

Faculty Assembly Meeting Minutes for December 9, 2014 3:30 – 5:00pm Blow Hall Board Room

Members Present: Berhanu Abegaz, Brent Allred, Liz Barnes, Eric Chason (Vice-President), Bill Cooke (Secretary), David Dessler (President), John Eisele, Catherine Forestell, Suzanne Raitt, Ron Rapoport., Patricia Vahle, and Sibel Zandi-Sayek.

Members Absent: Lynda Butler, Sarah Day, Chris Gareis, Carl Hershner, Courtney Harris, Scott McCoy, Megan Tschannen-Moran, Brent Owens, and Lily Panoussi.

Others in Attendance: Michael Halleran (Provost) and Terry Meyers (Parliamentarian).

The meeting was called to order at 3:35pm.

1. Provost's Report:

- a) The Provost reported that the Board of Visitors approved the changes to the Faculty Assembly Constitution and Bylaws relating to representation of Non-Tenure Eligible faculty on the Faculty Assembly.
- b) The Intellectual Property policy has been posted and resulted in 12 comments, some of them correcting typographical errors or suggesting minor wording changes. There were one or two substantive comments, which the Provost is now considering. If the result is any major changes, the Provost may repeat the public review process.
- c) Conflict of Interest has received a lot of interest over the last two weeks. The executive order from the Governor says that some people, based on their position title, must file the forms. There are broad criteria to determine who else should file. The Administration is now considering which additional people should file, using a functional, rather than titular, basis. These guidelines will be honest to the law, but will try to use a reasonableness standard.
- d) There was discussion last spring of the differences between the Faculty Handbook language and what was required by OCR regarding procedures addressing sexual assault and sexual harassment. The Faculty Assembly Executive Committee had tasked a working group (consisting of Alan Meese, Terry Meyers and Kiersten Boyce) to propose appropriate changes to the Faculty Handbook. However, because of the OCR investigation and the President's Task Force, that process was delayed so that the language would not suffer through serial changes. It is now time to move forward with making Faculty Handbook changes because we are currently in an extremely vulnerable position. Mr. Meyers noted that he would be on leave in the Spring, and therefore not be able to participate in this task. Mr. Chason suggested that the Executive Committee decide how to move this process forward. The Provost agreed, but said that this should be done sooner rather than later.

Questions:

Mr. Cooke asked if the members of the Board of Visitors were required to file the Conflict of Interest papers. The Provost answered that he did not know, but that he would find out. Ms. Barnes asked whether this rethinking meant that chairs and directors are no longer required to file. The Provost answered that chairs are required but that Program Directors are not. Ms. Forestell asked if the Provost knew what the reaction at other

universities was. The Provost asked the Provost at UVA, who said that the blow-back was coming from the medical school, not from Arts and Sciences. Other Provosts did not seem to have had much response. Mr. Abegaz asked if it would not be sufficient to simply stick with the letter of the law, and not expand the group at all. The Provost said that his view was to err on the side of exclusivity. Mr. Abegaz mentioned that his chair had resigned rather than complete a conflict of interest form, and asked if it would be possible to implement new positions called Program Directors so that a department could have a “chair” who agreed to submit the forms, and a “Program Director” who did much of the work that previously chairs had done? The Provost said that was something to consider. Mr. Cooke said that many of our colleagues around the country also have to sign disclosure papers, but that the issue here is that the papers are readily available to anyone. The Provost agreed that the ready accessibility is one of the issues and he was not sure that there is a public good to be served by that. The Provost said that he thinks this is a classic case of government over-reach. Mr. Chason asked about Assistant Deans at the Law School, especially in the case of those who might have been named an Assistant Dean primarily for salary purposes. The Provost suggested that Margaret Sacks, the state’s Conflict of Interest Director, might be the appropriate person to answer this. The Provost then said an excellent case of this occurs in the case of Admissions, where even the youngest people on the staff are named Assistant Deans because otherwise nobody will pay attention to them. Ms. Raitt said that we are spending public money and that it would be possible for any of us to direct departmental spending to the firm of a relative. Ms. Raitt said that unless there is financial disclosure that is publicly available, there is no way to prevent this. Considerable discussion followed as members disagreed that this particular set of forms would serve any such purpose.

2. The minutes of the November 18, 2014 meeting were approved.

3. Standing Committee Reports

A. Academic Affairs:

Ms. Zandi-Sayek reported that the Gender Climate Working Group met on December 1 to discuss how to best educate themselves. They agreed to hold a series of meetings next semester and to invite undergraduate students, graduate students, and faculty who have experience with these issues.

B. Faculty Affairs:

Mr. Chason reported for the Faculty Diversity Working Group which is creating a follow-up report based on September’s Faculty Diversity presentation to the BOV. The initial report, by Ms. Grover, was simply a recitation of many of the comments of those interviewed. However, most of those faculty members wanted the report to be substantive and to make recommendations. Mr. Chason has been coordinating the interactions between the working group and the interviewed faculty members, so that the working group can devise recommendations based on the concerns of the interviewed faculty.

C. COPAR:

No Report.

D. Executive Committee:

No Report.

E. Liaison Committee:

Mr. Chason reported that the presentation for the Board of Visitors emphasizing the importance of faculty research went well, and that there would be a continuing emphasis on research throughout the year. Ms. Raitt

suggested that a future Faculty Presentation could be more active if it required the BOV members to circulate about a room, stopping at a series of tables to speak to faculty members for a short time at each table – much like the model of “speed dating”.

4. Old Business

None

5. New Business

- A. Mr. Dessler said that the President will shortly announce mandatory on-line training on sexual assault and harassment prevention for all employees. After much discussion, it became clear that although the Assembly members generally supported a required training, they were not willing to endorse this on-line approach without having first reviewed it, or seen documentation about an assessment showing its effectiveness.
- B. Ms. Raitt stated that a “die-in” was held at Swem, in sympathy with the victims of the apparently aggressive policing in Ferguson, MO, and Staten Island NY. Following that event, faculty members, staff and students were subjected to racial insults. These insults and harassment then continued at dorms and in social media. Ms. Raitt proposed that the Faculty Assembly make a public statement expressing its outrage at these hostilities. After several discussions of the wording of the motion, it was passed unanimously. The final wording of the motion follows these minutes.

The President adjourned the meeting at 5:00 pm.

Faculty Assembly Statement
Racial Climate on Campus
December 9, 2014

Whereas: Students, staff and faculty in recent days have experienced high levels of racially motivated insults and harassment in their dorms, on campus, on social media and in virtual space;

Whereas: Vice-President for Student Affairs Virginia Ambler wrote to all students on December 6 calling for an end to “incivility” on campus;

Therefore, be it resolved, that the Faculty Assembly issue a statement of solidarity with faculty, staff and students of color on the William & Mary campus as follows:

The Faculty Assembly of the College of William and Mary is deeply concerned about incidents of racially motivated insults and harassment in dorms, on campus, on social media and in virtual space in recent days. We are all damaged by hostility towards any members of our community. We stand in solidarity with faculty, staff and students of color in expressing our outrage at these events. We call on the senior administration to respond swiftly and effectively in addressing these issues and promoting a safe and welcoming environment for all members of our community.