

CASE WESTERN RESERVE UNIVERSITY
Faculty Senate
Meeting of April 26, 2007, 3:30 - 5:30 p.m.
Toepfer Room, Adelbert Hall
AGENDA

1. Approval of Minutes of February 26 and March 27, 2007 J. Alexander
2. President's Announcements G. Eastwood
3. Provost's Announcements J. Anderson/L. Singer
5. Chair's Announcements J. Alexander
6. Report of the Executive Committee D. Matthiesen
7. Resolutions *in memoriam*
8. Introduction of Susan Zull
9. Report of the Nominating Committee and Election of Standing Committees Membership *Action Item* R. Salata
10. Faculty Personnel Committee MOTION on Conflict of Commitment Policy *Action Item* A. Huckelbridge
11. Minority Affairs Committee MOTIONS on Nondiscrimination Policy, University Vice President for Diversity, and Modifications to the Sexual Harassment Policy *3 Action Items* S. Loue
12. Report from the ad hoc Committee on Salary and Tenure S. Russ and J. Kazura
13. Report on the ad hoc Committee on Pandemic Flu Planning R. Wright
14. Year-end Standing Committee Reports: (Chairs available for questions)
 - Budget Committee, Glenn Starkman
 - By-Laws Committee, Christine Cano
 - Faculty Compensation Committee, Kenneth Loparo
 - Faculty Personnel Committee, Arthur Huckelbridge
 - Graduate Studies Committee, Ica Manas-Zloczower
 - Information Resources Committee, Mark Dunlap
 - Minority Affairs Committee, Sana Loue
 - Nominating Committee, Robert Salata
 - Research Committee, Carol Musil
 - University Libraries Committee, Paul Salipante
 - Women Faculty Committee, Kathryn Adams

15. New Business
16. Announcements
17. Passing on of the Gavel to the Next Senate Chair

Adjournment

Attachments:

Minutes of the Meetings of February 26th and March 27th **to be sent later**

Resolutions *in Memoriam* for Barbara M. Allan, Jack B. Joelson, Louis Rakita (Plain Dealer Obit)

Slate of Candidates for Standing Committee Membership

Faculty Personnel Committee Motion on Conflict of Commitment

Minority Affairs Committee Motions (3)

Standing Committee Year-end Reports

Agenda Item 7. Resolutions *in Memoriam*

Resolution in Memory of Barbara Munroe Allan

With the death of Associate Professor Emeritus Barbara Munroe Allan on October 22, 2006, the Mandel School of Applied Social Sciences and Case Western Reserve University has lost a dedicated friend and colleague. Dr. Allan joined the faculty of SASS in 1971 and retired in 1987. From 1983 to 1987, she was Associate Dean for Academic Affairs under the late Dean Arthur Naparstek.

Dr. Allan, a native of Canada, had a BA from Queens University, Kingston, Ontario; an MSW from McGill University, Montreal, Quebec, and a Ph.D. from the School of Applied Social Sciences, Case Western Reserve University.

Prior to joining our faculty, Dr. Allan was an assistant professor at the University of Toronto. While at SASS she was chair of the health concentration, direct practice program and director of the master's program as well as associate dean for academic affairs. She was also a member of the task force that created the Intensive Semester Program

Therefore, BE IT RESOLVED, that the faculty of the Mandel School of Applied Social Sciences, Case Western Reserve University, hereby adopts this memorial tribute to honor Barbara Munroe Allan for her service, support and devotion, and directs that this resolution be included in the minutes of this meeting.

Approved by Constituent Faculty Committee
of the Mandel School of Applied Social Sciences
November 13, 2006

Resolution in Memory of Jack B. Joelson, Ph.D.

With the death of Associate Professor Emeritus Jack B. Joelson on October 26, 2006, the Mandel School of Applied Social Sciences and Case Western Reserve University lost a dear friend and accomplished colleague. Dr. Joelson joined the faculty of SASS in 1966 and retired in 1992, specializing throughout his career in the mental health concentration.

He received his undergraduate education at the University of Illinois. He received his M.S.W. from Washington University and his Ph.D. in Social Work from the University of Pittsburgh. While a student at Pittsburgh, he received an NIMH Training Grant which solidified his concentration in mental health.

Dr. Joelson appeared in *Who's Who in the Midwest in 1989, 1990, 1991 through to his retirement in 1992*. He was a founding member of the National Association of Social Workers. He volunteered his services to the Cuyahoga County Mental Health Board, the Ohio Department of Mental Health and Retardation, and the Veterans Administration Hospital. He was also a member of the American Association of Social Workers.

His interests were abundant. Dr. Joelson was a photographic artist whose pieces hung in the Cleveland Museum of Art "May Show". Two of his photographs hang in the MSASS building, gifts from him. He studied music theory and sight singing at the Cleveland Institute of Music. He was also a founder of the Cleveland Table Tennis Club.

Therefore, BE IT RESOLVED, that the faculty of the Mandel School of Applied Social Sciences, Case Western Reserve University, hereby adopts this memorial tribute to honor Jack B. Joelson for his service, support and devotion, and directs that this resolution be included in the minutes of this meeting.

