

**Faculty Assembly Minutes**  
**2700 Posvar Hall**  
**May 10, 2016**

<b>Topic/Discussion</b>	<b>Action</b>
<p><b><u>Call to Order</u></b>  The meeting was called to order by President Frank Wilson.</p>	The meeting commenced at 3:00 pm.
<p><b><u>Approval of the Minutes</u></b>  President Wilson asked for approval of the minutes of the Faculty Assembly meeting of April 12, 2016.</p>	Minutes were approved with an amendment to Comments/discussion related to salary reduction.
<p><b><u>Introduction of Items of New Business</u></b>  Several items will be raised later in the meeting.</p>	N/A
<p><b><u>Report of Senate President, Frank Wilson</u></b></p> <p>This is the last Faculty Assembly (FA) meeting of this academic year. Election results are completed, and our new Vice-President Robin Kear was welcomed. This is the last FA meeting of our current Vice-President Irene Frieze. She was thanked for her contribution to the Senate over many years, and is now officially retired. She will continue to chair our Ad-Hoc NTS Committee, and was thanked for her efforts.</p> <p>President Wilson reflected that this year, he has been able to help continue to expand discussions in progress, and that the Plenary was a fundamental success on academic freedom. He noted that as faculty, we can all discuss this in a much more substantive way than a year ago. Discussions will continue on this topic. The ad-hoc and standing committees did their jobs this year, and connected with other committees, for example, the connection of the tenured salary reduction committee’s work to the larger Senate Committee TAFC. The NTS ad-hoc committee has impacted Budget Policies Committee, which has started to look at salary of part-time faculty. This is allowing more groups to look at issues from different perspectives. Ad-hoc committees and special committees are not permanent, but are to connect with standing committees and help to do the work they need to accomplish. He noted that another example is the Senate ad-hoc committee (originating at Senate Council from the Chancellor) on diversity and inclusion. President Wilson was charged to get more faculty representation on this group over the next year, and he is working on that through EIADAC. Part of their work is to create statements of value for our institution; this is not an easy thing to do. He also acknowledged our two new committees, Research and Admissions/Student Affairs, that have dealt with big issues such as intellectual property (Research Committee) and graduate student engagement (Admissions). Other committees reporting out today will provide their updates.</p> <p>Midnight tonight is the deadline to vote for Senate Committee membership for next academic year. Bylaws note that new Committee chairs should be elected by July 1<sup>st</sup>. President Wilson noted that he feels this was a good year, with a Fall Term learning curve and this Spring has been productive. He is happy to have another year to serve.</p>	No further comments were raised.
<p><b><u>Reports by and Announcements of the Special and Standing Committees of the Senate</u></b></p> <p><b><u>Community Relations Committee:</u></b>  <i>Ms. Linda Hartman and Professor Pam Toto, Co-Chairs</i></p>	Comments/discussion are provided below.

The update from the CUC was provided via a “Jeopardy Game” format. Questions were presented to the Faculty Assembly with educational answers provided.

**Who is the CRC?**

A. CHS

Q. What is Community Human Services? <http://www.chscorp.org/>

A. OBID

Q. What is the Oakland Business Improvement District? <http://onlyinoakland.org/>

A. OPDC

Q. What is the Oakland Planning and Development Corporation?  
<http://www.opdc.org/>

A. OTMA

Q. What is the Oakland Transportation Management Association? <http://www.otma-pgh.org/>

A. Putting People First in Recovery

Q. What is Peoples Oakland? <http://peoplesoakland.org/Home.html>

**Agenda Items**

A. The leading framework for recognizing and describing institutional diversity in U.S. higher education for the past four and a half decades.

Q. What is the Carnegie Classification™? <http://carnegieclassifications.iu.edu/>

A. Pitt’s Vice-Chancellor for Economic Partnerships

Q. Who is Rebecca Bagley?  
<http://www.news.pitt.edu/news/rebecca-bagley-named-vice-chancellor-economic-partnerships>

A. The Senate Community Relations Committee observes, engages in, and promotes relationships between the University of Pittsburgh and its many external communities.

