in consultation with, and with the concurrence of, the Provost. The identity of the current Process Chair can be obtained from the Chair of the Faculty Senate.

If the Process Chair believes that a potential conflict of interest exists with respect to a particular grievance a substitute Process Chair will be appointed through the same process.

Prior to filing an appeal, a potential Appellant may consult informally with the Process Chair concerning the Reappointment, Tenure, and Promotion Appeal Process and possible alternative approaches to the resolution of the matter giving rise to the appeal grievance. Some disputes may be resolved satisfactorily at this informal consultation stage. The informal consultation process, however, does not relieve a potential grievant appellant from the time requirements set forth below for filing a grievance an appeal.

An appeal arising from a decision on reappointment, tenure, or promotion cannot be considered unless a written notice of intention to file an appeal is submitted within thirty days after a faculty member is notified in writing of the completion of the full review process for reappointment, tenure or promotion.

Such notices must be filed with the Process Chair, must identify the person or persons against whose decision the appeal will be directed, hereinafter called “the Respondents”, and must include a summary of the basis of the appeal. The complete appeal must be filed in writing with the Process Chair within sixty days of the written notification of the Appellant that the full review process for reappointment, tenure, or promotion has been completed. The Process Chair will transmit copies of the notice and of the full appeal to the Respondents. The sixty-day period does not stop during the summer months.

When grievance an appeal is filed, the Chair of the Faculty Senate in consultation with, and with the concurrence of, the Provost or, in the case of faculty in the School of Medicine-Clinical Departments, the Dean of the School of Medicine, depending on the school of the appeal, will
name four members of the faculty to serve along with the Process Chair, as an ad hoc Grievance Promotion, Tenure and Reappointment Appeal Committee for that appeal. One of the five four members will be selected through the same process to serve as Chair of the Appeal Committee. The purpose of this Committee is to review the decision that is being appealed and to provide a recommendation to the Chancellor, as discussed below.

The Process Chair will typically be the Chair of the ad hoc Appeal Committee, but may designate one of the four faculty members named to serve on the Committee as Chair. The ad hoc Grievance Appeal Committee Chair, who must be tenured and hold the rank of Professor, becomes the point of contact for the Appeal until its conclusion of the appeal process. If the Chair is someone other than the Process Chair the Appellant must be notified of the identity of the Chair as soon as possible.

Throughout this section, for an appeal against the Provost or the Dean of the School of Medicine, the Chancellor, in consultation with the Chair of the Faculty Senate, will take on the role of the Provost or the Dean of the School of Medicine, respectively.

Faculty members appointed to the ad hoc Appeal Committee must be tenured and hold a higher rank than that of the Appellant (or the same rank, if the Appellant has the rank of Professor). All ad hoc Appeal Committee members must have been tenured faculty members for at least four years, at least two of which were at Vanderbilt. Individuals who have had prior involvement in the case (for example, as a member of the Appellant’s department or as a member of a school promotion review committee) or who otherwise may have a conflict of interest will not be appointed. At least two, but not more than three, which may include the Process Chair, shall be drawn from a pool consisting of faculty members who have previously served on a Promotion and Tenure Review Committee. grievance designate an appropriate substitute to serve in this selection process.

A grievance arising from a decision on reappointment, tenure, or promotion cannot be considered unless a written notice of intention to file a grievance is submitted within thirty days after a faculty member is notified in writing of the completion of the full review process for reappointment, tenure or promotion.

Such notices must be filed with the chair of the Reappointment, Tenure, and Promotion Appeal Process (i.e., the Process Chair), must identify the person or persons against whose decision the grievance will be directed, hereinafter called “the Respondents”, and must include a summary of the basis of the grievance. The complete grievance must be filed in writing with the Process Chair within sixty days of the written notification of the grievant that the full review process for reappointment, tenure, or promotion has been completed. The Process Chair will transmit copies of the notice and of the full grievance to the person or persons against whom
the grievance is directed.

Upon receiving such a notice, the Process Chair will inform the chair of the Faculty Senate who will then initiate the process for forming a Grievance Committee appropriate to the grievance. Faculty members selected for an this ad hoc Appeal Committee shall all sign a statement indicating that they can serve impartially and are aware of no conflict of interests with respect to that grievance appeal. The signed statements are submitted to the Chair of the Faculty Senate and, together with all other collected documentation, shall be kept on file in the Faculty Senate office. After the ad hoc Appeal Committee has been selected, the Chair of the Faculty Senate will notify the grievant and those charged Appellant and the Respondents of its membership. If any of the parties is concerned about the impartiality or conflict of interest of one or more members of the ad hoc Appeal Committee, this concern may be brought to the attention of the Chair of the Faculty Senate in writing. The Chair of the Faculty Senate in consultation with, and with the concurrence of, the Provost or, in the case of faculty in the School of Medicine Clinical Departments, the Dean of the School of Medicine, determine whether any member should be replaced.

The ad hoc Appeal Committee will initially review an appeal generally within 30 days, to determine whether it was filed in a timely manner and whether it states one or more of the enumerated grounds that may be considered through the Reappointment, Tenure, and Promotion Grievance Appeals Process. An Appeal failing to meet one of these tests will be dismissed. If the appeal is not dismissed, the committee will then determine whether the allegations, under the assumption that they are true, support a claim within one or more of the grounds that may be considered through the Reappointment, Tenure, and Promotion Appeals Process. If they do not, the appeal will be dismissed. Upon dismissing, an appeal, the ad hoc Appeal Committee Chair will inform the parties in writing of the grounds for dismissal.

If the appeal is accepted for consideration, the ad hoc Appeal Committee will inform the Respondents that a response is to be submitted to the ad hoc Appeal Committee Chair. The response should be filed as soon as reasonably practical, but not later than sixty days after the response has been requested. The ad hoc Appeal Committee Chair shall provide a copy of the response(s) to the Appellant. If a response includes confidential information, the committee will provide the Appellant with a summary of that information.

The ad hoc Appeal Committee will invite the Appellant and the Respondents to meet separately with the Committee for the purpose of clarifying or adding to the written statements or to respond to questions. Attorneys may not appear with or on behalf of the Appellant or the Respondents. It is assumed that either party they may however rely on legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Committee.
The *ad hoc* Appeal Committee shall have full access, on a confidential basis, to the Appellant’s reappointment, tenure, or promotion file. It may, in confidence, seek information from other persons or request other documents. It will not routinely be provided with access to the personnel files of other faculty members. If the committee believes that access to such files would be likely to aid materially in the resolution of the grievance appeal, it may request access to specific files from the Provost or, in the case of faculty in the School of Medicine-Clinical Departments, the Dean of the School of Medicine. The designated files will be provided unless the Provost or the Dean of the School of Medicine determines that the information in the files is not relevant because it would not materially aid in the resolution of the grievance appeal. If the decision is made not to provide the requested files, the decision and the reasons for the decision will be communicated in writing to the *ad hoc* Appeal Committee Chair. If the Provost or the Dean of the School of Medicine is charged in the grievance appeal, the Chancellor will designate a substitute to make this determination.

**Final Reports**

The *ad hoc* Appeal Committee will maintain a record of its proceedings, including written summaries of relevant information and testimony, and provide a written report to the Chancellor. Prior to writing its report, the *ad hoc* Grievance Committee will submit to the parties a list of all individuals who provided testimony or other information to the committee and generally within 14 days of completing its final interview, the *ad hoc* Appeal Committee will submit to the parties a list of all individuals who provided testimony or other information to the committee. These parties may submit written comments on this list within seven days. The Committee will then write preliminary findings of fact and submit them to the parties, who will be given fourteen days in which to submit written responses. After considering the responses, the committee may continue its review or render a final report, which will be submitted generally within 30 days of receiving all written responses unless the Committee continues its review.

The final report to be submitted by the *ad hoc* Appeal Committee to the Chancellor will include (1) a statement of the findings of fact, (2) conclusions as to how those findings of fact relate to one or more of the four grievance appeal criteria listed at the beginning of this Section, and (3) recommendations. The Chancellor will decide whether to grant the appeal. The Chancellor or his or her designate inform the parties of the Chancellor’s decision.

A record of all proceedings shall be kept on file in the Faculty Senate office, subject to the University’s document retention policy.