Approved by Constituent Faculty Committee
of the Mandel School of Applied Social Sciences
November 13, 2006

Resolution in Memory of Dr. Louis Rakita (1922 - 2007)

Dr. Louis Rakita, 84, who died Monday, was nationally recognized as a pioneer in treating heart-related disorders. He was the retired director of cardiology at Cleveland Metropolitan General Hospital, which is now MetroHealth Medical Center. He also was professor emeritus of clinical medicine at Case Western Reserve University.

Rakita began his research in a variety of heart-related disorders in 1954, primarily focusing on abnormal heart rhythms. He was one of the first physicians to introduce the drug amiodarone (widely used to stabilize heart rhythms) into use in the United States. In 1962, while on the hospital staff, Rakita received a grant from the U.S. Public Health Service for a five-year study of enlarged hearts associated with heart disease. His studies also included the structural and electrical changes when the heart is enlarged. Rakita's interest in electrical activities of the heart was piqued while working on radios and electronics in the Royal Canadian Air Force during World War II, said a son, Dr. Robert Rakita of Seattle. The native Canadian had gone into the service after graduating from Sir George Williams College in 1942.

After the service, he received his medical degree in 1949 from McGill University in Quebec. He was a proponent of a heart-healthy diet and was a leader in efforts to promote the diet nationally for the American Heart Association. Rakita was honored in 1987 by the American Heart Association for his years of volunteer service. He retired from Metro General in 1987, after serving 21 years as chief of the cardiology unit. He had joined the staff in 1952.

He is past president of the American Heart Association, Northeast Ohio Chapter, where he was a member of numerous committees for the association, both at the local and national levels. He also was active with the National Heart and Lung Institute, and the National Institutes of Health. Rakita was the recipient of the Award of Merit and the Gold Heart Award from the American Heart Association, its highest honor. Other honors included the Laureate Award from the American College of Physicians and the Saltzman award from the Mt. Sinai Medical Foundation. In 1998, the Cardiac Intensive Care Unit at MetroHealth Medical Center was named in his honor

Rakita was a member of numerous local, state and national medical organizations.

After receiving his medical degree, he trained in internal medicine at Montreal General Hospital, the Jewish General Hospital in Montreal and the Ochsner Clinic in New Orleans. Later he interned in cardiology at Cedars of Lebanon Hospital in Los Angeles. He came to Cleveland in 1952 as chief resident in medicine at the former Cleveland City Hospital, and continued his career when it became Metro General.

Rakita was born in Montreal. He and his wife, Tiny, had been married 61 years. Survivors: Wife, Blanche (Tiny); son, Dr. Robert of Seattle; two grandchildren; one sister and two brothers

April 5, 2007, written by Wally Guenther, Plain Dealer Newspaper Reporter

Agenda Item 9. Report of the Nominating Committee

Title: **Slate of Candidates for Membership on Standing Committees 2007-2008**

Date presented to Senate: April 26, 2007

Presenter: Robert Salata, Chair, Nominating Committee

Subject of motion: Approval of members of standing committees for next academic year.

Voting (check one):

(a) on resolutions or recommendations one by one _____

(b) in a single vote _____

(c) to endorse entire report x

Committee work: Nominating committee

Consultations (with other committees, legal office, administrators, etc.):

Executive Committee approval: April 17, 2007

Alternatives: Refer back to Nominating Committee, alter on floor.

Risks: None noted.

Financial implications: None noted.

Senate action:

Transmitted to:

Motion: Approve slate of nominations for members of standing Senate committees, as below.

FACULTY SENATE

Slate of Candidates for Membership on Standing Committees 2007-2008

abbreviations

CAS (College of Arts and Sciences); CSE (Case School of Engineering); SODM (School of Dental Medicine); MSASS (Mandel School of Applied Social Sciences); SOM (School of Medicine); SON (Frances Payne Bolton School of Nursing); PE&A (Physical Education and Athletics); WSOM (Weatherhead School of Management)

* persons accepting terms of one or two years are filling unexpired terms; they will be eligible for two successive regular terms.

Budget Committee

remaining

David Hutter, Professor, PE&A - term expires in 2008 (Non Senator)

Edith Lerner, Associate Professor, SOM - term expires in 2008 (Senate term expires in 2007)

for terms ending in 2010

Ken Ledford, Professor, CAS (Senator)
Shirley Moore, Professor, SON
Marsha Pyle, Associate Professor, SODM
Glenn Starkman, Professor, CAS (Senator)

Committee on By-Laws

remaining

Spencer Neth. Professor, Law, term expires in 2009
Stanton Cort, Associate Professor, WSOM, term expires in 2008
Terry Hokenstad, Professor, MSASS, term expires in 2008

for terms ending in 2010

Christine Cano, Associate Professor, CAS
Kathleen Courtney, Instructor, SON
Dorr Dearborn, Professor, SOM

Committee on Faculty Compensation

remaining

Kathleen Farkas, Associate Professor, MSASS, term expires in 2009
Donna Dowling, Assistant Professor, SON, term expires in 2009
Susan Case, Associate Professor, WSOM, term expires in 2009
Stanley Hirsch, Associate Professor, SODM, term expires in 2008
Karen Potter, Associate Professor, CAS, term expires in 2008

for terms ending in 2010 or as noted *

Patrick Kennedy, Associate Professor, PE&A (2008)
Catherine Scallen, Associate Professor, CAS
Charles Malemud, Professor, SOM
Martin Resnick, Professor, SOM