Q. What is the Mission Statement?

A. The vision of this organization is “to develop a community of learners in which, ‘Every Child Succeeds.’”

Q. Homewood Children’s Village <http://old.hcvpgh.org/>

A. The Bicycle-Pedestrian Coordinator, City of Pittsburgh

Q. Who is Kristin Saunders?  
<http://bikepgh.org/2014/10/02/qa-with-pittsburghs-new-bikeped-coordinator/>

**Rules of the Road**

A. True or False – When bike riding, obey traffic laws (stop at red lights and stop signs).

Q. What is True?

A. On a bike you ride with/against the flow of traffic.

Q. What is WITH?

A. Bicyclists should do this when they encounter pedestrians.

Q. What is YIELD?

A. True or False – It's against PA LAW to ride on sidewalks in business districts.

Q. What is True?



A. This signal tells drivers the bicyclist is doing this.

B. What is Stopping?

Discussion/Questions:

No further discussion.

**Computer Usage Committee (CUC):**

*Professor Alex Jones and Ms. Fran Yarger, Co-Chairs*

Professor Jones noted that the issue of privacy in email communication is an ongoing issue that comes up in the Senate CUC and throughout educational institutions nationwide. The most recent highly publicized occurrence of such was in the University of California system of schools and in particular UC-Berkeley earlier this year as reported by the San Francisco Chronicle and picked up by many news outlets. The issue was about “secret” monitoring of email communication including not only email, but web traffic, as well as any Internet traffic onto the Berkeley campus and the lack of transparency about what types of monitoring is occurring. As a result of these issues, SCUC felt it was important to reiterate the types of security protocols in place at the University of Pittsburgh and what expectations Pitt users should have about their privacy in Internet-based communication.

1. University of Pittsburgh email is provided for the use of its constituents (faculty, staff, and students) to conduct the business of the University of Pittsburgh, including its educational, research, and service missions. While it is understood that often email is used for personal messages to family and friends and that, while this is not the primary purpose for the email account, it is not something that would be restricted in any way. However, Pitt email should NOT be used for conducting side businesses, consulting, or other commercial activities unrelated to the University of Pittsburgh. Many other systems provide free email addresses that could be easily be used to conduct personal, consulting, or other non-Pitt related business.
2. Email, as a general form of communication is, by its nature, insecure. It is not secure. Any user of email should understand that the information contained within is not guaranteed to be private and could easily be hijacked and read by others. This is particularly true of email that communicates outside of the University community (e.g., messages sent to a non pitt.edu address). This does NOT mean that any policy or activities exist in which email is being monitored or read, but is just reiterating that it is an unencrypted insecure form of communication.

3. Pitt (pitt.edu) email will soon be moving to the cloud, which means that it will not held on University of Pittsburgh servers. Thus, a third party (Microsoft) will be responsible for providing this email service and pitt.edu users are subject to their guarantees of privacy. Moreover, there is no policy or practice by the University to store and catalog email messages, nor to read email. There are, as a general practice, automated third-party systems that scan email messages for spam or to identify suspicious attachments in order to prevent viruses or malware from being introduced into unsuspecting email readers' systems. However, these scanners are **not** reading message content, they are only looking for suspicious patterns to identify unwanted or malicious content, and are entirely automated and do not save detailed information about messages once they are declined or forwarded to the end user.

In summary, pitt.edu email is provided to be used for University of Pittsburgh activities. Any email system should not be considered secure, including pitt.edu email. There is no secret monitoring (reading) of pitt.edu email textual content.

Discussion/Questions:

Is Pitt going to discuss meta-data for emails?

Jones: This was not discussed.

This could be a source of spam.

Jones: There is third-party work that could address this, but we did not discuss this.