Section B
Grievances Other Than Appeals Arising From Reappointment, Tenure, and Promotion Decisions

Any complaint of any faculty member other than those arising from an appeal of a reappointment, tenure or promotion decision is treated by the Faculty Senate Standing Committee on Grievances standing committee appointed by the Faculty Senate. The Faculty Senate grievance process, available to a faculty member who believes that the University has breached an obligation owed to the faculty member, including but not limited to an obligation to adhere to:

(a) express or implied terms of a faculty member’s contract, including relevant portions of the Faculty Manual;

(b) commonly accepted norms of professional responsibility and academic freedom;

(c) stated or commonly understood standards of fair and reasonable procedures; and

(d) legal obligations with respect to nondiscriminatory treatment on the basis of race, sex, sexual orientation, gender identity, gender expression, religion, color, national or ethnic origin, age, disability, military service, or genetic information.

A faculty member may not be finally dismissed for cause prior to the disposition of any grievance arising from the dismissal. Potential grievants are encouraged to consult informally with the Chair of the Grievances Committee concerning common understandings about the University’s obligations, standards of review applied by the Grievances Committee in prior grievance cases, and possible alternative approaches to the resolution of the dispute. Some disputes may be resolved satisfactorily at this stage by informal mediation.

If a faculty member chooses to file a formal grievance, the grievance must be transmitted in writing to the Chair of the Grievances Committee within not later than sixty days after the grievant becomes aware of the action forming the basis of the grievance. The sixty-day period does not stop during the summer months. At the time a grievance is filed, the grievant must transmit a copy of the grievance and all supporting documents to the Chair of the Senate Grievances Committee, who will notify the appropriate University party(ies) whose actions form the basis of the grievance, hereinafter “the Respondents” and transmit the grievance documents to the Respondents.

On receipt of a grievance, the Grievances Committee will convene to determine whether the grievance presents a good faith, nonspurious claim of breach of obligation by the University or its representatives. In reaching its determination, the Grievances Committee may rely on the written request of the faculty member and the supporting documents, or may decide to hold a preliminary hearing to explore the matter further. The Grievances Committee, at this stage, will consider the statements or allegations of the faculty member in their most favorable light in order to determine whether the statements or allegations, if proven in a hearing, would establish
a breach by the University of an obligation owed to the grievant.  
The Grievances Committee will apply the following standard in making an initial determination about whether the grievant has presented a good faith, nonspurious claim: “Under the procedures adopted by the Grievances Committee, in implementation of its duties under the Faculty Manual, the Committee must determine at the threshold, first, whether allegations in the grievance taken in their most favorable light, if proven, would constitute a breach of an obligation owed to a faculty member as described in the Faculty Manual. If the answer to that question is yes, then the Committee must next determine, from the evidence presented, whether the grievant has a reasonable prospect of being able to prove the allegations made in the grievance. If the answer to both questions is yes, the Committee will establish a process for a further investigation of the grievance.”

The faculty member presenting a grievance shall have a written reply by the Chair of the Grievances Committee generally within 30 days of filing the grievance. The Grievances Committee’s plan of action shall be outlined in this reply.

The Grievances Committee shall review the case, generally within 90 days, to determine whether the Respondent’s actions were procedurally and substantively sound. The Respondents shall be asked to respond to the grievance in writing, briefly explaining their position on each major element of the complaint grievance. In addition, the Respondents shall be asked to supply in a timely manner any supporting documents not previously filed by the grievant. The Grievances Committee Chair shall provide a copy of the response(s) to the grievant. Each party to the grievance shall be asked to indicate whether they wish to appear before the Grievances Committee to add to or explain the written record in the case. If such an appearance is requested, it will be scheduled at an appropriate point in the Grievances Committee’s inquiry. In addition, the Grievances Committee may on its own initiative request that either party appear to answer questions and may request the presence of witnesses.

Attorneys may not appear with or on behalf of the grievant, witnesses, or the Respondents in proceedings before the Senate Committee on Grievances. It is assumed that either party may rely on legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Committee.

The grievant will be informed in writing of the membership of the Standing Senate Committee on Grievances with specific identification of the Committee Chair. If a grievant feels that any member of the Grievances Committee will not view the grievance with sufficient impartiality, the grievant may file with the Committee a written request that said member recuse himself or herself from the hearing and disposition of that grievance. In the event that a member of the Grievances Committee feels that his or her objectivity and impartiality with respect to a particular grievance is subject to question including sharing the same direct supervisor as the
grievant, or where there is administrative dependency of the Respondents on the potential committee member, that member shall recuse himself or herself from the hearing and disposition of that grievance. If two or more members of the Grievances Committee recuse themselves with respect to a particular grievance, the Chair of the Faculty Senate shall appoint ad hoc members in their places with respect to that grievance.

Final Report

A. The report will be in writing, and shall include findings of fact, conclusions, and recommendations. A copy of this report shall be made available to the grievant and to the University representative(s) whose actions formed the basis of the complaint. The Senate Committee on Grievances shall prepare a final report. This report will be made available to the Grievant and to the Respondents for comment. The parties will have up to one week to prepare and submit their comments, if any. The comments on the report from the Grievant and Respondents will be included as appendices to the Final Report. The report will be in writing, and shall include findings of fact, conclusions, and recommendations. A copy of this Final Report shall be made available to the Grievant and to the Respondents. If the Chancellor elects not to concur with the report of the Grievance Committee, the Chancellor and the Grievance Committee shall meet in an effort to reach agreement.

In any case concerning the dismissal of a faculty member for cause or raising significant issues of conscience or academic freedom in which the Chancellor does not concur with the decision or the recommendation of the Grievance Committee, the Chancellor shall submit a full written report to the next meeting of the Executive Committee of the Board of Trust specifying the reasons for the action. In any other case in which the Chancellor does not concur with the recommendation of the Grievance Committee, the Chancellor will ask the General Counsel to review the file and submit a written report to the next meeting of the Executive Committee of the Board of Trust stating the fact of that disagreement and the issue, or issues, on which the Chancellor disagreed. Copies of the Chancellor’s report (or the General Counsel’s report) shall also be transmitted to the Chair of the Faculty Senate, to the chair of the Grievance Committee, and to the grievant and the Respondents.

A record of all proceedings shall be kept on file in the Faculty Senate office according to the University Document Retention Policy.

Section C

Confidentiality and Other Matters

Except as disclosures are reasonably necessary in the investigation, hearing, and final disposition of an appeal of grievance, the appellant, grievant, members of hearing bodies, and others having knowledge of a grievance complaint are expected to preserve the confidentiality of the grievance complaint, provided that any individuals accused in a grievance responding to an
allegation of misconduct shall be informed of the grievance and given the opportunity to respond to the charges.

The fact that a grievance is pending may not be used as grounds for delaying consideration of promotion or tenure beyond the time that such consideration is required by University rules.

A grievance may be withdrawn by the faculty member at any time prior to a recommendation decision of a Grievance Committee. The withdrawal of a grievance shall not preclude the Dean or the Chancellor from investigating the charges contained in grievance or related matters.

It is understood that there are legal requirements relating to the time limitations when one may file a charge of discrimination with federal or state human rights agencies. Should this deadline arrive prior to the completion of the grievance process, and should the grievant elect to file a charge with a governmental agency, this will not prejudice the grievance process.

Committee reports continued.

- Leslie Hopkins, Academic Policies and Services EC Liaison, reported that a travel survey summary had been given out to Senators upon entering the room.
- Scott Pearson, Faculty Life Chair reported that the faculty survey on wellness and mental health is out. The announcement about the wellness survey is in MyVU and MyVUMC. The data will be used to improve faculty wellness.
  Faculty Life is now writing a proposal for Vanderbilt Commons (faculty club) which will be used for current faculty, for recruiting purposes, and for retired faculty. Eric Kopstain has been helpful in the process. The Chancellor is enthusiastic about this project.
  A Senator asked about the response rate of the survey. To date, 360+ had completed the survey. More people were needing to fill it out. The people needing to be heard from were not responding.
- Tom Christenbery, Grievances Chair had nothing to report.
- David Cliffel, Student Life Chair reported that VSG has a meeting with the Faculty Senate scheduled for Tuesday. Last year’s focus was on Greek Life. This year there are other topics of discussion.
  A member commented that the Faculty Senate should also work with the Graduate Student Council. The Faculty Senate has worked with the Graduate Student Council in the past.
- Xenofon Koutsoukos, Strategic Planning and Academic Freedom Task Force Chair reported that VSG worked on their Academic Freedom of Expression Statement with the SPAF Committee. He is waiting for VSG to give him their final document before the meeting on Tuesday.