Committee on Faculty Personnel

remaining

Eva Kahana, Professor, CAS, term expires in 2009
Marsha Pyle, Associate Professor, SODM, term expires in 2009
Hue-Lee Kaung, Associate Professor, SOM, term expires in 2008
Judith Lipton, Professor, Law, term expires in 2008
Judith Maloni, Professor, SON, term expires in 2008

for terms ending in 2010 or as noted *

Robert Greene, Professor, CAS (2009)
James Kazura, Professor, SOM
Marshall Leitman, Professor, CAS
Vincenzo Liberatore, Associate Professor, CSE

Committee on Graduate Studies

remaining

Meral Ozsoyoglu, Professor, CSE, term expires in 2009
Cynthia Bearer, Associate Professor, SOM, term expires in 2009
John Clochesy, Associate Professor, SON, term expires in 2008
Ica Manas-Zloczower, Professor, CSE, term expires in 2008
Rolfe Petschek, Professor, CAS, term expires in 2008

for terms ending in 2010 or as noted *

Alan Levine, Professor, SOM, (2009)
Kathryn Mercer, Associate Professor, Law
Christopher Flint, Associate Professor, CAS
Sami Chogle, Assistant Professor, SODM

Committee on Information Resources

remaining

Jiayang Sun, Professor, CAS, term expires in 2009
Charles Rosenblatt, Professor, CAS, term expires in 2009
John Blackwell, Professor, CSE, term expires in 2009
Wyatt Newman, Professor, CSE, term expires in 2009
Mark Dunlap, Associate Professor, SOM, term expires in 2008
Alan Rocke, Professor, CAS, term expires in 2008

for terms ending in 2010

Julia Grant, Associate Professor, WSOM
Katherine Demko, Assistant Professor, SODM
John Gilbertson, Associate Professor, SOM

Committee on Minority Affairs

remaining, with 2 terms extended for balance

Roma (Theresa) Jasinevicius, Assistant Professor, SODM, term expires in 2009
Sana Loue, Professor, SOM, term expires in ~~2008~~ 2009
Ram Nagaraj, Professor, SOM, term expires in 2008
Spencer Neth, Professor, Law, term expires in ~~2008~~ 2009
Renee Sentilles, Associate Professor CAS, term expires in 2008

for a term to end in 2010

Aura Perez, Assistant Professor, SOM

Committee on Research

remaining

Eben Alsberg, Assistant Professor, CSE, term expires in 2009
Raymond Muzic, Associate Professor, SOM, term expires in 2009
Yiping Han, Associate Professor, SODM, term expires in 2008
Janet McGrath, Associate Professor, CAS, term expires in 2008
Carol Musil, Associate Professor, SON, term expires in 2008

Lawrence Sayre, Professor, CAS, term expires in 2008

for terms ending in 2010

Katherine Jones, Professor, SON

Mehram Mehregany, Professor, CSE

Leonard Lynn, Professor, WSOM

Committee on University Libraries

Remaining

Constantijn Petridis, Assistant Professor, CAS, term expires in 2009

Erik Jensen, Professor, Law, term expires in 2009

G. Regina Nixon, Instructor, MSASS, term expires in 2009

Vernon Anderson, Professor, SOM, term expires in 2009

Kristin Victoroff, Assistant Professor, SODM, term expires in 2009

Dario Gasparini, Professor, CSE, term expires in 2008

Marshall Leitman, Professor, CAS, term expires in 2008

Christine Hudak, Associate Professor, SON, term expires in 2008

for terms ending in 2010

Peter Haas, Professor, CAS

Paul Salipante, Professor, WSOM

Committee on Women Faculty

remaining

Beatrice Jessie Hill, Assistant Professor, Law, term expires in 2009

Diana Bilimoria, Associate Professor, WSOM, term expires in 2008

Faye Gary, Professor, SON, term expires in 2008

Angela Graves, Assistant Professor, SODM, term expires in 2008

Elizabeth Kaufman, Assistant Professor, SOM, term expires in 2008

for terms ending in 2010 or as noted *

Stacy Williams, Professor, CAS (2009)

Arthur Huckelbridge, Associate Professor, CSE

Roy Ritzmann, Professor, CAS

Sarah Andrews, Instructor, MSASS

Agenda Item 10. Report of the Faculty Personnel Committee

Title: **Conflict of Commitment Policy**

Date presented to Senate: April 26, 2007

Presenter: Art Huckelbridge, Chair, Faculty Personnel Committee

Subject of motion: Unlike a number of universities, CWRU does not have a Conflict of Commitment Policy. The School of Medicine has proposed that such a policy would be useful. The Faculty Personnel Committee agreed that a definition of Conflict of Commitment and a Policy Statement regarding the obligations of university faculty would be appropriate and useful

and could be added to the Faculty Handbook Chapter 4 Section VIII Conflict of Interest.

The Committee found the language of both the Ohio State and Northwestern policies useful. We have chosen the language included below to serve as this university's general statement of policy.

