# DRAFT MINUTES 

Vanderbilt University
Faculty Senate Meeting
April 13, 2017-4:10 pm
Frist 140, School of Nursing

## 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; McCoin; 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 rethinking of Custer 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 cochairs 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 Custer 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 4/6/2017snapshot 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 Chairelect) shall serve as Vice Chair of the Faculty Assembly. [1971] [2006]
5. E.The Faculty Assembly is convened:
$\ominus$ 1.to hear reports on the state of the University from the Chancellor or
other officers of administration. [1982]
$\ominus$ 2.to permit members to direct questions to the Chancellor or other
officers of administration or to the Chair of the Faculty Senate. [1982]
$\ominus$ 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]

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

## The Faculty Senate

## $\ominus$ 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
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]

## $\ominus$ 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 seetion 3e 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]
$\theta$ E.The Executive Committee
The Executive Committee of the Senate consists of the Chair, the Vice Chair, the Chairelect 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]
$\theta$ 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]

## 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]

## 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 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

1. The following order of business shall be followed at all regular meetings of the Faculty Senate [2015]:
$\theta$ 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
$\theta$ h. New business
- i. Scheduled remarks
$\theta$ j. Good of the Senate
e 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 twothirds 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 C2 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 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.
2. (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]
3. (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]
4. (3.)Student Life. Reporting to the Chancellor: Appeals, Human Relations Council, Intercollegiate Athletics and Campus Recreation, Intramurals, and Club Sports. Reporting through the Provost: Religious Affairs, Student Health, Undergraduate Financial Aid.
5. 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 nonvoting 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 3 f 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

## Caterses

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 ${ }^{12}$

## Chapter 1: Disciplinary Actions

## Section A <br> Standards of ConductGrounds for Disciplinary InvestigationActions

The faculty of the University ${ }^{12}$ 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. i-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; 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) $\div$ 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 BItem 7. -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.
> ${ }^{13}$ 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 of the relevant school, 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.
4.2. 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.

The individual for whom disciplinary action is being considered 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 individual-Respondent of the specific activity that is the basis of the allegations. The Respondent individual 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.
2.3. Regardless of whether the Dean decides to conduct an initial inquiry, the accused Respondent will be invited to make a response in writing to the Dean regarding the allegations of misconduct. The accused-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 accused faculty member

Respondent may also respond in person.
3.4. Based on the allegations, the initial inquiry (if any), and the response of the accused 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 accused-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-aceused Respondent in writing, summarizing the evidence received, relevant interviews, and the conclusions of the initial inquiry, if any.
4.5. 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 refer the matter to a school appoint and convene an ad hoc faculty committee, hereinafter referred to as "the Investigative Committee," generally within thirty (30) days for-to carry out an investigation.
5.6. 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;
b.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;
e.d. it is probable that the alleged incident is going to be reported publicly;
d.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.
6.7. The purpose of the Investigative formal faculty committee-Committee investigation is to explore further the allegations in order to determine whether misconduct has actually occurred. In appointing the-the Iinvestigative faculty committeeCommittee, 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.

This-The Investigative $\boldsymbol{\in C o m m i t t e e}$ will be given the notice of the allegations as provided the accused Respondent, and will be charged to investigate the matter. In its investigation, The Investigative Ceommittee 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 accusedRespondent of the evidence against him or her, and offer the accused 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 accused-Respondent or any witness in proceedings before the Investigative $\in$ Committee. The accused 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 $\in$ Committee.

During the formal proceedings before the Investigative $\epsilon$ 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 accused Respondent afforded an adequate opportunity to refute or explain the evidence. Thus, evidence normally must be acquired by the Dean or school Investigative $\in$ 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 Investigative $\in$ Committee will allow the Respondent accused to submit a written response to the evidence that may form the basis for discipline before the Investigative $\boldsymbol{\epsilon}$ Committee writes its report to the Dean.

The-Investigative $\in$ 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 accusedRespondent at the end of the investigation. All records of the investigation will be maintained under the control of the Dean.
7.8. 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 accused 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 ${ }^{1516}$ or the Dean of the School of Medicine and, if appropriate, will provide a full report to the ORI or any other appropriate agency 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 reputatuion 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.
29. 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, in-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.

1516 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 Provost1516 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 to impending motion. The motion was seconded. This upcoming motion was tabled before it reached the floor in order to allow that 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 grievance 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 appeal procedure set forth in Section A, below.

A grievance 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 grievance-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 the faculty member shall set forth all such claims and proceed under Section A. A petential grievant is eneouraged to-Faculty members are encouraged to contact the Chair of the Faculty Senate to determine where the grievance their complaint is best filed. ${ }^{1}$ 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 ehair of the Faculty Senate to fulfill all the duties ascribed to the chair of the Faculty Senate in Part IV Chapter 2 of the Faculty Manwal 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.