Having no other reports, Chair Dewey moved to the next item of business.
Old Business

Senator Myrna Wooders brought forth two motions.

**Motion 4 – Amend December 2016 Minutes**

- Whereas Robert’s Rules dictates that “if the existence of an error or material omission becomes reasonably established after their approval – even many years later – the minutes can be corrected by a motion to Amend Something Previously Adopted”. (11th ed.), p. 475, ll. 18-24; see also p. 151 of RONRIB.]

- Whereas not having motions in the minutes can compromise the integrity of the minutes and cause confusion and later disagreement;

In accordance with notice given of this motion, I move to amend the minutes of the December 2016 Faculty Senate meeting to include:

“**Motion 7 - Ad-hoc Committee for the Consideration of “A Vanderbilt Faculty Senate Resolution Affirming our Guiding Principles”** as approved at that meeting and duplicated below within the December 8, 2016 minutes.

Be it resolved that:

That the Ad-hoc Committee members and the attached motion be inserted immediately after the sentence:

“Senators Brooke Ackerly and Lou Outlaw reported that as a result of recent discourse, a resolution from the Faculty Senate was drafted. This resolution is designed for everyone in the Vanderbilt community.”

Chair Dewey opened the floor for discussion. There was no discussion and no debate.

Chair Dewey called for a vote on Motion 4 by electronic ballot.

The Voting proceeded: Tally: 32 affirmative, 0 opposed, 0 abstentions.
The motion was adopted.

**Motion 5 – Amend January 2017 Minutes**

- Whereas Robert’s Rules dictates that “if the existence of an error or material omission becomes reasonably established after their approval – even many years later – the minutes can be corrected by a motion to Amend Something Previously Adopted”. (See RONR (11th ed.), p. 475, ll. 18-24 and p. 151 of RONRIB.)

- Whereas corrections to the January 2017 minutes are well documented, having been sent to the Vice-Chair and Faculty Senate Administrative Manger well in advance of the
February meeting of the Faculty Senate, read at the February meeting and sent again to
the Administrative Assistant and Vice Chair after the meeting;

- Whereas these corrections, as submitted and read at the February meeting, were
  unanimously approved by the Senate;

- Whereas one version and then another version, both named “Faculty Senate Meeting
  Minutes January 12” and both misrepresenting the corrections as submitted and approved,
  and the first with additional comments inserted after the meeting, were posted on the
  Senate portal and thus each was an incorrect version of the January minutes;

- Whereas one of the corrections was substantially misrepresented in terms of substance, as
  shown next, with the misrepresentation stuck out:

  While that issue was being resolved, a Senator asked Senator Wooders to what
  she was referring in the withdrawn paragraph. Senator Wooders explained that in the spring of
  2012 there were numerous, substantial changes to Part III, Chapter 3 and related changes
  throughout the Faculty Manual. According to all documents available, these changes
  were not brought to the Faculty Senate, as is required by Part I, Chapter 5.

  While the technological issue was being resolved, a Senator asked Senator Wooders to
  what she was referring in the withdrawn paragraph. Senator Wooders gave some
  background information about the UCC and Faculty Manual COI and COC revision of
  articles and chapters, explaining that in spring of 2012, there were substantial changes to
  Part III, Chapter 3 and related changes throughout the Faculty Manual. According to
  documents that were available to her, these changes were not brought to the Faculty
  Senate, as is required by Part I, Chapter 5.

Be it resolved to accept the amended (third) version of the January minutes now on the Faculty
Senate web portal be approved, with all corrections accepted by the Senate at the February
meeting and with all comments inserted after the meeting removed.

Chair Dewey opened the floor for discussion. There was no discussion and no debate.

Chair Dewey called for a vote on Motion 5 by electronic ballot.

The Voting proceeded: Tally: 32 affirmative, 0 opposed, 0 abstentions.
The motion was adopted.

Chair Dewey moved to the next item of business.

New Business
There was no new business from the EC.
Chair Dewey moved to the next item of business.
Scheduled Remarks

- Jeffery Balser, MD
  Dean, Vanderbilt University School of Medicine
  President & CEO Vanderbilt University Medical Center

Dr. Balser had received 3 questions from the Senate portal.

1. Litigation status
2. Options for VUMC faculty and staff to access the fitness center
3. Faculty on the main campus, evolution over time, credentialing

Litigation status – This case is 6 years old and is approaching resolution.

Fitness center - It was very expensive to pay fitness center fees for 22,000 employees. He looked to other ways to contribute to employee wellness.

Growth – Growth was one of the reasons for the reorganization. Monroe Carell Children’s Hospital is growing. As Nashville grows, VUMC is growing and expanding clinical facilities. We are growing clinic sites and affiliated networks.

Dr. Balser further highlighted:

- All clinicians providing care on the main campus are required to have a Vanderbilt University faculty appointment (status quo):
  - VUMC-employed physicians and nurse practitioners (~2500)
  - Volunteer faculty: largely community pediatricians (~400)
  - Clinicians practicing elsewhere - VHAN network affiliates or after-hours facilities in the region (~4000)
  - Affiliated designations “Valued Participant: VHAN”
  - Smaller number employed by VUMC – outpatient clinics VUMC operates in the region. Clinicians are not engaged in training or research
  - Isolated cases: faculty appointments where regional activities support the academic missions. Ex: leading a fellowship training program
  - All credentialing to practice medicine in VHAN programs or in VUMC-owned facilities are done through VUMC.

VU-VUMC Joint Activities (non-academic):

- Spring all campus employee picnic
- Athletic summer camps for children (access and subsidy)
• Holiday gift giveaway (turkey toss)
• Employee appreciation basketball night
• Health Plus wellness activities (walks, cooking classes)
• Football tailgate

**In Development:**
• Osher Center for Integrative Medicine- VU and VUMC Health Plans select services
• Health Plus Incentives - VUMC employed faculty and staff at the Vanderbilt University Recreation Center
• Reviewing growing childcare needs

**Academic Strength:**
• Vanderbilt University School of Medicine ranked #14 among all SOMs nationwide according to *U.S. News & World Report*, March 2017
• Working with *Blue Ridge Institute* to identify new ways to view data relative to modern framework of biomedical research at universities and medical centers.
• For Federal FY2016 VU SOM combined $320,675,043
• Ranked #10 across all SOMs nationwide

**Good of the Senate**
There was none.

**Adjournment**
A motion was made to adjourn. The motion was seconded.
The meeting adjourned at 5:30 pm.

Respectfully submitted,
Brian L. Heuser
Vice Chair
Call to Order

Approval of Minutes of April 13, 2017

Voting Items

- Faculty Senate Elections
  - Election of Chair-elect, Victoria Greene
  - Election of Vice Chair-elect, Jeremy Wilson
- Motion #1 – Interim Changes from August 8, 2016
- Motion #2 – Part IV, Chapter 1 Disciplinary Actions

Report of the Executive Committee

Remarks by the Chancellor
Provided by Provost Susan Wente

Standing Committee Reports

Ad Hoc Committee Reports

Old Business

New Business

Scheduled Remarks

Good of the Senate

Adjournment

Voting Members present: Ackerly, Allos; Benbow, Benton; Cannon; Carnahan; Chakravarthy; Christenbery; Cliff; Dewey; Finch; Fleming; Friedman; Goddu; Green; Greene; Haglund; Heuser; Hopkins; Johnson; Kim; Koutsoukos; Luo; March; Martin; Murphy; Pearson; Schildcrout; Shay; Stengel; Talbot; Townes; Trigo; Walden; Walsh; Weavind; Weil; Weintraub; Wilson; Wooders; and Wuerth
Voting Members absent: Andrews; Bachman; Balser; Chang; Christman; Fauchet; Guthrie; Halevi; Lowe; Massion; McCammon; McCoin; Merryman; Miga; Neimat; Norman; Oskay; Outlaw; Reeves; Robinson; Rohde; Segovia; Seymore; Simmons; Smrekar; Wait; Wallace; Webb; and Wright.