Voting (check one):

- 1) on resolutions or recommendations one by one _____
- 2) in a single vote x _____
- 3) to endorse entire report _____

Committee work: Faculty Personnel Committee

Consultations (with other committees, legal office, administrators, etc.):

Office of the Attorney

Executive Committee approval: April 17, 2007

Alternatives: Not institute a policy.

Risks: None noted.

Financial implications: None noted.

Senate action: Approved by majority vote, with one amendment: deletion "...or diminish...."

Transmitted to:

Motion:

Resolved: To recommend adoption of a university-wide definition of "conflict of commitment," and a policy statement, as below, for incorporation into the faculty handbook, Chapter 4, Section VIII.

* * * * *

CONFLICT OF COMMITMENT

I. DEFINITION

For purposes of this policy, a conflict of commitment exists when external or other activities are so substantial or demanding as to interfere with the individual's teaching, research, scholarship or service responsibilities to the University or its students. Faculty accept an obligation to avoid conflicts of commitment in carrying out their University education, research, scholarship or service responsibilities.

II. POLICY

Full-time faculty members, including administrators with faculty appointments, owe their primary professional allegiance to the University, and their primary commitment of time and intellectual energies should be to the education, research, service and scholarship programs of the institution. The specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ across schools and departments and will be based on

academic practice and/or specific written agreement between the faculty member and his or her department chair and/or college dean. In schools or departments where off-campus activity of a scholarly or artistic nature is necessary for tenure and/or promotion consideration, a formal procedure should be implemented, by which such activities are planned, reviewed and approved.

Faculty members holding full-time appointments may not hold full-time appointments of any type in any other organization, nor may they hold faculty appointments at other educational institutions without written approval from their dean. It is important to recognize, however, that the obligations of faculty members move beyond the letter of these policies to their spirit. The University requires that its faculty members meet their classes; but it also expects that they will be available to students outside of the classroom, will carry their share of committee responsibilities, will meet any clinical obligations, and will remain productively involved in their research and other scholarly or artistic pursuits. External activities including volunteer or pro bono work or compensated professional/commercial activities and outside consulting activity that compromise a faculty member's capacity to meet these obligations represent a conflict of commitment.

Each faculty member is to disclose any existing or potential conflict of commitment situation on an annual basis following procedures established by the school in conformity with this policy.

Agenda Item 11. Report of the Minority Affairs Committee

Title: **Addition to University Policy on Non-discrimination**

Date presented to Senate: April 26, 2007

Presenter: Sana Loue, Chair, Minority Affairs Committee

Subject of motion:

The current University Policy on Non-discrimination reads:

Case Western Reserve University does not discriminate in recruitment, employment or policy administration on the basis of race, religion, age, sex, color, disability, sexual orientation, gender identity/expression, national or ethnic origin, political affiliation, or status as a disabled veteran or other protected veteran under U.S. federal law. In addition, the University expects all employees, students, vendors, and associates to participate in its program of non-discrimination.

It is proposed to strengthen the policy by the addition of a second paragraph. The current language above is unchanged as a first paragraph.

Voting (check one):

- 1) on resolutions or recommendations one by one _____
- 2) in a single vote _____
- 3) to endorse entire report _____

Committee work:

Minority Affairs Committee

Consultations (with other committees, legal office, administrators, etc.):

Legal office, Senate discussion

Executive Committee approval:

April 17, 2007

Alternatives:

Leave policy unchanged.

Risks:

None noted.

Financial implications:

None noted.

Senate action: Motion approved.

Transmitted to:

Motion:

Resolved: The following paragraph be appended to the University Policy on Non-discrimination.

Case Western Reserve University is committed to the recruitment and retention of a diverse workforce; the development and maintenance of a learning environment that is respectful of diverse beliefs and values; the development and maintenance of connections and collaborations with our larger community; and the fostering of a healthy work-life balance consistent with and respectful of diverse values and beliefs.

Title: **Resolution on University Official Concerned With Issues Relating to Diversity**

Date presented to Senate: April 26, 2007

Presenter: Sana Loue, Chair, Minority Affairs Committee

Subject of motion:

The Committee for Minority Affairs has found that there exists a lack of coordination and communication among the various organizations and office within the university that have as all or part of their charge various responsibilities related to the issue of diversity and minorities. Additionally, there is no individual who is accountable for ensuring that the necessary communication and coordination will occur. As a step towards the rectification of this situation, we propose the resolution below, which states policy concerning the establishment of an office or position.

The establishment of this office or position is intended to augment and enhance services currently provided by existing offices and not to displace or usurp their functions. This proposal does not specify the mechanism to be utilized to effectuate this.

Voting (check one):

- (a) on resolutions or recommendations one by one _____
- (b) in a single vote _____
- (c) to endorse entire report _____

Committee work:

Minority Affairs Committee

Consultations (with other committees, legal office, administrators, etc.):

Senate discussion

Executive Committee approval:

April 17, 2007

Alternatives:

Do not establish office. Find other means to deal with the issues raised and/or determine there is no need to deal with them.

Risks:

None noted.

Financial implications:

Support for office.

Senate action: Motion failed.

