



**Faculty Senate
Minutes
Wednesday, December 11, 2019
12:15 p.m.**

Faculty Senate President Raúl Ramos called the December 11, 2019 Faculty Senate meeting to order in the Multipurpose Room of the Student Center South at 12:21p.m. He welcomed senators and guests to the last meeting of the fall term. Dr. Ramos thanked Provost Short for sponsoring the holiday lunch and wished her a speedy recovery since she was unable to attend today's meeting.

MEMBERS PRESENT: (73)

ARCH: M. Kubo, P. Peters,
BUS: N. Johnson, M. Murray, S. Werner,
CLASS: P. Blake, W. Breslin, F. Bunta, P. Butler, J. Cortina, J. Fix, H. Glass, E. Goodin-Mayeda, K. Hopkins, M. Ivey, L. Maher, R. Ramos, S. Scarrow, B. Tamber-Rosenau, C. Brohard, P. Schrader,
CON: C. Brohard, P. Schrader,
COTA: T. Chapman, F. Fernando, N. Harren, R. Valls,
EDU: C. Arbona, J. Freiberg, S. Gronseth, S. Hassett, M. Lee, M. Nikolaou,
ENGR: P. Cirino, J. Conrad, D. Shattuck, G. Song, Y. Yao
GCSW: P. Leung
HON: S. Long
HRM: J. Draper, J. Madera, C. Morosan
Law: J. Heppard
LIB: K. Creelman, C. Gola, S. Thompson,
NSM: B. Bodmann, J. Briggs, R. Capuano, R. Forrest, B. George, J. May, A. Medrano, E. Papadakis, N. Rizk, J. Sisson, G. Toti, C. Wayne,
OPT: V. Das, K. Fern, R. Manny, S. Modi, J. Porter, J. Wheat,
PHA: D. Chow, G. Cuny, R. Ghose, B. McConnell, D. Thornton,
TECH: B. Detillier, M. El Nahas, J. Evans, H. Hutchins, F. Merchant, G. Zouridakis,

MEMBERS ABSENT: (60)

ARCH: D. Froehlich, Mark Kimbrough, Z. Qureshi
BUS: S. Basu, Dan Currie, D. Currie, J. Hess, P. Kumar, O. Miljanic, J. Porra, L. Silva, G. Smith
CLASS: E. Aleman, R. Boul, S. Craig, M. Dunkelberger, S. Grigorian, J. Kleinheider, D. Papell, G. San Miguel, C. Sharp, C. Sisk, C. Spitzmueller, A. Vujanovic, J. Wingard
COTA: T. Koozin, K. Rigdon
EDU: W. Fan, L. Hutchison, A. Thompson
ENGR: J. Chen, L. Grabow, K. Grigoriadis, K. Larin, H. Love, Y. Mo, M. Robertson, S. Shevkopyas
GCSW: S. Jennings, S. Narendorf
HON: D. Gish
HRM: J. Bowen, C. Taylor
LAW: B. Evans, D. Fagundes
LIB: N. Dethloff
NSM: K. Bassler, S. Gilbertson, S. Huang, T. R. Lee, V. Lubchenko, A. Quaini, C. Ratti, Z. Ren, S. Xu
PHA: T. Hussain, M. Trivedi
RES FAC: O. Bannova

RES CTRS: S. Chung
TECH: M. Kidd

VACANT SEATS: (5) COTA – 1 seat / LAW – 1 seat / CLASS – 2 seats / GCSW – 1 seat

VISITORS: Renu Khator (Chancellor/President); Suresh Khator (Professor, Cullen College of Engineering), Amr Elnashai (Vice Chancellor/Vice President, Research & Technology Transfer); Mark Clarke (Associate Provost, Faculty Development and Faculty Affairs); Michael Johnson (Chief of Staff, Office of the Chancellor/President); Andrew Davis (Dean, KGM College of the Arts); J. Guillermo de los Reyes (Hispanic Studies/CLASS), Dusya Vera (Dept. of Management/Bauer)

Minutes: The minutes of the November 20, 2019 Faculty Senate meeting were approved.

Report from and Discussion with the Faculty Senate President: [Raúl Ramos](#)

Pres. Ramos gave a brief overview on the progress of the UH Strategic Planning work group activities. The Faculty Affairs Committee (FAC) chaired by Dr. Paul Butler served as a pilot group to evaluate how to obtain faculty input in a grassroots way. In the spring 2020 term, Dr. Ramos would like the other Senate committees to provide faculty input into the planning process.