Ex Officio Members present: Anderson; Bandas; Beasley; Brady; Cyrus; Geer; Hill; Hotchkiss; Lutz; Price; Raghavan; Wente; and Willis

Ex Officio Members absent: Carroll; Ertel; Hall; Kopstain; Marnett; Miller; Pietenpol; Raiford; Stalcup; Sweet; Williams; and Zeppos

Guests: David Spielman

Call to Order

Senator Charlene Dewey, Chair of the Faculty Senate, called the meeting to order at 4:13 pm.

Approval of the minutes of April 13, 2017

Chair Dewey asked for approval of the minutes. Senator Ray Friedman made the motion. The motion was seconded. The motion passed by voice vote.

Chair Dewey recognized Vice Chair-elect Leslie Hopkins. Senator Hopkins made an incidental motion to suspend the rules to bring all voting items forward while a quorum was present. The motion was seconded.

Chair Dewey opened the floor for discussion. There was no discussion and no debate. A mock vote was taken to ensure a quorum of 31 was present. There were 37 electronic responses.

Chair Dewey called for a vote on the Incidental Motion by electronic ballot.

The Voting proceeded: Tally: 36 affirmative, 0 opposed, 1 abstention. The motion was adopted. Voting items were moved to the top of the agenda.

Chair Dewey proceeded with elections.

Faculty Senate Elections

- Election of Chair-elect, Victoria Greene who was running unopposed.

The Voting proceeded: Tally: 35 affirmative, 1 opposed, 1 abstention. Victoria Greene was voted to be Chair-elect for 2017-2018.

- Election of Vice Chair-elect, Jeremy Wilson, who was running unopposed.
The Voting proceeded: Tally: 35 affirmative, 0 opposed, 2 abstentions. Jeremy Wilson was voted to be Vice Chair-elect for 2017-2018.

Senators Victoria Greene and Jeremy Wilson were elected to be members of the Executive Committee of the Faculty Senate. They received congratulatory applause.

Chair Dewey then recognized Senator Myrna Wooders, Chair of the Faculty Manual Committee (FMC), who brought forth two motions.

**Motion 1 – Interim Changes from August 8, 2016**

- Whereas an interim change to the Faculty Manual was requested on August 8, 2016 by the Provost and approved by the Chancellor, as in the attached document,
- Whereas Part I, Chapter 5 of the Faculty Manual states that:
  
  “If that change involves matters that the Faculty Senate (for instance) wishes to study in more detail or if the Faculty Senate is not in session, an interim change may be required. In such cases, the Chancellor either may make the change or designate another officer to do so, with an indication on the Faculty Manual website that the matter is under review. The procedure shall then follow as set forth above, beginning with a proposal for change.”

Be it resolved that the changes indicated in the attached document be accepted by the Faculty Senate.

**Faculty Manual Committee**

Myrna Wooders, A&S, Chair
Geoffrey Fleming, School of Medicine (Executive Liaison)
Senta V. Greene, A&S
Benigno Trigo, A&S
Tony Weil, School of Medicine
Duco Jansen, Engineering (Ex-officio)
Becky Keck, Nursing (Ex-officio)
Richard Willis, Owen Graduate School of Management (Ex-Officio)
To: Nicholas S. Zeppos, Chancellor

From: Susan R. Wente, Provost and Vice Chancellor for Academic Affairs

Date: August 8, 2016

Re: Notification of Interim Change: Elimination of References to “Vice Chancellor of Health Affairs” Leadership Role in the Faculty Manual, Typographical Corrections, Two Title Changes in the Research Section

I am writing to respectfully request several interim changes to the faculty manual as specified in the process governing amendments (Part I, Chapter 5 of the Faculty Manual). All proposed revisions are tracked on the attached copy of the faculty manual. These revisions have been further reviewed by Vice Provost Geer and Senior Associate Dean Raiford.

These required interim changes are minor in scope, but are immediately needed. We wish to:

- eliminate reference to the Vice Chancellor of Health Affairs (VCHA) position from the Faculty Manual and replace it with reference to the Dean of the School of Medicine position. The VCHA position was eliminated by the VU-VUMC reorganization on April 30, 2016. There are six changes requested related to this matter. The changes apply to Part III, Chapter 5 (2 references to VCHA), Part III, Chapter 6 (1 reference), Part III, Chapter 13 (1 reference), Part IV, Chapter 1 (1 reference), and Part VI, Chapter 4 (1 reference). These six changes are signified with handwritten numerals “1” through “6” on the attached.
- make two changes in the titles of offices in the research section (page 61). These two changes are signified with handwritten alphabetic characters “A” and “B” on the attached.

**Interim Change (Part I, Chapter 5 of the Faculty Manual)**

There may be instances in which some almost immediate change is needed due to changes in laws or regulations or funding agency requirements. A change in government regulations might well include a specific compliance date, for instance, and an interim change may be required. If that change involves matters that the Faculty Senate (for instance) wishes to study in more detail or if the Faculty Senate is not in session, an interim change may be required. In such cases, the Chancellor either may make the change or designate another officer to do so, with an indication on the Faculty Manual website that the matter is under review.

cc: Jeff Balser, Dean, School of Medicine
    John Geer, Vice Provost for Academic and Strategic Affairs
    David Raiford, Senior Associate Dean for Faculty Affairs, School of Medicine
    Richard Willis, Interim Chair, Faculty Senate

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Nashville, Tennessee 37240
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www.vanderbilt.edu/provost
E. PERIODIC REVIEW

At least every fourth year, the Technology Review Committee shall review the provisions of this policy and their efficacy in meeting the interests of members of the University community and the University.

Chapter 5: Policy Guidelines for Sponsored Research

The following general principles govern University research sponsored in whole or in part by outside entities, including industry or government. University research is defined as any research activity using University facilities or with support from funds administered by the University. Excluded from the definition of University research is personal research not supported from external funds administered by the University and that does not require the use of University facilities or equipment to fulfill an external contractual or consulting obligation.

1. University research must be conducted only for purposes that are consistent with the University’s principal missions of the preservation, pursuit, dissemination, and application of knowledge. In particular, classified research projects or projects that otherwise prohibit or limit publication of research results are inconsistent with University missions. Publication is considered to include, but is not limited to, journal publications, proceedings of meetings and conferences, student dissertations and theses, and book manuscripts.

2. Prompt publication of results is the normal and expected outcome of a research project. A delay not to exceed ninety (90) days in submission for publication may be requested by a sponsor who wishes to preview research results. In cases in which a sponsor has been afforded the right to prepare a patent application, or the University wishes to prepare a patent application, it may be agreed that submission for publication may be delayed for up to an additional six months. The research agreement governing any project should specify at the outset of the program whether the sponsor reserves the right to request a delay for either of these reasons.

3. In those research projects in which proprietary information is provided by the sponsor prior to or during the course of the project, any limitations on the disposition of that information must be described in writing prior to the time the information is made available and any requirements of confidentiality or other limitations must be documented, provided to, and approved by the Office of Research or the Office of the Vice Provost for Research, for the University, whichever is appropriate. Knowledge developed by Vanderbilt researchers on the basis of proprietary information is to be governed by these research guidelines unless otherwise governed by terms of an authorized research agreement. Proprietary information may be kept confidential between the sponsor and University researchers. Any requirements of confidentiality should be limited, however, especially as they apply to graduate and professional students, when those provisions inhibit in any material way the free flow and exchange of ideas important to University missions. Any participation by graduate and professional students in research that limits or restricts communication must be approved in advance by the appropriate Dean.

4. Consistent with the provisions of the Policy on Technology and Literary and Artistic Works, the University retains ownership of patent rights and software copyrights issued on the basis of any University research. In exceptional circumstances, deviations from this policy may be approved by the Provost, for the clinical departments in the School of Medicine, the Dean of the School of Medicine, as appropriate, on terms that become provisions of the sponsored research agreement.
This policy applies to all Vanderbilt University students, faculty and staff and to all others granted use of Vanderbilt’s information technology (IT) resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and communication facilities owned, leased, operated, or contracted for by Vanderbilt University. Information technology resources include but are not limited to Vanderbilt’s Internet 1, Internet 2, private networks, telephone, fax, voice mail, electronic mail, instant messaging, electronic collaboration, content management, or other applications that attach, utilize, or otherwise interface with Vanderbilt’s data and voice network computing infrastructure. Electronic communications include but are not limited to any information—data, text, graphics, audio, video, or other artifact—that can be sent or received via an electronic system or manipulated or transferred via the network computing infrastructure or an attached device or peripheral.