Weinberg: Think about the Freedom of Information Act. All of your emails could potentially become public one day. Collaborating institutions could have emails become public under this act. Related to #3, our emails must be stored somewhere. Is this correct?

Jones: Currently, the emails could be accessed on servers to monitor activities. This is not occurring though. Once it is on the Cloud, this is a different process.

Savinov: This is a huge topic. It is sad that an organization such as our university has a system where our emails could be public one day. There may be individuals who would go out of their way to not have their emails read and computers looked through. Faculty can buy their own computers so the university cannot get a hold of this without a judge order. There are people who are disturbed that faculty are willing to play along with this. Most people do not view computers as anything but an appliance, but in sciences, faculty are very knowledgeable that computers are much more. There are ways to go around the system that people know.

Jones: There is no policy that the university is reading emails or that it has the intention to read emails. We are stating that email itself is not a secure form of communication. Pitt.edu is not a secure email system.

Savinov: Recently 12 departments in the university were audited. Recommendations are that faculty should not have administrative rights to their computers, computers

should be periodically scanned, logins should be centralized, etc. Our computers store enormous amounts of information. People can be taken advantage of.

Jones: That policy is not related to CSSD. Other schools are implementing scanning software and minimizing administration rights, and this will be a topic on our next agenda.

Savinov: I view computers as an extension of my brain's storage capacity. What am I allowed to know? I can store information on the computer that I do not want anyone to see. Scanning software could search data files for sensitive information. Places of light (universities) should not cooperate with those who are looking for potential terrorists. These are dark times.

Spring: I agree with Professor Savinov in many ways. The university has 15 policies related to computer technology. They are not up-to-date with current email and social media, but the intent is the same. While I am confident that the university does not have the time and energy to read our emails, it is the right and responsible of the university to access these files in times of danger or hostility. There are conditions where access would be appropriate and fair. In the business field, this type of monitoring is not unexpected. The university policies need to be updated and fully disclosed. I do not disagree with anything SCUC is stating. There are ad-ons to secure email if that is desired (encrypting). If the university is serious about this, they should share how easy it is to install these types of software. I have resisted using gmail for any communication. They (Google) read your email. If the university is going to establish a relationship with Google or Microsoft, the service-level agreement (SLA) with them should be reviewed by SCUC to know there is secure off-site storage. This is a danger as we move to the cloud.

Jones: This was discussed heavily in SCUC. We asked "why Microsoft" and "why not Google"? None of the SLAs include their ability to generally read email with few exceptions of governmental regulations.

**Ad Hoc Committee on Non-Tenure Stream (NTS) Issues:**

*Professor Irene Frieze, Chair*

The Ad hoc Committee to Investigate Part-Time and other NTS Issues was approved last fall by Faculty Assembly. The Committee has been working hard this year to better understand the situation of part-time faculty. We are reporting on our current thinking and requesting feedback on these ideas.

A. Recommendation relating to FULL-TIME (FT) NTS faculty:

In reviewing the situation of part-time non-tenure stream faculty [PTNTS], it was found that many of them do not have access to resources needed to do their jobs in semesters when not on the payroll. This will presented as a recommendation relating to PTNTS at a future meeting, but after some discussion, the Ad hoc Committee realized that this issue can also occur for full time non-tenure stream (NTS) faculty. **It was formally recommended that resources such library access, computing accounts, access to CourseWeb, and other resources needed to do their jobs should be made available to full-time NTS faculty during the summer or at other times they are not on the active payroll.**

Recommendation to continue computer access for FT NTS faculty:

