Meeting minutes, Tuesday, May 5, 4-6 p.m., Court End Ballroom, Larrick Center, MCV

Attendance:
Present: Alcaine (alt for Chen, Xu (EDU), Alford(ARTS), Alvarez(HAS), Andrews(BUS), Bachmann(SOM), Bedell (StAff), Brookman(SOM), Brown(NUR), Cates(UC), Colello(SOM), Conlon(SWK), Crislip(HAS), Davis(VCU-L), DeAngelis (ARTS), Easley(ARTS), Fauri(SWK), Freyer(ARTS), Ghaphery(VCU-L), Rhodes(EDU), Harrison(HAS), Honnold(HAS), Hylton-Gravatt(PHA), Jallo(NUR), Jones(SOM), Lee(BUS), LaRose(SOM), Lister(SOM), McVoy(SOM), Nicholson(HAS), O’Neal(RetFac), Ottens(SOM), Patton(ARTS), Pellegrini(DEN), Puri(SOM), Rector(HAS), Robnault(EDU), Rhodes(EDU), Rodriguez(HAS), Saladino(HAS), Secret(SWK), Shriar(WS), Slough (alt for Baranoff (BUS), Smith(UC), Street(HAS), Totah(HAS), Vijayakumar(BUS alt for Smith), Wagner(AHP), Wayne (EGR), Weatherford (alt for Rapchick (StAff), White(VCU-L),

Absent: Artello(WS), Carroll(SOM), Chestnut(HAS), Coble(DEN ), Dodson(SOM), Falyar(AHP), Gannaway(SOM), Hobgood(SOM), Israel(ARTS), Kaziewicz(UC), Marinello(SOM), Morgan (NUR), O’Connell (SOM), Octave (DEN), Parsons(SOM), Ratliff(SOM), Sabik (SOM), Seinfeld(SOM), Sims(HAS), Weaver(SOM), Wickham(SOM), Zhang(EGR)

Procedural Items: President June Nicholson called the meeting to order at 4:05. The agenda was reviewed and some changes in the sequence of items were noted; the report by Vice President Wanda Mitchell, Division of Inclusive Excellence, will be rescheduled.

The minutes of the March 31 meeting were reviewed and approved.

Resolution: President Nicholson acknowledged the work of Bob Andrews on behalf of the University and the Faculty Senate. Andrews has been one of the strongest Faculty Senate advocates, having served as past president of the Faculty Senate and Senate representative to University Council and the Faculty Senate of VA. H. Alford presented a resolution in recognition of Bob’s 37 years of commitment, mentorship, and advocacy service to Virginia Commonwealth University. The resolution was unanimously approved.

VCU Policies and Procedures: Madelyn Wessel, VCU General Counsel, introduced Laura Rugless, Director of Office for Institutional Equity, expressed appreciation for the positive relationships and the collaborative spirit between the Faculty Senate and the General Counsel’s office, and reviewed the Interim Policy on Employee-Student Consensual Relationships, highlighting the following points:

- VCU has had a policy to address consensual relationships between faculty/staff and students for several years; however, there have been several deeply disturbing issues, some with sexual violence, which suggest that the older policy was not able to address the extent of the problem and made it difficult for the university to take appropriate action.
- Because not having an adequate policy to address serious problems puts VCU at risk, the university moved immediately to strengthen the existing policy.
The revised policy makes it clear that a sexual relationship of any nature between someone in a position of authority and a student is not acceptable.

The policy been adopted as an interim policy at the cabinet level and is expected to be finalized this fall. See copy of the policy on Faculty Senate website http://www.assurance.vcu.edu/Policy%20Library/Employee-Student%20Consensual%20Relationships-Interim.pdf

The following points were made in response to questions from the audience: existing relationships need to be disclosed so that they can be managed appropriately within the intent and context of the policy; the next steps to finalize the policy include a 30-day public posting, review and approval by University Council and Faculty Senate; as an administrative policy, this does not need to go to Board of Visitors; the policy is currently in effect.