III. Policies

a) Privacy, Integrity and Operational Security

The privacy of all users and the integrity and operational security of Vanderbilt’s information technology system must be respected by all. Vanderbilt’s IT resources must not be used by anyone to gain or attempt to gain unauthorized access to private information, even if that information is not securely protected or is otherwise available. The fact that an individual account and its data may be unprotected does not confer either an ethical or legal right to access it.

Investigations of misuse, unauthorized use, or illegal activity, compliance with federal, state or local laws or regulations, as well as routine or emergency maintenance of the IT system, may require observation of electronic information by appropriate and authorized University officials, employees, or their authorized agents. Such activities are not in violation of this principle so long as these activities are conducted by authorized individuals on behalf of Vanderbilt University and are governed by professional IT forensic protocols. Vanderbilt uses automated systems to monitor data transmissions entering and leaving the Vanderbilt networks to detect the presence of viruses, malicious software, or privileged information. Consistent with the University’s commitment to academic freedom (see “A Statement of Principles,” Part III, Chapter 1), specific safeguards protect the privacy and academic freedom of the Vanderbilt faculty in the event that a faculty member’s electronic communications or records must be inspected without his or her express consent.

1. The University shall inspect electronic communications or records of a faculty member only in response to an external legal process (a judicial or administrative subpoena, or a document request from a governmental agency, e.g. Equal Employment Opportunity Commission or U.S. Department of Labor, in regard to a complaint filed with the agency to which the University would be responding) or to investigate a specific allegation of a violation of an internal Policy. Except as may be required by law, the scope of the inspection shall be limited to the specific legal complaint or specific policy violation and access to electronic communications shall be granted only to those who must have access to complete their University duties (“need to know”).

2. Only the Chancellor, the University General Counsel, the Provost and Vice Chancellor for Academic Affairs, or for the clinical department in the School of Medicine, the Dean of the School of Medicine may authorize inspection of a faculty member’s electronic communications or records.

Unauthorized inspections are in violation of this policy.

3. The University shall provide to the Faculty Senate an annual report recording the number and general nature of such inspections concluded in the previous fiscal year.
Contribution requests should be directed to the Office of Community, Neighborhood, and Government Relations, which oversees the contributions fund. Requests for contributions for health-related programs are referred to the Office of the Dean of the School of Medicine or Dean of the School of Nursing, as appropriate.

Section B
Memorial Donations

At times, University offices will remember the life of a friend or supporter by making a charitable donation in lieu of sending flowers. These donations may not exceed fifty dollars ($50.00).

Chapter 14: Commencement

Commencement attendance by faculty members is governed by guidelines adopted by the Faculty Senate. The resolution of the Faculty Senate reads:

Be it resolved that the Faculty Senate endorses in principle the idea that a representative number of the faculty (about one-fourth), including representatives of all departments, attend Commencement exercises annually.

Recognizing that this endorsement of principle may be most conveniently and efficiently acted upon by the Deans and the chairs of academic departments, be it further resolved that the Faculty Senate convey their endorsement to such officers for proper implementation. Of primary importance is early invitation to faculty and readily available information concerning rental of caps and gowns.

Thus the individual faculty member should see his or her minimal responsibility for attending Commencement exercises as at least once every four years.

Deadlines for renting regalia are announced in the Vanderbilt Register.
authoritative evaluation of the relevant evidence, advise the accused of the evidence against him or her, and offer the accused a reasonable opportunity to respond and present evidence. As in the initial inquiry stage, it is normally expected that persons having or reasonably believed to have direct knowledge or information about the activity that is the basis for the allegations will be consulted, and that those consulted will maintain the confidence of the consultations.

Complete summaries of committee interviews with witnesses shall be prepared, provided to the interviewed party for comment or revision, and included as a part of the investigatory file. Detailed minutes of the investigation will be kept.

Attorneys may not appear with or on behalf of the accused or any witness in proceedings before the committee. The accused and other witnesses may rely on their own legal counsel in the preparation of any documents or the collection of any evidence to be presented to the committee.

During the formal proceedings before the committee, the accused shall have full access to all evidence that may form the basis of discipline within a reasonable time to respond to the evidence, including knowledge of the person or persons alleging misconduct. Only with such full access is the accused afforded an adequate opportunity to refute or explain the evidence. Thus, evidence normally must be acquired by the Dean or school committee for use in the formal investigation with no assurances of confidentiality of sources. If such an assurance of confidentiality must be given to facilitate investigation, the evidence obtained under that assurance may not be used as a basis of disciplinary action. The committee will allow the accused to submit a written response to the evidence that may form the basis for discipline before the committee writes its report to the Dean.

The committee will reach findings of fact in regard to the Dean's charge. If the committee finds facts that appear to constitute a breach of relevant University or scholarly standards of performance or conduct, the committee's report shall state the nature of the breach and assess the seriousness of the breach. A written report containing the methods of procedure, how and from whom the information was obtained, including the views of those found to have been engaged in misconduct, conclusions, and recommendations of the committee will be submitted to the Dean with a copy to the accused at the end of the investigation. All records of the investigation will be maintained under the control of the Dean.

8. After receiving the report with findings of fact from the committee, the Dean will reach a decision and determine the disciplinary action and the appropriate sanctions to be taken against the accused. The severity of the discipline will not exceed a level that is reasonably commensurate with the seriousness of the cause. The disciplinary actions or sanctions may include, but are not limited to, any of the following: a) reprimand; b) a requirement to correct or retract publications affected by the findings of the investigation; c) a special program for monitoring future research activities; d) removal from a project; e) probation; f) suspension; g) reduction in salary and/or rank; or h) termination of employment. The Dean will notify the Provost and, if appropriate, will provide a full report to the ORI or other agency concerning the final outcome of the investigation.

16In the case of faculty in School of Medicine Basic Science Departments, the Provost or Provost's designee will fulfill the functions of the Dean. In the case of faculty in the School of Medicine Clinical Departments, the Dean's designee will notify the Dean of the School of Medicine.
Each college and school should provide a statement of principles and procedures regarding its leave policy. The granting of leaves is determined after taking into consideration department and school staffing requirements, availability of funds from all sources, and other factors, such as scholarly productivity (including publications) and the outcome of previous research leaves.

In some cases, leave may be granted to pursue appropriate scholarly activities that may benefit the faculty member and a third party, such as collaboration in a research project with a colleague at another institution or appointment to service for a governmental agency for a defined period. Such leaves may be paid or unpaid, depending on the specific activity and on whether outside funds are available to support the faculty member. When granted, such leave does not normally affect eligibility for salary raises or promotion.

As a matter of University policy, requests for scholarly leaves of absence are generally not granted more frequently than once every four years, and a longer minimum interval may apply in individual schools and programs. Leaves will not be provided to tenure-track faculty members if the leave would be taken in the terminal year. The period between leaves begins with the first full academic year after the leave.

Generally, a faculty member on a scholarly leave is granted half-salary and full benefits for a full year or full salary and full benefits for a half-year. All faculty members returning from research leaves are expected to submit to the dean a report of their scholarly activities and accomplishments. Unless waived in writing by the provost or, for the clinical department in the School of Medicine, the Dean of the School of Medicine, a faculty member who is granted a scholarly leave is obligated to return to active status for at least an equivalent period immediately following such leave.

Scholarly leaves are not cumulative. If more than four years have passed between leaves of absence, that fact will not shorten the required interval between subsequent leaves or allow a full year's paid leave instead of one semester.

**Procedures for Requesting Scholarly Leave**

Requests for leaves of absence are acted upon by the department chair or division director. Any recommendation to grant the leave request will be reviewed by the appropriate dean and, if he or she concurs, by the Provost or, in the case of faculty in the School of Medicine Clinical Departments, only by the Dean of the School of Medicine. The decision of the Provost or the Dean of the School of Medicine is final.

**Section B**

**Parental Leave [2]**

**Availability of Parental Leave**

When a full-time faculty member who is tenured or tenure-track, or that faculty member's spouse or declared domestic partner, becomes the parent of a child, either by childbirth or by adoption of a pre-school-aged child, the faculty member shall, upon written request to his or her department chair or

[2] VUMC Faculty Parental Leave Policy can be found in the last subsection of Section B.
Chair Dewey opened the floor for discussion. There was no discussion and no debate.

Chair Dewey called for a vote on Motion 1 by electronic ballot.