*Vote: unanimous passing.*

B. Update on part-time NTS faculty.

1. The part-time non-tenure stream [PTNTS] faculty may have any of a variety of types of duties at the University of Pittsburgh. They may teach, work on funded research projects, do administrative work, or serve in clinical or field instruction roles or some combination of these positions.
2. In the Fall 2015 term, there were approximately 6150 Pitt faculty, about 1700 (28%) of whom were classified as part-time. When added to the 2700 full-time NTS faculty (44% of the overall total, and more than 60% of the full-time total) it means that Pitt's faculty composition of 72% NTS and 28% Tenured and Tenure-stream. This corresponds closely with typical national estimates. There can be no doubt that the NTS faculty, both full and part-time, plays an important role in furthering Pitt's mission and success.
3. The Committee has been trying to define meaningful categories of part time faculty. Although many use the term "adjunct" to refer broadly to this group, according to the University bylaws, Adjunct faculty have another full-time professional job, and do only occasional paid work for Pitt. Many of our part-time faculty do not fit this classification. Ideas are to classify PTNTS faculty as either "Provisional" [those who have recently been placed on the payroll] or "Recurring." Provisional PTNTS faculty would be eligible to be designated as "Recurring" after being on the payroll for at least 2 semesters within a 2-year period.

Members of the Committee are Irene Frieze, chair [Psychology, TS faculty], Stephen Ferber [Office of Human Resources liaison], Laurie Kirsch [Office of the Provost]; Don Bialostosky [English, TS], Helen Cahalane [Social Work, NTS], Lorraine Denman [French & Italian, NTS], Beverly Gaddy [Greensburg, Political Science, TS], Bill Gentz [Univ Library System, NTS], Wes Rohrer [Public Health, NTS], Sue Skledar [Pharmacy, NTS], John Stoner [History, NTS], Jay Sukits [Business, NTS], Cindy Tananis [Education, NTS], Seth Weinberg [Dental Medicine, TS], Frank Wilson [Greensburg, Sociology, NTS].

Discussion:

Jones: (related to the bolded recommendation, above) How are you defining full-time?

Frieze: Many are paid 8-months, but work full-time. Many are on year-to-year contracts, and do not have contract at the end of the term.

Agree. If we make a mistake in terminating privileges, we should fix it. There are reasons we need this.

You might start teaching in late August, but your access does not activate until September.

Gaddy: This is true in tenure stream also.

Muenzer: There is no reason why this policy (to terminate access) should exist. It maybe was an oversight.

Kirsch: I agree with this sentiment. People should have access. I did investigate into this after the last NTS meeting. In CAS there is a process to alleviate this issue, and this is a solvable problem. There is not a policy per-se. When contract ends, their ID is no longer valid. It is activated when they are reappointed. We are trying to address these issues.

Muenzer: This is a question of self-worth. We are increasing NTS in numbers. It is a larger issue.

Goodhart: If there is an expectation of renewal, why are there one-year contracts? One answer is exploitation, or they should be given contracts that support longer work.

Bircher: In my opinion, I am on a 12-month contract, so there is no gap in access. It is not truly a one-year contract, but this is easily fixable. Teaching is for 2 terms or for a number of months, but the contracts should be one year.

Schmidhofer: The 8-month contract is fictional.

Loughlin: Is there no mechanism to extent contracts to 3-5 years?

Weinberg: The university allows 1-5 year contracts, but it not always done.

Loughlin: Who decides this?

Tananis: The unit decides this.

Frieze: It varies by the unit and department.

Tananis: It may vary by school also.

Jones: Engineering offers more than one-year contracts.

Muenzer: I remember (during budgeting) these decisions are made in Feb, Mar, and April. The department knows who will be teaching next year, so there is no need to cut off access if you know they will be returning.

Smolinski: The budget may know be known at the time these decisions are made.

Jones: A lot of these services are related to accounts such as computing, Courseweb, and library accounts. The access extends 4 months after the contract termination date.

Wilson: Can we call to question the recommendation?

Loughlin: It is a fine recommendation, but what weight does it carry?

Frieze: We are asking for access to not be cut off over the summer.

Jones: Can you define "at other times"? It implies in perpetuity.

Frieze: This means times when they are not teaching.

Jones: This should be clarified.