In regard to TITLE IX, the federal statute which prohibits sexual assault and sexual harassment, the following points were made:

- VCU is in the process of making changes to its policy(s) on sexual misconduct and is developing one policy that will address all types of sexual assault, intimate partner violence, sex discrimination, and harassment and that will cover a range of associated activities from reporting requirements, interim measures of intervention for victims, adjudication, to investigation and conviction.
- A draft of this policy, which borrowed from other best work of other institutions, is completed and is being discussed in broader circles of the university community.
- Current sexual misconduct issues are being handled by the Integrity and Compliance Office but a new interim policy needs to be in effect by this summer; the new policy will include all students and all university employees.
- The new policy is expected to address the following issues: need for faculty and staff training about response to allegations; the definition of sexual harassment and possible conflict with First Amendment rights; punitive vs. educational response for students accused of sexual misconduct; assurance of institutional fairness for those accused; education and training around the definition of ‘consent’; clarification of mandatory reporter and identification of the person who receives the report; and appropriate level of involvement by criminal justice officials.
- In response to questions from the audience: authority for implementing an ‘interim’ policy rests with the President and Cabinet; an interim policy can be in effect for one year; Faculty Senate President Nicholson and Immediate Past President Fauri were consulted about the policy; policy drafts need to be made available to Faculty Senate in a more timely manner; VCU reporting policies are aligned with confidentiality protection and duty to report of professional counselors.

**Richmond Bike Race September 2015:** Adam Crowe, Director of Emergency Management at VCU, reported on the bike race, noting some of the struggles to obtain information from Richmond City and from the race developers. The estimates of the number of people attending have been escalated and there have been changes to the trail circuits. MCV will be impacted almost every day. They are planning for temporary pedestrian bridges.
In response to questions from the audience: VCU is officially open and the race days are considered as ‘reading days’; it is unknown as to whether or not the race will generate revenue; we don’t know what the impact will be on the medical campus parking shuttles, but plans are to set up a system for students who are handicapped; faculty can work in their offices during the race if they want to.

Michael Davis, Interim Associate Vice Provost Academic and Faculty Affairs (for Provost Gail Hackett): J. Nicholson thanked Dr. Davis for his support and assistance on behalf of the Faculty Senate. Dr. Davis noted also that we still don’t know much about the details of the bike race because we have not been getting good info from the city; there will be 5 reading days in relation to the race and units/schools can use these days however they choose. VCU has developed close to 30 race-related courses which will provide excellent opportunities for faculty and students to engage with the race.

Dr. Davis acknowledged the true partnership between administration and Faculty Senate that has been welcomed on both sides, noting that Faculty Senate, as a place where the tough issues are debated, is integral to the workings of the University. The new VCU bulletin is scheduled to launch this summer. The Provost Office is working on a ‘threads’ initiative to encourage cross-discipline collaboration on global issues and to promote and connect students to the work that faculty does. More information will be forthcoming on this initiative.

Board of Visitor Faculty Report for May 2015: Immediate Past President D. Fauri noted the following items that will be in the Faculty Senate report presented at the May Board of Visitors meeting by J. Nicholson: listing of new Faculty Senate Officers; expression of appreciation regarding salary increases to base; Faculty Senate interest in continuing progress on shared governance; need for action regarding faculty compression and equity. Fauri also provided information about the University Budget Advisory Committee and the New Budget Steering Committee and shared reflections about the past and some thoughts about the future goals and challenges of the Faculty Senate (see notes below).

Senate (Unit) Elections Spring 2015: S. Street asked Senators to pay attention to the unit-level elections for Faculty Senate Representative and to let him know if there are any corrections. In response to why the Honors College does not have regular members, Street replied that Senate membership was based on the by-laws; the by-laws can be revised to address this issue.