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

[^0]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 A

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 s a recommendation to the Chancellor, who then makes his or her decision.

The Reappointment, Tenure and Promotion Grievance-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 whe must be is 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 twoyear 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 grievant-Appellant may consult informally with the Process Chair concerning the Reappointment, Tenure, and Promotion AppealGrievance 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 agrievance an appeal is filed, the eChair 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 grievant, will name five 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 grievance appeal. One of the five four members will be selected through the same process to serve as Chair of the Grievance-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 $a d$ hoc Grievance Appeal Committee Chair, who must be tenured and hold the rank of Professor, becomes the point of contact for the grievance-Appeal until its the 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 $a d$ hoc Grievance-Appeal Committee must be tenured and hold a higher rank than that of the grievant-Appellant (or the same rank, if the grievant Appellant has the rank of Professor). All ad hoc Grievance-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 grievant'sAppellant'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. For a grievance against the Provest or the Dean of the School of Medicine, the Chancellor, in consultation with the Chair of the Faculty Senate, will 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 Grievance-Process (i.e., the Process Chair), must identify the person or persons against whose decision whom 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.

Upen receiving such a notice, the Process Chair will inform the chair of the Faculty Senate whe will then initiate the process for forming a Grievance Committee appropriate to the grievance. Faculty members selected for an this ad hoc Grievance-Appeal Committee-should 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 Grievance-ad hoc Appeal Committee will initially review agrievance 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. A grievance-An Appeal failing to meet one of these tests will be dismissed. If the grievance-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 Grievance-Appeals Process. If they do not, the grievance-appeal will be dismissed. Upon dismissing a grievance, an appeal, the ad hoc Grievance-Appeal Committee eChair will inform the parties in writing of the grounds for dismissal.

If the grievance-appeal is accepted for consideration, the $a d$ hoc Appeal Grievance-Committee will inform the persen or persens against whem the grievance is filed-Respondents that a response is to be submitted to the $a d$ hoc Grievance Appeal Committee eChair. The response should be filed as soon as reasonably practical, but not later than sixty days after the response has been requested. The $a d$ hoc Grievance-Appeal Committee eChair shall provide a copy of the response(s) to the- grievantAppellant. If a response includes confidential information, the committee will provide the grievant-Appellant with a summary of that information.

The $a d$ hoc GrievanceAppeal Committee will invite the parties-Appellant and the Respondents to meet separately with it 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 grievant, witnesses, or the Universityin proceedings before the committeey, Appellant or the Respondents. It is assumed that either party They may however mayrely on legal counsel in the preparation of any documents or the collection of any evidence to be presented to the Ceommittee.

The ad hoc Grievance-Appeal Committee shall have full access, on a confidential basis, to the grievant'sAppellant'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 Grievance-Appeal Committee eChair. 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 Grievance-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 testimeny or other information to the committee. and generally within 14 days of completing its final interview, the $a d$ hoc Grievance-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 $a d$ 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. (See Section $C$ on procedures following submission of a Greivance Committee's final report to the Chancellor) 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 Those-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 through the Senate Committee on Grievances is 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, gender, or other prohibited factors 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 $e$ 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 University representatives whose actions form the basis of the complaint. 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 a reasonably prompt time 30 days of filing the grievance. $\mathfrak{t T h e}$ Grievances Committee's plan of action shall be outlined in this reply.

The Grievances Committee shall review the case, generally within 90 days, to assure determine whether that the University's-the Respondent's actions were procedurally and substantively sound. The University representatives whose actions form the basis of the complaint Respondents shall be asked to respond to the grievance in writing, briefly explaining his or her their position on each major element of the eemplaint grievance. In addition, the University Representative 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 he or she they wishes 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 University 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 eChair of the Faculty Senate shall appoint ad hoc members in their places with respect to that grievance.

## Section C

## Final Report

A grievance committee, whether the Senate Committee on Grievances or one appointed through the Reappointment, Tenure and Promotion Grievances Process (i.e., an adhoc Committee) shall
submit a final report of its decision tothe Chancellor. 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 eChair 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 CD

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 agrievance the complaint are expected to preserve the confidentiality of the grievance complaint, provided that any individuals aceused 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 use 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, 11. 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 technologieal issue was being reselved, a Senator asked Senator Woeders to what she was referring in the withdrawn paragraph. Senator Wooders gave some background information about the UCC and Faculy 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 ( $\sim 4000$ )
- 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 $\mathbf{\$ 3 2 0 , 6 7 5 , 0 4 3}$
- 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 $5: 30 \mathrm{pm}$.

Respectfully submitted,
Brian L. Heuser
Vice Chair


[^0]:    ${ }^{1}$ 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 to fulfill all the 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.