<p>Morel: Say resources should be available for the full 12-months of their contract.</p> <p>Muenzer: Does the language not mention part-time NTS on purpose?</p> <p>Frieze: This will come later.</p> <p>Wilson: Called for vote on the recommendation. <i>Vote: unanimous passing.</i></p> <p><u>Discussion on Update on part-time content (above items #1 - #3):</u></p> <p>Loughlin: Are these categories, or job titles?</p> <p>Frieze: These are meant to be categories.</p> <p>Loughlin: Why does the university care if adjuncts have another full-time job?</p> <p>Frieze: The by-laws state this. We can look into changing by-laws but changing procedures and practices is easier.</p> <p>Spring: Adjunct, as an individual with other full-time employment, is often a misused term. There is a reasonable use of this term in history to describe for example, a business person who teaches a business course.</p> <p>Muenzer: I am concerned with any verbal designation. The right words are clumsy. There might be larger implications to call someone “recurring” – it could create expectations. We have to create a language that is understandable to the outside world. Do other universities use names for part-time or just say category A, B, C? They might be easier described that way.</p> <p>Wilson: Public narrative about the university (regular part-time, for example, versus temporary part-time), dealt with accepting benefits, but were invisible in our data. We want categories so we can count faculty accurately. The terminology is the committee trying to make sense of the many people in this category, for salary benchmarking and reports.</p> <p>Muenzer: Consider A, B, C as an idea, with descriptions.</p> <p>Constantino: This is worse. It could be demeaning. Let’s not lose sight of what we are trying to accomplish.</p> <p>Frieze: Thank you for the comments. Please share additional comments to committee members.</p> <p>XXX: Use the term adjunct.</p> <p>Frieze: That is very problematic term, as per the bylaws.</p>	
<p><b><u>Unfinished Business and/or New Business</u></b></p> <p><b><u>Sexual Misconduct Policy and Procedure</u></b>  <i>Vice-Provost Laurie Kirsch</i></p>	



The draft policy and procedure documents were distributed to Faculty Assembly members prior to the May 10<sup>th</sup> meeting.

Vice-Provost Kirsch reported that the legal landscape around sexual misconduct has dramatically changed due to the Violence Against Women Act (VAWA) amendments and the US Department of Education’s interpretation and enforcement of Title IX. In the Spring of 2015, Provost Patty Beeson formed an ad hoc committee to review our current policy on sexual harassment and recommend appropriate revisions to strengthen the policy. The ad hoc committee (Kirsch, Chair) was comprised of faculty, staff and students. Throughout 2015, the members worked diligently and collaboratively, and produced two documents for review:

- Revised Policy 07-06-04 on Sexual Misconduct – proposed as replacement of the existing policy 07-06-04 on Sexual Harassment
- New Procedure 07-06-04 on Sexual Misconduct

In preparing the proposed policy and procedure, the Provost’s ad hoc committee closely reviewed the extensive materials on the subject. Many peer institutions have revised or are revising their policies and procedures to comply with the law and to protect and support their students and employees. The ad hoc committee reviewed and relied upon policies from other institutions in crafting these proposed revisions.

To align the University of Pittsburgh policy with Title IX guidance and VAWA, the Sexual Harassment Policy (07-06-04) has been rewritten to establish policy pertaining to the prohibition of sexual misconduct, and includes definitions of sexual harassment, sexual violence, and other sexual misconduct. Accordingly, the committee recommends that the subject of this policy be “Sexual Misconduct” rather than “Sexual Harassment.”

Modifications to the policies include:

Procedural detail on filing complaints and on the appeals processes was removed from the Policy and instead was included in the newly written Procedure on Sexual Misconduct. Consistent with the guidance and checklists from the government, the Procedure is extensive. The body of the procedure contains pertinent detail for filing complaints, for understanding the investigation and resolution processes, and for handling appeals. The procedure also includes three appendices with extensive lists of university and community resources for all campuses, detail on confidentiality, and a number of other relevant considerations. The procedure incorporates specific content in response to guidelines issued from the Office of Civil Rights (OCR). Responsible university employees are required to report suspicious behavior under Title IX. As a responsible employee, you cannot guarantee confidentiality. Resources are available to help with this. The Title IX office will play role in these investigations as per the new policy.