The Voting proceeded: Tally: 31 affirmative, 0 opposed, 2 abstentions.
The motion was adopted. The Interim Changes were accepted by the Faculty Senate.

Senator Wooders proceeded with her second motion.

**Motion 2 - Revise Part IV, Chapter 1, Disciplinary Actions**

- Whereas Part IV, Chapter 1 is in need of revision and updating;
- Whereas Part I, Chapter 5 of the Faculty Manual dictates that all changes to the Faculty Manual are to follow the procedure described in Part I, Chapter 5 of the Manual,

In accordance with notice given of this motion:

Be it resolved that in the following revision of Part IV, Chapter 1 in the current version of the Faculty Manual, be replaced by the attached revision.

**Faculty Manual Committee**

Myrna Wooders, A&S, Chair
Geoffrey Fleming, School of Medicine (Executive Liaison)
Senta V. Greene, A&S
Benigno Trigo, A&S
Tony Weil, School of Medicine
Duco Jansen, Engineering (Ex-officio)
Becky Keck, Nursing (Ex-officio)
Richard Willis, Owen Graduate School of Management (Ex-Officio)
Part IV Disciplinary Actions and Grievances

Chapter 1: Disciplinary Actions

Section A

Grounds for Disciplinary Actions

The faculty of the University is a community characterized by personal interaction and mutual trust. Standards for faculty conduct are derived from tradition and evolve with contemporary practice. Accordingly, grounds for discipline for members of the faculty of a University are usually not made the subject of precise statement; when commonly held standards of conduct are broken, however, disciplinary action must be taken if the community is to be sustained.

At Vanderbilt, the Deans of the schools are responsible for assuring that the University’s and Vanderbilt University Medical Center’s standards for faculty conduct are observed. Accordingly, Deans will, in cases in which there is a pattern of activity by a faculty member that appears questionable, advise the faculty member at the earliest reasonable date and counsel the faculty member concerning applicable standards of performance. In serious cases, a single instance of unacceptable activity by a faculty member may be significant enough to warrant discipline in addition to counseling. In other cases, the continued pursuit of a course of unacceptable activity after counseling by the Dean may warrant discipline.

12 Faculty employed by the Vanderbilt University Medical Center will be subject to the standards of conduct adopted by the Vanderbilt University Medical Center, in addition to the standards of conduct adopted by the University, including those set forth in the Faculty Manual. Disciplinary and grievance actions for faculty members will be in accordance with the Faculty Manual. Vanderbilt University and Vanderbilt University Medical Center will coordinate actions whenever matters affecting both are involved. Disciplinary actions against faculty members may include, but are not limited to, a reprimand, a probationary period with specified conditions, suspension (with or without pay), or dismissal for cause. The grounds for cause include:

1) professionally incompetent performance or neglect of duty;

2) gross personal misconduct rendering the person unfit for association with students or colleagues;
3) misconduct in research; or
4) conduct employing unlawful means to obstruct the orderly functioning of the University or Vanderbilt University Medical Center or to violate rights of other members of the University or Vanderbilt University Medical Center community.

The severity of any discipline shall not exceed a level that is reasonably commensurate with the seriousness of the cause.

Misconduct in research is considered to be a special case of deviation from standards of conduct established by the University or other practices that seriously deviate from those that are commonly accepted within the scholarly community for proposing, conducting, or reporting research. Misconduct in the pursuit of truth is inimical to the goals of this community and represents a breach in the commonly held standards of conduct of the community. The University defines misconduct by individuals involved in research or research training as:

1) falsification, fabrication, or theft of data or samples;
2) plagiarism;
3) unauthorized use of privileged information;
4) abuse of authorship; or
5) significant failure to comply with federal, state, University, or Vanderbilt University Medical Center rules governing research (or with appropriate professional or international rules when research is conducted outside the United States). Examples include, but are not limited to, the following: rules involving human subjects, animals, recombinant DNA, new drugs, new devices, radioactive materials, and preservation of antiquities and natural resources.

The intent of the University with respect to allegations of misconduct in research is to:

1) recognize that honest error in judgment or interpretation of data does not constitute misconduct;
2) establish fair procedures for dealing with allegations of misconduct;
3) ensure that policies and procedures are made known to faculty and staff members participating in a research project; and
4) initiate confidential preliminary inquiries promptly after receiving an allegation of misconduct to determine whether a formal investigation is necessary.

A tenured faculty member may not be finally dismissed for cause prior to an opportunity for a hearing as provided in Part IV, Chapter 1, Section B. In cases where in the judgment of the Dean, the Provost, or the Chancellor, and after consultation with at least one other of these officers, immediate action against a tenured or non-tenured faculty member is necessary to prevent harm to the faculty member or others, the faculty member may be suspended pending a hearing. Any suspension is presumptively with pay; a decision to suspend a faculty member without pay requires a documented finding of exceptional circumstances by two officers (two among the Dean, Provost, and Chancellor) who authorize the suspension. See the remainder of this chapter as well as Part IV Chapter 2 Section B for further information about dismissal for cause.

Section B

Procedures\textsuperscript{13}

In reaching a decision to discipline a faculty member, the Dean of the relevant school, hereinafter referred to as “the Dean,” shall afford that faculty member, hereinafter referred to as “the Respondent”, appropriate procedural protections to assure that the decision is fully informed and fair. To that end, the following general procedures shall apply in all cases of alleged faculty misconduct, or misconduct by a staff member participating in a research project.

\textsuperscript{13}In the case of allegations concerning misconduct in research sponsored by the U.S. Public Health Service, the procedures found in the following Policy shall apply: The Vanderbilt University Policy for Responding to Allegations of Research Misconduct in Research Sponsored by the US Public Health Service.

1. Any allegation of misconduct should immediately be brought in written form to the attention of the Dean, who in turn will notify the Provost of the existence of the allegations.\textsuperscript{14} Initial allegations of misconduct that are found to be false and maliciously motivated may themselves become the basis of a disciplinary action. But no allegations made in good faith, however incorrect, will be the basis for discipline against a complainant (faculty, staff or student), and efforts will be made to assure that no retaliatory actions occur over the good faith reporting of alleged misconduct.
2. Upon receiving a report of misconduct, the Dean may conduct an initial inquiry to determine whether the allegations have merit and whether a formal investigation is warranted. Such an initial inquiry will be completed as expeditiously as possible with a goal of completing it within sixty (60) days. The Dean, at his or her discretion, may appoint one or more persons, including an ad hoc committee, to conduct the initial inquiry and make a recommendation to the Dean. The initial inquiry is not a formal hearing, but a gathering and reviewing of facts to determine whether a full investigation is warranted or, alternatively, whether the facts do not sufficiently support the need for a full investigation.

As soon as possible after they are received, but within thirty days, the Respondent will be given written notice of the allegations, including references to the time, place, others present, etc., when the alleged acts occurred. This notice must reasonably inform the Respondent of the specific activity that is the basis of the allegations. The Respondent will be afforded confidential treatment to the maximum extent possible. It is normally expected that persons having or reasonably believed to have direct knowledge or information about the activity that is the basis of the allegations will be consulted and that those consulted will maintain the confidence of the consultation. The person or persons bringing allegations of misconduct may request that their identity be withheld during this stage of the initial inquiry, but their identity must be disclosed to the accused Respondent should the process proceed to the stage of formal investigation. The Dean will notify the Provost of the outcome of this initial inquiry. Where the initial inquiry involves allegations of misconduct in research, the records of the inquiry will be kept for at least three years and may be provided to authorized funding agency personnel.

\[14\] In the case of faculty in School of Medicine Basic Science Departments, the Provost’s designee will fulfill the functions of the Dean. In the case of VUMC employed faculty in the School of Medicine Clinical Departments, the Dean’s designee will notify the Dean of the School of Medicine.

3. Regardless of whether the Dean decides to conduct an initial inquiry, the Respondent will be invited to make a response in writing to the Dean regarding the allegations of misconduct. The Respondent will be afforded a reasonable amount of time, no shorter than five business days and no longer than thirty days, to provide a written response to the Dean. At his or her option, the Respondent may also respond in person.
4. Based on the allegations, the initial inquiry (if any), and the response of the Respondent, the Dean shall make a decision falling into one of two categories:

   a. That insufficient grounds have been presented to warrant further pursuit of the allegation and, therefore, that the Respondent will be subject to no discipline or that grounds exist only for minor discipline. The Dean will maintain sufficiently detailed documentation of inquiries to permit a later assessment, if necessary, of the reasons for determining that an investigation was not warranted.

   b. That there is presumptive evidence for major discipline and that a formal investigation is warranted. If so, the Dean will notify the Respondent in writing, summarizing the evidence received, relevant interviews, and the conclusions of the initial inquiry, if any.