Faculty Senate Budget Resolutions March 31: President Nicholson provide an update on the two resolutions passed by the Faculty Senate at the March 31 meeting regarding salary compensation. The first resolution proposed that T & R faculty receive a 2% cost-of-living increase and that the 2.5% recommended increase be awarded for performance-based adjustment. The second resolution proposed that some proportion of the 2% performance-based pool created for A & P faculty salary increases be allocated for cost-of living raises for A & P faculty. President Nicholson communicated these resolutions to the President in person; Dr. Rao responded by formal letter which was read. Highlights of Dr. Rao’s letter included: Counsel’s office has advised administration that the legislation says that the salary increases need to be performance based; performance refers to the teaching, scholarship, and service mission of the University; that the legislation requires that everyone who received at least a rating of ‘contributor’ on latest performance appraisal will have some level of salary merit increase. Dr. Rao restated his on-going
commitment to working on faculty compensation, noted the need for more proactive training for chairs and directors, and has discussed the evaluation of Deans with the Provost. (See Dr. Rao’s letter below).

**Recognitions:** This was J. Nicholson’s last meeting as Faculty Senate President and she recognized and thanked all members of the Senate for their support and contributions, in particular D. Fauri for his role in base salary increases, B. Andrews for his work on behalf of shared governance, H. Alford for activity on the GPI and around diversity issues. The Provost Office will continue provide a $10,000 budget to fund Senate activities.

Members of the Faculty Senate expressed enormous gratitude to President Nicholson for her excellent leadership and many accomplishments during the past two years.

Meeting adjourned at 6:30 pm

Minutes respectfully submitted by
Mary Secret, Corresponding Secretary
July 9, 2015

RESOLUTION – BOB ANDREWS

Be it resolved this 5th day of May, 2015, that the Faculty Senate of Virginia Commonwealth University recognizes Faculty Senator Robert Andrews. Professor Andrews has been a faculty member at VCU for 37 years. The Faculty Senate recognizes his commitment, mentorship and advocacy on behalf of the faculty of VCU as well as the faculty of the Commonwealth of Virginia. Robert Andrews has served as a president of both the VCU Faculty Senate from 2002-2004 and the Faculty Senate of Virginia from 2004-2006, as well as a member of the executive leadership board for both entities. Many of the goals and initiatives of the VCU Faculty Senate have become a reality through his efforts and leadership. Therefore, be it resolved that the Faculty Senate of Virginia Commonwealth University extends its deepest appreciation to Professor Robert Andrews for his outstanding service to the VCU community. Furthermore, be it resolved that the VCU Faculty Senate extends Robert Andrews best wishes in the future as he retires from the University.
April 20, 2015

Professor June Nicholson
President, Faculty Senate
Virginia Commonwealth University
Post Office Box 842034
Richmond, Virginia 23284-2034

Dear June:

Thank you for your thoughtful letter regarding faculty salary increases and the resolutions prepared by the Faculty Senate. I appreciate your support, and the support of the Faculty Senate, as we move forward in the process of salary adjustments.

The resolutions presented by the Faculty Senate propose that a portion of the increases for both T&R and A&P faculty be made to reflect cost-of-living increases. Legislation passed by the Virginia General Assembly gives the university the authority to increase salaries in this cycle. University Counsel has advised us that the legislation stipulates that the average 2 percent increase for both T&R and A&P faculty be based on performance. Therefore, the university is precluded from applying this increase to address cost of living. It is important to recognize that “performance” for T&R faculty refers to teaching, research and service.

The legislation does provide flexibility on the additional average 2.5 percent pool stating that “the governing authorities of those state institutions of higher education with employees not subject to the Virginia personnel act (i.e., faculty) may implement salary increases for such employees that may vary based on performance and other employment-related factors.” The legislation requires the university to certify that all faculty receiving an increase, regardless of the source of funding, achieved “at least a rating of ‘Contributor’ on their latest performance evaluation.” We have worked diligently with the legislature and the Board of Visitors toward approval of this additional increase and have been consistent in recommending that such increases be based on merit. We must follow-through on this promise.

As you stated in your letter, our work toward developing a more equitable system of compensation and performance evaluation is far from over. The Board of Visitors and the senior administration team are committed to the development of a comprehensive human resources infrastructure that is consistent with a university of our size and stature and to addressing compression and equity issues as a result of the compensation study.