Vice-Provost Kirsch acknowledged the dedication and commitment of the ad hoc committee (member list distributed separately), and all those who have provided input into this process to date. The Council of Deans has reviewed and approved these documents in March, and EIADAC approved these documents in April.

Discussion:

Comments/Discussion are noted below.  
Vote : Favor (17); all opposed (8); abstain (3).

Weinberg: This is a good document. Do you feel that this report is definitive in some way? This is a fluid situation. Is the university prepared to change their view on this as situations evolve with current events? Universities are being forced to choose between the First Amendment and Title IX.

Kirsch: It is a fluid situation, and we are not the only university struggling with this. What we have now is not consistent with legal landscape, so we need to approve this now, and then regularly improve this process to update it appropriately. Procedures can be updated more regularly.

Mulvaney: Some of us in our careers have had to live the mandated reporting piece. The responsible employee is a mandated reporter. Informed consent is part of this, so people understand this before they tell us their story. What are the ways we are going to communicate to the abused that telling us a story may put into play things they are not prepared for?

Kirsch: This is an excellent point. In the procedure, we added guidance on how to interact with the victim and point them to resources. We also discussed a communication plan for this once it is finalized.

Mulvaney: The counselors at the University Counseling office are not responsible employees, correct?

Kirsch: Yes (correct), these are exempted.

Muenzer: At what point in an initial meeting is the “cat out of the bag”?

Connolly: Everyone struggles with it. We have to prepare in advance for this and let the victim know we (responsible employees) are obligated to report to Title IX. It remains up to the victim to file a formal complaint.

Muenzer: The responsible person should be the first to speak to let the victim know about this. We will need to be trained.

Goodhart: These are awful conversations to have. I cannot think of when it would be comfortable in the conversation to let the victim know what they say will be reported to Title IX. We may be setting up faculty to put signs on their doors to have students not talk to them.

Connolly: That would be a big mistake. We need to have students know they can get to the right counseling center and get help/assistance. We know this is under-reported.

Bircher: As a physician, I have gone through 10’s of thousands of consent discussions. This is not as formal as that, but this sounds to the victim as dismissive. The adequacy of explanation with regard to consent is also an important point. This is a difficult conversation and will take a lot of education to deal with this in an effective and sensitive fashion.

Kirsch: There is so much variation across the university with how equipped people are to deal with this. Some faculty handle it well and some faculty do not. The policy is trying to tell faculty and all employees that if someone comes to you, there is a way to

tell them that you cannot guarantee confidentiality, and that there are resources for the victim to get help and support.

Loughlin: The work of the committee is appreciated. The administration is putting the university between a rock and a hard place. These policies need to keep evolving. On the procedure side, this may not be strong enough. In the policy, the offenses listed are grouped too large. In our procedure, it says we cannot report violence incidences to our police, and we should be involving their expertise. Ambiguities exist in the procedure that need to be clarified, such as “unwelcome behavior.” We should not be grouping all of the terms together.

Connolly: Regarding lumping the actions together, these are not new changes from our last policy. The change is that a victim of rape would know now that our policies cover everything, not just the most harmful events. We do involve the police, but in general, victims do not go to the police as much you would think. The policy and procedure do not say you cannot go to the police.

Loughlin: Employees must report to Title IX, and should not report to police unless victim has consented. Lumping off-color jokes and rape together in the same group in the policy is too much.

Connolly: They are treated differently. We do not mediate sexual violence cases. The Title IX office investigates.

Loughlin: Why are the police not handling this?

Kirsch: The police can be notified if there is concern for further harm for the victim.