5. If, in the previous step, the Dean determines that minor discipline is warranted, the final disciplinary action will be taken by the Dean at that point with the matter being subject to the grievance process set forth in Part IV, Chapter 2, Section B.

If, in the previous step, the Dean concludes that grounds for major discipline may exist, the Dean will so notify the faculty member and will appoint and convene an ad hoc faculty committee, hereinafter referred to as “the Investigative Committee,” generally within thirty days to carry out an investigation.

6. If federal regulations require, as in the case of alleged misconduct in research, the Dean will, on or before the date the investigation begins, notify the Office of Research Integrity (ORI), within the Department of Health and Human Services, or other appropriate agencies, of the circumstances and of plans to conduct an investigation. Similarly, the Dean will notify the ORI or other appropriate agency during any stage of the inquiry, and may take appropriate interim measures, if it appears that any of the following conditions exist:

   a. there is an immediate health hazard involved;

   b. there is an immediate need to protect federal funds or equipment or there is a need to protect the funding agency’s resources, reputation, or other interests;

   c. there is an immediate need to protect the interests of the person(s) making the allegations of the individual(s) who is the subject of the allegations (as well as his/her co-investigators and associates, if any) or of third persons, such as other faculty, students, staff and patients;
d. it is probable that the alleged incident is going to be reported publicly;

e. the scientific community or the public should be informed;

f. there is a reasonable indication of possible criminal violation. In that instance, the University will inform, if applicable, the ORI or other research oversight agency, as well as the appropriate law enforcement agency, within twenty-four hours of obtaining that information.

If thought necessary by the Dean, he or she may elect to suspend research in the relevant program(s) pending the outcome of the investigation.

7. The purpose of the Investigative Committee investigation is to explore further the allegations in order to determine whether misconduct has actually occurred. In appointing the Investigative Committee, the Dean will include individuals with knowledge and background appropriate to carry out the investigation. The Dean will also take precautions against real or apparent conflicts of interest on the part of members of the Investigative Committee. Such conflicts of interest may include: administrative dependency, close personal relationships, collaborative relationships, financial interest, or scientific bias. The committee members will be expected to state in writing that they have no conflicts of interest.

The Investigative Committee will be given the notice of the allegations as provided to the Respondent, and will be charged to investigate the matter. The Investigative Committee will be expected to talk with witnesses and review documentary evidence within sixty days. The Investigative Committee will secure necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence, advise the Respondent of the evidence against him or her, and offer the Respondent a reasonable opportunity to respond and present evidence. As in the initial inquiry stage, it is normally expected that persons having or reasonably believed to have direct knowledge or information about the activity that is the basis for the allegations will be consulted, and that those consulted will maintain the confidence of the consultations.

Complete written summaries of committee interviews with witnesses shall be prepared, provided to the interviewed party for comment or revision, and included as a part of the investigatory file. Detailed minutes of the investigation will be kept.

Attorneys may not appear with or on behalf of the Respondent or any witness in proceedings before the Investigative Committee. The Respondent and other witnesses may rely on their own
legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Investigative Committee.

During the formal proceedings before the Investigative Committee, the Respondent shall have full access to all evidence that may form the basis of discipline within a reasonable time to allow the Respondent to respond to the evidence, including knowledge of the person or persons alleging misconduct. Only with such full access is the Respondent afforded an adequate opportunity to refute or explain the evidence. Thus, evidence normally must be acquired by the Dean or Investigative Committee for use in the investigation with no assurances of confidentiality of sources. If such an assurance of confidentiality must be given to facilitate investigation, the evidence obtained under that assurance may not be used as a basis of disciplinary action. The Investigative Committee will allow the Respondent to submit a written response to the evidence that may form the basis for discipline before the Investigative Committee writes its report to the Dean.

The Investigative Committee will reach findings of fact in regard to the Dean’s charge. If the committee finds facts that appear to constitute a breach of relevant University or scholarly standards of performance or conduct, the committee’s report shall state the nature of the breach and assess the seriousness of the breach. A written report containing the methods of procedure, how and from whom the information was obtained, including the views of those found to have been engaged in misconduct, conclusions, and recommendations of the committee will be submitted to the Dean with a copy to the Respondent at the end of the investigation. All records of the investigation will be maintained under the control of the Dean.

8. After receiving the report with findings of fact from the Investigative Committee, the Dean will reach a decision and determine the disciplinary action and the appropriate sanctions to be taken against the Respondent. The severity of the discipline will not exceed a level that is reasonably commensurate with the seriousness of the cause. The disciplinary actions or sanctions may include, but are not limited to, any of the following:

a) reprimand;

b) a requirement to correct or retract publications affected by the findings of the investigation;

c) a special program for monitoring future research activities;

d) removal from a project;

e) probation;

f) suspension;
g) reduction in salary and/or rank; or

h) termination of employment.

The Dean will notify the Provost\textsuperscript{15} and, if appropriate, will provide a full report to the ORI or any other appropriate agencies concerning the final outcome of the investigation. The Dean of the School of Medicine will notify the Chancellor for VUMC-employed faculty in Clinical Departments.

9. The process of a formal misconduct investigation will be conducted as expeditiously as possible with a goal of being completed within one hundred and twenty days. This period includes conducting the investigation, preparing the report of findings, making that report available for comment by the subjects of the investigation, and submitting the report to the Dean for decision and submission to the ORI or any other appropriate agency.

All of the foregoing procedures should be carried out promptly and in confidence so that the risk to the reputation of the Respondent is minimized. Diligent efforts will be made to restore reputations of persons alleged to have engaged in misconduct when allegations are found not to be supported.

10. A person who has been disciplined may file a grievance with the appropriate University committee in accordance with the grievance process set forth in Part IV, Chapter 2, Section B (“Faculty Grievances”). After a final decision is reached, the University may, at its discretion, provide notice of the outcome to those persons who were informed about the investigation, may have been affected by the misconduct, or otherwise have a professional need for such information.

\textsuperscript{15}In the case of faculty in School of Medicine Basic Science Departments, the Provost’s designee will fulfill the functions of the Dean.
In the case of faculty in School of Medicine Basic Science Departments, the Provost’s designee will fulfill the functions of the Dean. In the case of VUMC employed faculty in the School of Medicine Clinical Departments, the Dean’s designee will notify the Dean of the School of Medicine.

Change the following, in item #8

The Dean will notify the Provost and, if appropriate, will provide a full report to the ORI or any other appropriate agencies concerning the final outcome of the investigation. The Dean of the School of Medicine will notify the Chancellor for VUMC-employed faculty in Clinical Departments.

2. Footnote 15

Change

In the case of faculty in School of Medicine Basic Science Departments, the Provost’s designee will fulfill the functions of the Dean. In the case of faculty in the School of Medicine Clinical Departments, the Dean’s designee will notify the Dean of the School of Medicine.

To

In the case of faculty in School of Medicine Basic Science Departments, the Provost’s designee will fulfill the functions of the Dean.

Chair Dewey opened the floor for discussion. There was little discussion.

Chair Dewey called for a vote on Motion 2 with ad hoc amendments by electronic ballot.

The Voting proceeded: Tally: 34 affirmative, 1 opposed, 1 abstention. The motion was adopted. The Disciplinary Actions motion was accepted by the Faculty Senate.

Chair Dewey proceeded to the next item of business.

Report of the Executive Committee (EC)

Chair Dewey congratulated Senators on another successful semester. She kept the report brief in order to complete the recognition of members and to allow ample time for the guest speaker.

- Board of Trust (BOT) April Presentation

  In April, the EC presented to the Board of Trust. Their presentation covered major accomplishments from the past academic year. The EC jumped from 2 priorities to 7 priorities, along with 11 additional issues. They also looked at some of the challenges and hurdles the Faculty Senate faces moving forward. Vice Chair, Brian Heuser delivered a
A passion-filled report updating the BOT on the unionization efforts. Geoffrey Fleming, Chair-elect, was introduced to the BOT. Chair Dewey and Chair-elect Fleming met with outgoing BOT Chairman, Mark Dalton and incoming BOT Chair, Bruce Evans for lunch. The response the EC received from the BOT was favorable.