Transmitted to:

Motion:

We resolve that there be established within Case Western Reserve University an office/position that is independent of existing offices relating to diversity. This office/position will be responsible for direct reporting to the university president. Responsibilities are to include:

- 1) coordination and liaison with all university offices and organizations which bear responsibility in whole or part for matters pertaining to the university environment as it relates to minorities;
- 2) the provision of guidance and information, as needed, to students, staff, and faculty who present concerns relating to minority life within the university community;
- 3) the provision of ongoing training to all members of the university community on issues relating to minority status and diversity to include, but not to be limited to, undergraduate and graduate students, teaching assistants, research assistants, and faculty members;
- 4) the provision of assistance to faculty members in the incorporation of diversity issues in their course syllabi;
- 5) liaison with minority organizations outside the university community to enhance university-community relations and the university environment for minority students,

- staff, and faculty; and
6) such other responsibilities as may be appropriate.

Title: Clarification and Modification of University Policy on Sexual Harassment

Date presented to Senate: April 26, 2007

Presenter: Sana Loue, Chair, Minority Affairs Committee

Subject of motion:

The current sexual harassment policy of CWRU is housed at various web sites, including those listed below. The language in the statement of policy and the extent of the information provided differs among the sites. Various sites include:

<http://www.case.edu/stuaff/shpp/harasspolicy.html>

<http://weatherhead.case.edu/studentServices/registration/policy/sexual.cfm>

http://www.case.edu/president/aaction/what_is_sexual_harassment.pdf

Moreover, gaps exist in the coverage provided by the current policy and the manner of its current implementation, including a failure to address harassment directed at transgender or transsexual. We propose uniformization of the policy and modification of the current language to include the provisions indicated in underlined enlarged italic font and deletion of the language that has been stricken.

Voting (check one):

(a) on resolutions or recommendations one by one _____

(b) in a single vote x

(c) to endorse entire report _____

Committee work:

Minority Affairs Committee

Consultations (with other committees, legal office, administrators, etc.):

Office of Attorney, Senate discussion

Executive Committee approval:

April 17, 2007

Alternatives:

Do not modify policy.

Risks:

None noted.

Financial implications:

None noted.

Senate action: Motion approved

Transmitted to:

Motion:

Resolved:

The University Policy on Sexual Harassment is as in the attachment, modified as noted.

CASE Sexual Harassment Policy and Procedures: Chapter 4, Section XIV

I. Policy

It is the policy of Case Western Reserve University to provide a positive, discrimination-free educational and working environment. Sexual harassment is unacceptable conduct, which will not be tolerated. All members of the University community share responsibility for avoiding, discouraging, and reporting any form of sexual harassment. Members of the University community found in violation of this policy may be disciplined, up to and including being discharged for cause or being expelled from the University. Retaliation against persons raising concerns about sexual harassment is prohibited and will constitute separate grounds for disciplinary action, up to and including discharge or expulsion from the University. This policy and the accompanying procedures shall serve as the only internal University forum of resolution and appeal of sexual harassment complaints.

A. Definitions

1. Sexual harassment can be defined as any unwelcome sexual advance, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or student status; or
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual with regard to employment (raises, job, work assignments, discipline, etc.) or to student status (grades, references, assignments, etc.); or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational experience, or creates an intimidating, hostile or offensive work and/or educational environment. The work or educational environment includes classroom and clinical settings, residence halls, activities, programs, offices and all CASE-sponsored events.

Although sexual harassment often takes place when the alleged harasser is in a position of power or influence (e.g., a faculty advisor to a student, supervisor to supervisee), other types of harassment are also possible. Sexual harassment may involve the behavior of a person of either gender against a person of the opposite or same gender or against a person who is transsexual or

transgender.

It is not necessarily limited to offensive physical contact or requests for sexual favors. Sexual or "off-color" remarks, name calling, lewd gestures, obscene materials (photographs, cartoons, etc.) and touching may also constitute sexual harassment.

2. Members of the University community include all CASE students, faculty, administrators, and staff, whether full or Evening.

B. Responsibilities of the University Community

University officials in the Provost's Office (Vice Provost, at 216.368.4389), ~~Office of Affirmative Action and Equal Employment Opportunity~~ The Office of Equal Opportunity and Diversity (Director, at 216.368.8877), and the Office of Student Affairs (Associate Director of Residence Life, at 216.368.3780) are responsible for:

1. Coordinating, disseminating and implementing this policy;
2. Serving as a resource for all matters dealing with sexual harassment complaints;
3. Advising about and investigating informal sexual harassment complaints;
4. Referring formal sexual harassment complaints to the Sexual Harassment Panel;

Deans, Directors, Department Chairs, Department Heads, and Administrative Offices are responsible within their area for:

1. Providing a work and educational environment that is free from harassment and intimidation;
2. Informing complainants about the University's policy and their right to talk to an Equal Employment Opportunity, Student Affairs or Provost's Office official;
3. Participating in investigations, resolutions of complaints and the implementation of recommended sanctions, if any.

All members of the University community are responsible for:

- 1) Ensuring adherence to this policy;
- 2) Discouraging sexual harassment;
- 3) Cooperating in any investigation which might result, including appearing before a Hearing Committee.