Pope (Title IX Coordinator): We do not automatically report to the police, as it is up to the victim first. We are empowered with a different process internally to move quickly for the victim than the police. We can get students into safe places, remove them from campus if needed. This is what the government is trying to do. We are no longer allowed to have the police handle issues for our students.

Loughlin: The Pitt police are part of our university. If Title IX can help get students into safer places, my inclination is to call the police.

Novy: I am glad we have a Title IX office, but I do think there are problems with some of these policies. National AAUP policies should be consulted about mandatory reporting. This is coming from national AAUP noting mandatory reporting is a bad idea. This is not actually required by Title IX, that all faculty have become mandatory reporters.

Connolly: This is a difficult issue. There are 4 categories of responsible reporters (defined by Title IX), the last of which is “anyone the student thinks can help them.” That is the position we are put in, and I do not see it changing. This is the way the law is interpreted.

Rohrer: I have an open door policy, and have heard information I wish I had not. Would it be responsible behavior to refer the student to Title IX office, or to Counseling Center, if the faculty feels inadequate?

Connolly: Yes, that is encouraged.

Rohrer: If the student tells you of a traumatic situation, a handoff is legitimate.

Jacob: In a post-Jerry Sandusky environment, it is very important for responsible employees to report this to authorities and administrators. This is missing from the policy.

Connolly: There is a section that relates this to minors.

Jacob: We should expand it to all women.

Goodhart: Regarding mandatory reporting, it is implied that faculty are uncomfortable and irresponsible. What is the humane response to cut someone off when they are sharing information? We want to be good faculty and we are capable of handling this.

Kirsch: We are not trying to offend anyone. I do think that telling the victim that confidentiality cannot be maintained is important and that there are resources to go further if the victim does want to maintain that. This policy and procedure can help the victim find resources.

Goodhart: This is another example of decision-making being taken out of the hands of the faculty.

Connolly: The focus is to get the students to report more and to get them the help they need. If we do not connect victims the right way, they will not report.

Goodhart: I am in favor of reporting. Dissatisfaction is about what happens after the reporting happens.

Connolly: There are cases where the victim reports and nothing happens. The victim is coming the faculty for a reason.

Kirsch: The committee talked about this in detail. One of the things that convinced me was to think of this from the victim's point of view, so they get the resources and support they need. The investigation needs to move forward and this was the consensus of the committee to write the policy this way.

Wilson: I am not sure what we should be doing. I have heard that we all want something and we need more than we currently have. This has a number of points in question. Do we vote on what is in front of us? Or do we table until September?

Spring: There is a failure to communicate situation and also complete agreement. Everyone wants the best outcome for the student victim in the most proficient way. Too many times, the ball gets dropped. There are times when an individual feels they have the most trust in the faculty. I think we should send back to the committee to think about: what does the victim want to have happen? Action, or advice? The procedure does not do enough to respect the awkward situation that the faculty member is placed in. Sometimes a faculty member is approached in confidence. What is being articulated is the rare situation when the faculty has to tell the victim what to do. It should not be

that the faculty has to pick up the phone and report it. This might lead a faculty member to put a sign on the door to dissuade students from talking.

Muenzer: Does the law say the faculty must report this as responsible employees?

Connolly: Title IX does not say it. The OCR has interpreted this and said that anyone that a student thinks is a responsible employee is responsible to report. OCR interpretations are not overridden in court.

Pope: If you report to Title IX, Title IX reaches out to the student and tries to help them. When victims are told this, they come back and are happy to know the service is there for them. It is up to the student victim as to what they want to happen next. The mandatory report to Title IX office triggers contact to the student victim from Title IX. The victim then decides what THEY want.

Connolly: The policy and procedure acknowledge that this is a changing area. We have had this debate for a long time. We will never have agreement on this. OCR defines what responsible employees are. Thousands of freshmen are coming in August. Our policies currently are not up-to-date with Title IX and not in compliance with the law. My concern with postponement (until September) is that we will lose opportunity to reach these students.

