Call to order

Approval of the minutes of May 7, 2012

Report of the Executive Committee

Remarks by the Chancellor

New business

a. Motions from the Executive Committee
   1) Motion to appoint Alex Hurder as Faculty Senate Parliamentarian
   2) Motion to appoint Doug Perkins as Vanderbilt representative to the Coalition on Intercollegiate Athletics (COIA)

b. Motions from the Provost’s Office to Amend the Faculty Manual
   1) Addition of Title: Principal Senior Lecturer
   2) Summer Pay Exception
   3) Tuition Benefit

c. Background Check Policy: Presentation by Timothy McNamara, Vice Provost for Faculty and International Affairs and David Raiford, Associate Vice Chancellor for Health Affairs

Good of the Senate

Adjournment


Voting Members absent: Aschner (regrets), Atack (regrets), Barth (regrets), Benbow, Bond (regrets), Bradford, Calico (regrets), Conway-Welch, Dayan, Dever (regrets), Dow, Fountain (regrets), Gigante, Guthrie, Hughes (regrets), Hyman, Moore, Nanney (regrets), Powers (regrets), Ramanujam (regrets), Schwartz (regrets), Tansey, Tsinakis (regrets), and Wait (regrets).
Ex Officio Members present:  Bandas, Barz, Fife, McCarty, McNamara, Raiford, Sweet, Weislo, Weintraub, and Zeppos.

Ex Officio Members absent:  Bernard, Fortune, Miller, Stalcup, Wente (regrets), Williams, and Wright.

The meeting was called to order at 4:10 p.m. by Chair Sal March.

Next Item on the Agenda – Approval of Minutes of May 7, 2012

Minutes of May 7, 2012 meeting were approved.

Next Item on the Agenda – Report of the Executive Committee

Chair March introduced the new Executive Committee members.  He also thanked the chairs of the Senate committees and task force.

Next Item on the Agenda – Remarks by Chancellor Nick Zeppos

Chancellor Zeppos said that campus safety is of utmost importance to him.  He mentioned Chief August Washington as someone who is in charge of this issue every day.  Striking the balance of safety and community is very important.  Chancellor Zeppos said that he meets with Vice Chancellor Jerry Fife, Dean Mark Bandas and others regularly to talk about campus safety.

Security alerts:  We do send out alerts via email, texts, etc.  There are two types of alerts that we are obliged to send out (to be in compliance with Clery Act).  There are mandatory reporting requirements about incidents that could endanger the community.  Then, we also make a yearly report on our crime statistics to the federal government as part of this requirement.  We also have requirements for emergency mass notifications (tornadoes, other bad weather, active shooter on campus, viral outbreak at hospital, etc.).  17,000 people have signed up for the text messaging service, and we are always looking for more people to opt in.  There are also security notices (armed robbery, sexual assault on campus, etc.) that we are mandated to send out, as well.  We send these security notices out via email.  He said that he tends to be conservative on compliance issues, and errs on the side of notifications.  He also mentioned that Vice Chancellor Fife is working on an FAQ on this issue.

He also mentioned background check issue, and said that it was brought about in part by the Penn State issue.  He mentioned that the vulnerable populations on campus are a special consideration for us.  We are working hard to figure out what risks we have as a university in this area.  We do recognize the privacy and the good history of people who work at Vanderbilt.  He said that he thinks the federal government will probably require this soon, and we need to be ahead of this issue.  One of the issues is “what do we do
with this information that we gather?” He said that everyone’s insights and contributions will be valuable as they go through this process. Chair March thanked Chancellor Zeppos for his remarks.

Next Item on the Agenda – New Business

New business

  d. Motions from the Executive Committee

    3) Motion to appoint Alex Hurder as Faculty Senate Parliamentarian: Chair March presented this motion. Motion is approved on a voice vote.

    4) Motion to appoint Doug Perkins as Vanderbilt representative to the Coalition on Intercollegiate Athletics (COIA): Chair March presented this motion. Past Chair David Weintraub gave background on this position. Motion is approved on a voice vote.

  e. Motions from the Provost’s Office to Amend the Faculty Manual

    1) Addition of Title: Principal Senior Lecturer: Chair March presented this motion. He gave the background on this motion—it is to be able to offer a longer contract term to a lecturer. Question: is the length of contract the only difference? Answer: yes. Richard McCarty: it also makes the lecturer track parallel with the tenure track. Motion passes.

    2) Summer Pay Exception: Chair March presented this motion. He gave the background on this issue. David Weintraub explained that this would not affect extramural funding. Motion passes.