Presentation of Officer Candidate Slate & FGC Election Results by Faculty Governance Chair: [Steve Werner](#)

FGC Chair Steve Werner informed the Senate that his committee met on December 10th, to certify the FGC officer election results and December 11th to certify The Faculty Governance Committee the 2020-2021 Faculty Senate leadership candidate slate.

The results of the Faculty Governance Committee Election are as follows:

Faculty Governance Committee: (1-year and 8-month term)

Ferenc Bunta, CLASS
Kerry Creelman, LIB
Romi Ghose, PHA
Janet Heppard, LAW
Kirill Larin, ENGR
Mimi Lee, EDU
Ruth Manny, OPT
Jeremy May, NSM
Fatima Merchant, TECH
Cristian Morosan, HRM
Chad Wayne, NSM
Steve Werner, BUS

Dr. Werner congratulated the new FGC officers and that the Faculty Senate looks forward to their good work during the 2020-2021 academic year.

Next, FGC Chair Steve Werner presented the officer slate.

President-elect:

Vallabh Das, OPT
Patrick Peters, ARCH

The floor was opened to additional nominations. None were brought forth. The call for nominations were closed.

Secretary:

Susie Gronseth, EDU
Bradley McConnell, PHA

The floor was opened to additional nominations. None were brought forth. The call for nominations were closed.

Member-At-Large:

Susie Gronseth, EDU
Bradley McConnell, PHA
Steve Werner, BUS

A senator wanted to nominate Dr. Ana Medrano (NSM) for the MAL position after the floor closed to nominations. Pres. Ramos brought forth a motion to open the floor again and the motion was seconded. Senator Medrano accepted her nomination. No further nominations were brought forth and the call for nominations closed.

Dr. Werner informed senators that candidate profiles will be posted on the Faculty Senate website. Senators will also will receive email notification when the online election has been launched.

FGC Chair Steve Werner announced that it is traditional for senators running for President-elect to deliver a brief statement on their candidacy.

President-elect Candidate Speeches

Senators Vallabh Das (OPT) and Patrick Peters (ARCH) gave their candidate speeches. Both candidates prefaced their speeches by mentioning their professional background and Faculty Senate service experience and ended their vision and goals for the Senate.

Presentation on SAM 01.D.08 – Sexual Misconduct Policy: [Jennifer Bloom](#), Senior Assistant General Counsel and [Toni Sanchez Benoit](#), Interim Assistant Vice President & Title IX Coordinator, Equal Opportunity Services

Pres. Ramos invited Jennifer Bloom (OGC) and Toni Benoit (EOS) to present the recently updated Sexual Misconduct Policy.

Toni Benoit introduced the team who would ensure the communication of the new legislative updates: Jennifer Bloom (OGC), Jeff Palmer (OGC), and Susan Koch (Chief Compliance Officer). She also mentioned today's presentation will inform faculty their obligations and where to find help if questions/issues arise regarding the new updates and the policy in general on mandatory employee reporting. Toni informed senators there will be future trainings as well.

Overview of presentation topics covered:

- Title IX
 - Texas Legislative Updates
 - Defining Sexual Misconduct
 - Reporting Requirements
 - Who Must Report
 - When, What, and How to Report
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- A. What is Title IX? A 1972 Amendment to the Civil Rights Act of 1964
 - Prohibits sex discrimination under any educational program or activity that receives federal funding.
 - B. Recent updates from the Texas Legislature