Kirsch: Current policy does not address what we need to address. Within the committee we had a lot of these debates, and this is an area where our current policy is not as strong as it should be. The Title IX office is very professional and helpful.

Goodhart: Section 3 says that the university is obligated to take action and investigate [steps read aloud from Section 3]. Many specific steps are listed in the policy/procedure with follow-up.

Pope: The investigation only goes as far as the victim wants it to go. This was written to allow investigations to continue if we see violent offenders or trends that the victim or reporter may not see. Each case is different and the policy/procedure is written to describe the many different kinds of inquiries that can occur.

Schmidhofer: The bulk of the concern is with the responsible employee. We should pass the bulk of this policy as is, and work out the reporter piece over the summer.

Bircher: We should accept the new document as a step forward. There are issues of education of the incoming students and current faculty, as a profoundly chilling effect on reporting. The student determines the trajectory of the process. The student must understand at anytime the reporter cannot maintain confidentiality.

Wilson: I will accept a motion to make sure we are responsible as a faculty assembly to handle this. Can we do the responsible thing now and have in place what is necessary?

Connolly: I would suggest that the current document be voted on.

Savinov: I motion to vote on the document with striking down the mandatory reporting.

<p>Bircher: We should vote on documents in-tact as they are. Faculty Assembly cannot amend the documents as they are. We are voting to accept the current policy and procedure presented to us.</p> <p>Wilson: Vote: All in favor (17); all opposed (8); abstain (3). It is approved as of today, and the modified procedures should continue to be thought about and concerns shared.</p>	
<p><b><u>Announcements</u></b></p> <p>Goodhart recommended to the Faculty Assembly to create an ad-hoc committee to investigate Pitt divesting from fossil fuels.</p> <p>Bircher: Would you consider in September with a formal motion and longer presentation?</p> <p>Goodhart: We have 5 years to make a decision on this. I am asking for a committee to look into this.</p> <p>Spring: I second the motion.</p> <p>Wilson: All in favor (unanimous).</p>	<p>President Wilson will assemble an ad-hoc committee to discuss this.</p>
<p><b><u>Adjournment</u></b></p> <p>The meeting was called to end by President Wilson.</p>	<p>Adjournment at 5:21 pm.</p>

Documents from the meeting are available at the University Senate website:  
<http://www.univsenate.pitt.edu/faculty-assembly>

Respectfully Submitted,

Susan Skledar, RPh, MPH, FASHP  
*Senate Secretary*  
 Associate Professor, School of Pharmacy, Department of Pharmacy and Therapeutics

**Members attending:**

Bircher, Bratman, Cohen, Cole, Costantino, Dahm, Dewar, Donihi, Falcione, Flynn, Fort, Frieze, Gaddy, Goodhart, Groark, Guterman, Hartman, Jacob, Jones, Kanthak, Kear, Loughlin, Marra, Miller, Molinaro, Morel, Muenzer, Mulvaney, L. Nelson, Novy, Olanyk, Ramsey, Rigotti, Rohrer, Savinov, Schmidhofer, Skledar, Smolinski, Spring, Swanson, Tananis, Toto, Triulzi, Weinberg, Wilson, Withers, Yarger

**Members not attending:**

Alarcon, Atai, Buchanich, Clark, Frank, Fusco, Gleason, Gold, Helbig, Hravnak, Irrgang, Kaufman, Kaynar, Kearns, Landrigan, Leers, C. Lin, J. Lin, Mauk, McLaughlin, Mulcahy, S. Nelson, Norris, Poloyac, Scott, Sukits, Velankar, Vieira, Weiss

\*Excused attendance:

Beck, Corral, Czerwinski, Horvath, Kovacs, Labrinidis, Munro, Savoia, Stoner

Others attending/guests:

Barlow, Connelly, Fedele, Kirsch, Pope, Rampett, Ruprecht, Sbragia, Seng

\*Notified Senate Office