Any member of the University community who is consulted about potentially sexually harassing behavior must advise the accuser of the University's sexual harassment policy and encourage prompt reporting to any one of the designated University officials charged with responsibility for investigating sexual harassment complaints. When a first hand allegation of sexual harassment is made, and the alleged harasser is named, members of the University community must report the allegation to any one of these designated University officials.

C. Confidentiality

The University will make all reasonable efforts to maintain the confidentiality of parties involved in a sexual harassment investigation. Confidentiality, however, cannot be guaranteed. Furthermore, whether informal or formal resolution is sought, anonymous complaints will not be

brought against any member of the University community.

D. False Claims of Sexual Harassment

The University reserves the right to discipline members of the University community who bring false complaints of sexual harassment. No complaint will be considered "false" solely because it cannot be corroborated.

E. Annual Report

An annual report of sexual harassment complaints and their resolutions shall be produced by the Director of Affirmative Action/Equal Employment Opportunity. The report shall identify accusers and accused by constituency only, e.g., student, staff, faculty.

II. Procedures

Members of the University community who believe they have been sexually harassed by others in the University community are entitled to an informal and/or formal investigation and complaint process as detailed below. Visitors, guest lecturers, program participants, etc., may use this policy and the procedures below where applicable to bring complaints against a member of the University community whose behavior in the CASE educational or working environment is in question. Members of the University community may use this policy and the procedures below where applicable, to bring complaints against visitors, guest lecturers, program participants, etc. whose behavior in the educational or working environment is in question.

Prompt reporting of sexual harassment is in the best interest of the entire University community.

Complaints must be brought within two years of the latest alleged incident. It should be noted that the University's authority to investigate, to compel cooperation or to impose sanctions against those who are not members of the University community is limited.

The designated University officials in the Provost's Office, the Office of Student Affairs and/or the AA/EEO office will meet with any person(s) who have raised concerns about sexual harassment at the University. They will provide general advice about sexual harassment, and will also discuss options for pursuing both informal and formal resolution of a sexual harassment complaint. Once an accused person or group is identified, the designated University officials will conduct an initial investigation of a sexual harassment complaint. An initial investigation will include interviews with the person(s) reporting harassment and that person(s) accused of harassment and may include interviews of other potential witnesses. While an initial investigation will be pursued for every identified complaint, disciplinary action will not be taken against any individual or group unless the formal complaint process is used.

For further information about these procedures please contact the Director of Student Life and Multicultural Activities 216.368.6686.

The following University officials in the Office of Equal Opportunity and Diversity, and the Office of Student Affairs have been designated to receive reports of sexual harassment:

*If you're a faculty member: Beth McGee, Faculty Diversity Officer
Adelbert Hall 310, 368-4299*

*If you're a staff member: Kathryn M. Hall, University Director, Equal Opportunity and Diversity
Adelbert Hall 310, 368-8877*

*If you're a student: Sue Nickel-Schindewolf, Assistant Vice President for Student Affairs
Adelbert Hall 110, 368-2020*

Agenda Item 14. Year-end Standing Committee Reports

Report of the Faculty Senate Budget Committee 2006-2007

Glenn Starkman, Chair

This report has received the unanimous approval of the members of the Faculty Senate Budget Committee (FSBC).

The FSBC has met regularly throughout the academic year. The primary goals of the FSBC for this year, other than its usual ongoing monitoring tasks, were:

- a) To advance a restructuring of the FSBC which extended down into the constituent faculties, and which provided greater vertical integration of financial knowledge within the faculty governance structure.
- b) To improve communications with the board on financial issues of concern to the faculty and the university.
- c) To be an active contributor to the development of the FY08 budget by providing informed advice to the administration through a mutually agreed upon consultative process.

Of these three goals, a great deal of progress has been made on (a) and (b). The Senate has recently passed an amendment to the Faculty Handbook implementing the proposals of the FSBC for its own restructuring and for the institution of faculty budget committees in the constituent faculties. This amendment is now awaiting a vote by the University Faculty and, if passed, would then be subject to approval by the Board of Trustees. With regard to (b), the chair of the FSBC, the chair of the Board of Trustees' Finance Committee, and the University's Chief Financial Officer meet regularly before each BoT meeting to discuss outstanding issues. These meetings have been cordial and an important vehicle for informal communication between these two committees.

The FSBC's progress on the goal of having a meaningful consultative role in the formulation of the FY08 budget was not met, despite the assurances which it derived from the initial descriptions of the process for creating the FY08 budget. Although the committee spent time discussing issues meant to educate itself in preparation for providing advice on issues of importance, and was prepared to spend further time doing so, the administration failed to have meaningful consultations with the committee on any issues of substance in advance of decisions being taken on those issues.

For example, when it became clear to the FSBC chair that important decisions regarding the FY08 budget were imminent, the Provost who (along with the CFO) is one of the two senior administrative liaisons to the FSBC and who has primary responsibility for most policy decisions at the intersection between FSBC responsibility and the budget agreed that he would attend a special FSBC meeting focused on the FY08 budget. The Provost was allowed to shape the agenda of that meeting and asked that it focus on indirect cost allocation formulae. However, at

the meeting he made absolutely clear that any discussions regarding FY08 were moot, as he had already made a final determination of the indirect cost allocation formulae.