    3) Tuition Benefit: Chair March presented this motion. He gave the background on this issue. Question: How much money will we save? Jeff Balser: It is substantial. David Weintraub: We are not debating the policy today, but we are making the Faculty Manual consistent. Motion passes.

  f. Background Check Policy: Presentation by Timothy McNamara, Vice Provost for Faculty and International Affairs and David Raiford, Associate Vice Chancellor for Health Affairs

Associate Vice Chancellor Raiford and Vice Provost McNamara presented on the background check policy. Chair March said that we expect this to be an ongoing discussion. Associate Vice Chancellor Raiford said that he thinks that everyone understands that campus safety has skyrocketed as a major issue on university campuses recently. We made a decision to undertake a survey about good practices, risks, exposure, etc. It became clear that there were some populations that needed some protection (non-matriculating minors, patients, etc.). With the assistance of the deans, we looked at programs where faculty had interactions with minors (140+ different groups). We also sought consultation outside the university with a law firm about this. We decided to start with these groups where faculty/staff are dealing with minors. We put together a process to do this. And we made sure that the process included protections for faculty members’ personal information. Peabody faculty have been subjected to background checks for many years as well as other healthcare professionals.
We came up with the process for faculty and implemented it on August 1, 2012. Also, we made a decision to not include established faculty who don’t have any interactions with minors in this first group. We’ve begun the process on faculty members who work with minors, and we continue the process with healthcare professionals. Chancellor Zeppos put together a task force around this issue, and Tim and I chair this task force. Senate Chair-elect Donald Brady serves on that task force as a liaison from the Senate.

Vice Provost McNamara: We started the first checks in June 2012. The policy covers all faculty who expect to work with minors, all with healthcare appointments, and all new faculty. Explicit protections are that when a result is obtained via a background check—the only person who sees this is HR Chief Nordberg (besides myself and David). If she sees something criminal, she contacts either me or David. If I need help, I contact General Counsel’s office or the Police Dept.

Results are not kept on campus. The results are immediately destroyed.

The Fair Credit Reporting Act insures that the person is able to see the results and the institution cannot take any action without the person’s knowledge of the result. Also this protection is outlined in the Faculty Manual via the disciplinary process and the grievance process around this.

They then opened the floor for questions.

Question: What kinds of things might show up in a background check that would be irrelevant?

Vice Provost McNamara: Speeding tickets. Minor possession charges in college, for example. The policy spells out how the results will be evaluated.

Question: What if a faculty member coming from outside the US is a political dissident?

Vice Provost McNamara: We would need more information and context. International faculty members present a definite challenge. We would engage the person and try to use common sense.

Chancellor Zeppos said that having a good process in place gives him a peace of mind. And also the ability to grieve any disciplinary actions is important.

Question: Someone expressed concerns about racial issues around violations.

Vice Chancellor Jeff Balser: We have lots of experience with this at the hospital—we look for reasons to say “yes” not “no.” It’s our baseline attitude. Our posture is, “how can we find a way to say yes.”
Chair-Elect Donald Brady: We worry more about people lying on a form than the actual transgression itself.

Question: What is the objective of the policy? How much of this is informed by the Penn State situation or is there more?

Vice Provost McNamara: The objective is to make the Vanderbilt campus safe for everyone.

Chair March: The policy has not been widely distributed yet.

Vice Provost McNamara: The policy has been distributed to the deans on the university side and they are supposed to distribute to their faculty. We are now working on a policy for university programs that involve minors. We have a training component involved as well. We are centralizing our efforts so that we can know where all these programs are and we can monitor their participation in the training program.

Question: Does the faculty member have to give permission for the check?

Vice Provost McNamara: Yes. We can’t do them without your permission.

Question: Does HR do degree verifications?

Vice Provost McNamara: That is done through my office and directly by the university.

Question: For a check on a hire, if they say no, we don’t hire them. What do we do with a faculty member who says no? We have identified that as a problem that needs to be resolved. I think we need enunciate why we are doing these background checks.

Vice Provost McNamara: The policy only applies to new hires and to faculty who interact with minors. If someone says no, we engage them in a conversation. We have not made a decision yet about how to move forward with established faculty members.

Chair March thanked Associate Vice Chancellor Raiford and Vice Provost McNamara for their presentation.

Next Item on the Agenda – Good of the Senate

Chair March asked for any news under good of the Senate. Hearing none, he asked for a motion to adjourn.
Next Item on the Agenda – Adjournment

Meeting was adjourned at 5:30pm.