- Texas Senate Bill 212
 - Establishes new requirements for reporting incidents of sexual harassment/assault/dating violence/stalking
 - Applies to employees of postsecondary institutions
 - Outlines consequences for university employees who fail to report or make false reports
- C. Defining Sexual Misconduct – definitions haven't changed
 - Sexual Harassment – rises to the level of creating a hostile environment
 - Unwelcome, sex-based verbal, written or physical conduct
 - Non-consensual Sexual Contact
 - Sexual Exploitation (i.e., voyeurism – taking a photo without consent)
 - Sexual Intimidation (i.e., flashing)
 - Dating Violence – Violence & threats of violence that occur within a romantic or intimate relationship
 - Stalking – Course of conduct (2 or more times) that would cause a reasonable person to fear for their safety.
 - Social media - cyberstalking
 - Sexual Assault – Sexual intercourse that occurs without consent
- D. Reporting Requirements
 - All employees must promptly report to the Title IX Coordinator observations witnessed or information received while in the course and scope of their employment that they:
 - Reasonably believe may constitute a violation of the Sexual Misconduct Policy and
 - Are committed by or against a student enrolled or employee employed at the time of the incident
 - Includes information witnessed, received first-hand, received second-hand and overheard (even rumors)
 - Employees Exceptions
 - Employees who hear information at a public awareness event or speak out
 - Employees who are victims of the incident(s) of sexual misconduct
 - Student employees
 - Employees who have been designated by the university to be confidential resources: counselors (CAPS), health professionals (Health Center), Clergy (A.D. Bruce Religion Center), Sexual Misconduct Support Services
- E. When, what, and how to report
 - All known details must be reported: name of parties/their affiliation/status with the university, any witnesses, time/date location, etc. Anything that helps university officials in their investigation.
 - If the complainant has expressed a desire for confidentiality.
 - The online Sexual Misconduct Reporting Form helps guide employees through the reporting process. The online link is located at the bottom of every UH webpage. Also, reporting can be done by contacting the Title IX Coordinator.
 - Anonymous reports can be made through the Fraud & Noncompliance Hotline. However, Ms. Benoit cautioned that reporting anonymously may cause an issue if an allegation is made against the reporter that he/she didn't report. The reporter needs to make sure he/she obtains a copy of the submitted report.
 - A senator asked what if the form is incomplete or some of the information is inaccurate?
 - Toni Benoit emphasized that it is still important to report. The EOS will do the research.
 - Another senator asked if we should intervene if an incident is occurring. Ms. Benoit responded that no one should be put themselves in danger, but ask for help or create a distraction instead. The same senator also asked if she can record the situation with her phone. Toni Benoit wasn't sure if recording would violate another part of the policy. Jennifer Bloom responded that it's better to not intervene and get help/report the incident.

- One senator asked if EOS is required to share the identification of the reporter – especially if the reporter doesn't want to be identified. EOS doesn't have to share the identity of the reporter if the reporter requests not to be identified.
- A senator asked if it is required to report an incident if the person doesn't perceive the incident as negative. Jennifer Bloom responded regardless of the situation, the person must report. Many times the response is a "supported" outreach to the victim: not penalizing the reporter.
- Toni Benoit informed the Faculty Senate that every enrolled student will receive communication regarding the new legislative updates to this policy. EOS offers language to faculty to add to their syllabi about mandatory faculty reporting under this policy.
- Employee Consequences
 - The University will conduct an investigation to determine whether: an employee knowingly failed to make a report, made a false report, or intended to conceal the incident.
 - Mandatory Termination – regardless of tenure status
 - Class B Misdemeanor
 - 180 days in jail max
 - And/or \$2,000 max fine
 - Class A Misdemeanor – if case goes to trial and employee intentionally doesn't report the incident
 - One year in jail max
 - And/or \$4,000 max fine
 - EOS plans to do campus training throughout the year. Toni Benoit asked for Faculty Senate assistance in providing feedback on due process.
 - EOS invited senators to ask more questions.
 - One senator suggested that training be offered for both faculty and students in the same session. Faculty and students have different perspectives and would be helpful to learn from each other.

Dr. Ramos recommended that senators should collaborate with EOS/OGC partners to build a good FAQ. Senators can submit questions to FS leadership. The Faculty Affairs Committee will most likely be the group to help with this policy. Also, the Faculty Senate is involved in the university policy & procedures process: revisions to this policy can be/or is being made. The Senate can add faculty perspective to policy changes. He thanked the senators for their questions.

Adjournment

The Faculty Senate meeting adjourned at 1:26 p.m.

Special Celebration

To end the Faculty Senate meeting in a celebratory tone, President Raúl Ramos introduced UH's newest tradition, University of Houston Mariachi Puma. He thanked Dr. Paula Myrick Short, KGMCA Dean Andrew Davis, and the Board of Regents for their support for this new campus tradition. Director and Puma Mariachi member Jose Longoria thanked everyone for giving the opportunity to perform at today's meeting.