This approach of the administration providing most information to the FSBC when requested but not providing opportunities for any meaningful FSBC input into decisions effectively characterizes the committee's experience in this past academic year. It extends to decisions regarding the FY08 target deficits in schools, to setting the target size of the incoming freshman class, and indeed to any issue of substance on which the committee has interacted with the administration on matters of policy.

Thus, while the FSBC thanks Provost Anderson, CFO Sadid, Vice-President for Planning and Budget Ash and Associate Vice President Leitch for their responsiveness to regular FSBC requests for information, and Interim President Eastwood and Vice President for Development Loessin for their willingness to hold discussions with the FSBC, we must nevertheless make clear to the Senate that there has been no meaningful consultation with the FSBC on the FY08 budget. It is unfortunate, in the view of the FSBC, that even in this time of considerable financial turmoil, there is neither desire nor willingness to meaningfully engage the FSBC in a consultative capacity on decisions with major financial impact on the university and on the individual units. Indeed, the administration seems to view the FSBC's role in the budget process as informational rather than advisory, required rather than desired, and dismissed rather than valued, appreciated, and integral.

Report of the Faculty Senate By-Laws Committee 2006-2007

Christine Cano, Chair

The By-Laws Committee has proceeded to its mandated 5-year review of the Faculty Handbook. It has completed its review of the faculty constitution (Chapter 2 of the Handbook) and a substantial part of its review of Chapter 3. The Committee has met frequently over Spring 2007 in order to make progress on this charge. It expects to propose amendments to the Handbook to the Faculty Senate in Fall 2007.

Over 2006-2007 the Committee also considered updated by-laws from the School of Law and the School of Dental Medicine. It recommended substantive changes to the by-laws of the School of Law; it expects to see a new version of these in the fall. Its review of the Dental Medicine by-laws should be completed by the end of the semester; we have further meetings scheduled with its representatives.

The Committee reviewed and endorsed proposed amendments to the Handbook regarding the constitution of the FS Budget Committee and the mandating of budget committees in each constituent faculty (Ch. 2, VI, C, par. 1; Ch. 2, VII, A). The amendments passed by majority vote of the FS at its March 27 meeting. The Committee also presented a brief report, at the April 17 meeting of the Executive Committee, on Handbook language regarding the relationship between salary and tenure. In 2007-2008, once the review of the Faculty Handbook is complete, the Committee will review the By-Laws of the Faculty Senate.

We wish to thank Spencer Neth for serving as interim chair in Fall 2006.

Report of the Faculty Senate Committee on Faculty Compensation 2006-2007

Kenneth Loparo, Chair

Attached to e-mail so as to preserve formatting of charts.

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Report of the Faculty Senate Committee on Faculty Personnel 2006-2007

Arthur Huckelbridge, Chair

The disposition of these issues as of the end of the 2006-2007 academic year are:

1. The tenure self-initiation issue is being reviewed more broadly by the Faculty Senate By-Laws Committee, in consultation with the Personnel Committee.
2. The Personnel Committee was represented on a broader campus-wide group, charged with implementing this ban on campus during the spring semester.
3. The Personnel Committee is being represented on an ad-hoc group operating in conjunction with the University Attorney's office to negotiate compliance between the UH Medical Group Policy Manual and the Faculty Handbook.
4. A Conflict of Commitment resolution is being presented for debate at the April Faculty Senate meeting.

Report of the Faculty Senate Committee on Graduate Studies 2006-2007

Ica Manas-Zloczower, Chair

Reports to Faculty Senate (FS):

- 1) Motion to approve Postdoctoral Oversight Proposal– Approved by FS September 2006
- 2) Motion to approve Tuition Policy for Graduate Students for Fellowship Courses – Approved initially by FS in September 2006; sent back for clarification by Interim President Eastwood and finally approved in February 2007
- 3) Motion to approve School of Graduate Studies Guidelines Regarding Academic Integrity, Responsible Conduct and Grievance Issues – Approved by FS March 2007

Other Items Discussed by the Graduate Studies Committee of the Faculty Senate (GSC):

- 1) National Research Council Assessment of Research Doctorate Programs – September 2006
 - 2) The information technology fee for graduate students –October 2006
 - 3) The Committee discussed the charge to the Committee on Graduate Studies and adopted the charge as described on the website – November 2006
- *The Committee on Graduate Studies will review and recommend to the Faculty Senate with respect to the academic standards and degree requirements of all departmental, inter-departmental, inter-divisional constituents faculty, and ad hoc and special*

programs under the administration of the Dean of Graduate Studies.