A Senator asked if the BOT would consider sending a letter to faculty after each BOT meeting. This is something the Faculty Senate Chair will look into.

- **Faculty Senate Office Relocation**
  The Faculty Senate Office will be relocating to Branscomb Quad at Vanderbilt Place. Thanks was given to Dean Mark Bandas for allowing the Faculty Senate and standing committee meetings to continue in the Student Center at no charge.

- **Executive Committee (EC) and Standing Committee Year-End Reports**
  The year-end reports will be posted on the Faculty Senate portal after final review by the EC and after the addition of content for the reports received last week. One report is still pending due to a scheduled meeting that will occur after today’s meeting. Year-end reports can be found on the Faculty Senate website under standing committees year-end reports.

- **Senator recognition**
  The EC work will continue through the summer. They are focused on putting a Process Chair in place and putting Senators on University Standing Committees. The new DEI Committee that will be formed means that the size of Senate standing committees will shrink. All chairs have done a remarkable job.

  - Chair Dewey recognized:
  - Chairs of the standing committees
  - Senators who will roll off Senate (19)
  - Senate members who were committed to attending meetings and serving the faculty by sharing and bringing forth information, concerns and questions of the faculty
  - Senators with perfect attendance (12)
  - Senators who missed only 1 meeting this AY (12)
  - Xenofon Koutsoukos received special recognition for outstanding service to the Senate.
  - Karl Hackenbrack – Task Force on University Athletics (TFUA)
  - Donald Brady – Parliamentarian
- Richard Willis and Ann Price - outgoing EC Past Chair and Past Vice Chair were presented with gifts of recognition and appreciation.

Everyone recognized received applause.

**Special thanks**

Chair Dewey gave special thanks to General Counsel, Audrey Anderson who has missed only 1 meeting in 3 years. She has always been supportive of the Faculty Senate by providing information and insight into challenges. The Faculty Senate has depended on her and recognized her assistance during this especially interesting year.

Chair Dewey gave special thanks to Chancellor Nicholas S. Zeppos and Provost Susan Wente for their support of the Faculty Senate. They facilitated the Faculty Senate role with the BOT, kept the Faculty Senate involved, and addressed the issues and concerns brought to them from the Faculty Senate. The Chancellor and Provost received applause.

Chair Dewey gave special thanks to all the Deans. The Deans received applause.

Chair Dewey proceeded to the next item of business.

**Remarks by the Chancellor**

In the absence of Chancellor Zeppos, Provost Susan Wente remarked that the Faculty Senate has played an important role in the accomplishments of the University. The passion and commitment of the Faculty Senate will be just as important moving forward.

Provost Wente recognized Senators who had served their three-year terms and were rolling off. She and Chair Dewey presented appreciation certificates to the following 19 Senators:

- Brian Bachmann, Ph.D.
- Mark Cannon, Ph.D.
- Tom Christenbery, PhD, RN, CNE
- Brian Christman, M.D.
- David Cliffel, Ph.D.
- Charlene M. Dewey, M.D., M.Ed.
- Ray Friedman, Ph.D.
- Richard Haglund, Ph.D.
- Brian L. Heuser, Ed.D., M.T.S.
- Xenofon Koutsoukos, Ph.D.
- Peter R. Martin, M.D., M.Sc.
- Holly McCammon, Ph.D.
- Nicole Streiff McCain, MD
- Caglar Oskay, Ph.D.
A. Scott Pearson, M.D.
Sean Seymore, Ph.D., J.D.
Tom Talbot, M.D., MPH
Bill Walsh, M.D.
Donna Webb, Ph.D.

All of the recognized senators received applause.

Provost Wente further recognized Faculty Senate Chair Charlene Dewey and Faculty Senate Vice Chair Brian Heuser. They received applause. Provost Wente also thanked the Executive Committee for their contributions this year.

Her brief remarks continued. With graduation coming, Vanderbilt has much to celebrate and much for which to be grateful. The Provost asked everyone to take on the perception of optimism by referencing the Chancellor’s Spring Faculty Assembly talk. In his talk, he told us that we must rise to the challenges and that Vanderbilt is going to invest, invest, invest.

Receiving applause, Provost Wente thanked the Senate body for their contributions to the University.

Chair Dewey proceeded to the next item of business.

**Standing Committee Reports**

Chair Dewey called for reports from committee chairs. The chairs gave the following reports:

- **Gayle Shay, Academic Policies and Services** gave no report.
  
  Scott Pearson, Faculty Life Chair, reported that the response rate of the faculty wellness survey was over 30%. Work overload was the primary cause of stress and potential burnout. Concerns of confidentiality and the stigma related to mental health stops people from seeking help. The Mental Health Task Force will develop an action plan. A majority of faculty was in favor of the Faculty Commons project. He is developing a formal proposal.

- **Myrna Wooders, Faculty Manual Chair**, reported that there is a long report from the Faculty Manual Committee on the website. Everyone was encouraged to read the report. She addressed the 2012 Faculty Manual changes, revisions, to Part III, Chapter 3 to make it clearer, the February 2017 FMC meeting with the UCC, and her support of a union at Vanderbilt.

- **Tom Christenbery, Grievances Chair**, reported that the Grievances Committee has a meeting scheduled to discuss Part IV, Chapter 2, Sections A and B. Their meeting is on May 24. They will have a report after their meeting.
• Ann Price, Senate Affairs, reported that changes to the Constitution will go before the full faculty to be voted on in the fall. Next year, they will look at reapportionment.

• David Cliffel, Student Life Chair, reported that the last meeting of the Student Life Committee was held on Friday. They heard a report from leaders of the Greek organizations. He thanked the student leaders for their diligence and for their work. The students are taking the report from last year very seriously.

• Xenofon Koutsoukos, Strategic Planning and Academic Freedom Chair reported that they are considering a bias reporting system to accentuate diversity and inclusion. It will be a topic of discussion next year and the recommendation will be in their report.

Having no other reports, Chair Dewey moved to the next item of business.

Old Business
There was no old business from the EC.
Chair Dewey moved to the next item of business.

New Business
There was no new business from the EC.
Chair Dewey moved to the next item of business.

Scheduled Remarks
    Padma Raghavan, Ph.D.,
    Vice Provost for Research
    Professor of Computer Science

Dr. Raghavan discussed the importance of research and Vanderbilt and the Vanderbilt University Office of Research.

Her presentation highlighted the following:

• Continuing to elevate Vanderbilt so that those who seek transformative impact through research, scholarship and public engagement Think of Vanderbilt First!

• The PIERS Project: PIERS is the Provost’s Initiation to Enhance Research and Scholarship. “PIERS encompasses a set of initiatives, projects and efforts designed to elevate the university’s research profile globally and build upon our strengths and investments in trans- institutional research”. Provost Susan Wente, PIERS Engagement: The Vanderbilt University Research Council

• Research Operations & Services
• Technology Transfer & Commercialization
• Research@Vanderbilt: Onward! Projects and programs in development
• PIERS Program: Increasing faculty success in extramural opportunities
• PIERS Strategic Alliance: VU + Oak Ridge National Laboratory Partnership
• PIERS Special Project: Enhancing Research IT
• Long-Term, Strategic Focus: From firsts at Vanderbilt to Vanderbilt first! Dr. Raghavan will meet with faculty to engage, share ideas, and build community.

Dr. Raghavan received applause for her stellar presentation.

Chair Dewey moved to the next item of business.

Good of the Senate
• There was a reception for the Faculty Senate immediately following the meeting.
• Provost session on the unionization vote - May 10 at 12:30 in Alumni Hall
• Past Chair’s Luncheon – Wednesday, May 10 at 11:30 am
• Consultative Committee – Jefferson Award nominations close May 26
  o Vice Chair, elect, Leslie Hopkins announced the use of a new electronic system, InfoReady, will be used for this process. Information about how to use the system along with a timeline for the Consultative Committee process will be forthcoming in an email.
• Fall Faculty Assembly is August 24, 2017
• Following adjournment of the meeting, an end of the year reception will held to thank members of the Senate for their service this academic year.

Adjournment
A motion was made to adjourn. The motion was seconded.
The meeting adjourned at 5:30 pm.

Respectfully submitted,
Brian L. Heuser
Vice Chair