Clearly, this is an on-going discussion and one that I am eager to continue. Please relay to the Faculty Senate my appreciation for their insight and participation in this discussion.

Best wishes.

Sincerely,

Michael Rao
President
Faculty Senate Final Meeting of 20014-15
David Fauri, Immediate Past President

SUMMARY REPORT ON:
1) FACULTY REPRESENTATIVE REPORT AT THE MAY 2015 BOARD OF VISITOR MEETING;
2) COMMENTS ON UNIVERSITY BUDGET COMMITTEES;
3) A FEW THOUGHTS FOR CONSIDERATION ON THE WAY FORWARD IN THE COMING YEAR.

1. REPORT TO THE BOV, MAY, 2015
(June Nicholson delivering as David is hooding a Ph.D. Graduate at that time)

A. New Faculty Senator Officers for 20015-16
   President: Holly Alford, Associate Professor, Department of Fashion Design and Merchandising
   Vice President: Mary Secret, Associate Professor in the School of Social Work
   Corresponding Secretary: Michael McVoy, Professor of Pediatrics, School of Medicine
   Recording Secretary: Scott Street, Teaching Associate Professor in the Department of Statistical Sciences
   Monroe Park Campus Representative: Jennifer S. Wayne, Professor of Biomedical Engineering and of Orthopaedic Surgery, Department of Biomedical Engineering, School of Engineering
   MCV Representative: 2-person team from the School of Nursing: Lisa Brown, associate professor and Nancy Jallo, Associate professor

B. Thanks extended to the Board of Visitors, the Administration and the Commonwealth regarding compensation increases to base pay for faculty in the coming fiscal year.
   (Comment: The Faculty Senate feels success in this.)

C. There is considerable interest within he Faculty Senate in continuing the progress in shared governance made in the past four years.

D. Faculty believe that action is due this year addressing salary compression and salary equity. Compression is well known to faculty and administration and felt by many faculty members. An equity study has been discussed for at least one year but direction and results have not been seen. In addition to faculty senate concern for these items, the great place initiative identified these at least two years ago.

2. UNIVERSITY BUDGET COMMITTEES:

University Budget Advisory Committee will continue to meet bi-weekly in May and the first part of June. A reduced schedule is planned for the rest of the summer. I am committed to continuing as representative through the summer. June Nicholson as our new Immediate Past President can pick up the role in mid-
August. The position of Vice president for Finance and Administration is to be filled on an interim basis, but timing for this is unclear at the moment.

The New Budget Model Steering Committee continues to meet every two weeks, and I am committed to representing faculty through the summer and working for a transition to replacement leadership representation during the next academic year.

3. A FEW THOUGHTS FOR CONSIDERATION ON THE WAY FORWARD

A. During the past four years Faculty Senate has been established as a respected participant in policy matters at VCU, and the senate has been integrated into the formal policy process time-line.

B. In the next four years the senate must work to maintain its standing and recognition in governance and continue to emphasize and give priority to policy roles. There is, however, a national trend in higher education that challenges us and our university. This is that higher education, and the institutions that compose it, are more than ever an enterprise and entrepreneurial.

In this light, consider that:

For ten years, through two administrations, our senate has expressed concern about the decline in tenure-track faculty, in comparison to non-tenure-track faculty, as an important issue. Although there have been words expressing understanding, there has been no reversal, and a severe imbalance now exists.

Related to the above are considerations for:
- Hiring trends and patterns,
- Redefinition of the “teacher-scholar” role,
- Collegiality,
- Faculty filling new and different roles and assignments with variable human resource classifications and in some situations without identified place in university governance.

C. American universities expand internationally, often though contract arrangements that are bottom line oriented, but questions arise asking if there is adequate oversight of, and faculty participation in, ensuring academic freedom in these enterprises.

D. Growth in intercollegiate athletics is more and more externally driven and universities become dependent on it, which pressures student-athletes, athletic directors, coaches and, yes, university presidents. Faculty may be little more than observers and fans in this trend.

Adjournment at 6:30