- 2) The Committee issued a statement for the clarification of the definition of “graduate student” in respect to the Tuition Policy for Fellowship Courses – November 2006
· *Graduate student is a person enrolled in a graduate program under the jurisdiction of the School of Graduate Studies.*
- 3) The Committee discussed the Academic Plan for Avian Flu Pandemic Preparation – December 2006
- 4) The Committee discussed issues related to Faculty/School commitments to graduate students – January 2007 and April 2007. It was decided that a subcommittee will work with Dean Rozek to draft a document for discussion of the GSC and approval of FS in 2007/2008. The document will outline a clear policy for Faculty/School commitments to graduate students to be implemented University wide.
- 5) The Committee discussed the necessity of each graduate program to develop written policies on the outcome of qualifying exams –January 2007. Dean Rozek will address this matter with the Deans of various Schools.
- 6) The Committee discussed procedures for graduate student termination – February 2007. The current guidelines will be left ‘as is’. However, the student can file a grievance if he/she feels they are being wrongfully terminated.
- 7) The Committee discussed the maximum number of credit hours allowable for transfer from another institution towards a PhD program. The Committee decided that such transfer has to be approved by the Department and the Graduate Studies Office –February 2007.
- 8) The Committee discussed an initial proposal by Cognitive Science Department to develop 3 new graduate programs. The Committee made suggestions for revision of the existing document for presentation to the College of Arts & Science. Pending approval of the College of Arts and Science the GSC will again study the revised proposal – April 2007.

Recommendation for GSC Members Participation in the Committee Meetings and Activity

Several members of the Committee showed a total lack of interest to participate at meetings and/or actively get involved in any of the Committee actions. I recommend that only people genuinely interested should be members of this committee. This is an important University Service and not only an additional item to be added to the person activity report.

Report of the Faculty Senate Committee on Information Resources 2006-2007

Mark Dunlap, Chair

The Faculty Senate Committee on Information Resources (FSCIR) has been asked to comment on the proposed assignment of ITS charges among the schools of the University. While it is beyond the purview of the FSCIR to make specific recommendations in this regard, several points have been raised by members that we feel are important to consider:

- 1) We are in agreement with the need to transition from the current practice of “historical allocation” to one that is based on a variety of factors upon which an algorithm can be developed. In meeting with members of ITS and the Budget Office, many of these factors were discussed, and have been included in a model. It should

- be noted that some factors may not be able to be assessed and applied universally, eg. the degree to which some IT needs have had to be met within individual schools vs. through the central IT structure.
- 2) For any such algorithm to be adopted, some of the schools will be “winners” (paying less than historical allocation) and some will be “losers” (paying more). Due to the potential impact particularly among the “losers”, a phased-in approach is preferred over one in which change is made in a single year. The suggested period for this bridging is between 1 to 3 years.
 - 3) There is residual concern that research overhead is not factored directly into current calculations.
 - 4) CWRU has a rich history of national leadership with respect to Information Technology. However, this leadership has been severely threatened by budgetary cutbacks, starting even before the budget challenges over the past year. The overall budget for Information Technology is significantly lower at CWRU compared to peer doctoral intensive universities, whether in terms of total IT budget, central IT staff, or expressed in the ratio of students per IT staff. In particular, some of the initiatives that have been launched with initial funds only (e.g. Technology Enhanced Classrooms) have now become accepted as “standard practice” by students, faculty, and administration. However, no continued funding has been committed for refreshing equipment that needs replacement due to either malfunction or obsolescence, thus bringing continued use of such facilities into question. In order to continue to provide leadership among academic universities, we recommend that comparisons to our peer universities be considered in future funding for IT at CWRU.
 - 5) In order to provide a public forum for presentation and discussion of strategic planning for Information Technology Services at CWRU, ITS has made available its 5 Year Planning Process on the University wiki (URL below). This includes over 1,000 wiki views and comment and a scorecard on various IT indicators (including customer satisfaction), and likely will help to focus future dialog between ITS and the rest of the University community.

http://wiki.case.edu/ITS_Strategic_Planning

Report of the Faculty Senate Committee on Minority Affairs 2006-2007

Sana Loue, Chair

The Committee identified concerns relating to the existing sexual harassment policy, the nondiscrimination policy, and the mechanisms for coordination of and communication among the various university offices responsible for a myriad of diversity-related functions. The committee proposed revisions to the sexual harassment policy and the nondiscrimination policy. A third proposal would establish functions relating to the coordination of and communication among the existing diversity offices and the addition of other diversity-related functions.

The committee initially recommended the establishment of an ombudsman office in conjunction with the handling of sexual harassment matters. Based upon the discussion with the faculty senate, the committee has withdrawn this proposal for further investigation during the 2007-08

academic year and in order to coordinate its efforts with other interested organizations on campus.

Report of the Faculty Senate Nominating Committee 2006-2007

Robert Salata, Chair

Dr. Salata reported that the committee has been working on principles of balance in discipline and rank; they believe there is gender equity on the committees presently. He further said that the Nominating Committee membership represents all schools. The committee has met in person three times and members have continued to work and report to fill the openings on all committees. Committee chairs were consulted on the activity level of all current members eligible for second terms. All faculty were sent an interest survey; schools deans were urged to recommend faculty and the Nominating Committee members also solicited interest from their colleagues to serve on committees. The past service record was also a resource for names of faculty who had served previously.

The Nominating Committee is recommending that constituent faculties hold their elections for senators earlier in the academic year - by December 31st - so those newly elected senators would also be eligible to serve on the Executive Committee or on committees requiring elected senators as part of their membership.

The Minority Affairs Committee membership was reconstituted a year ago and the Nominating Committee is requesting permission to stagger the end dates of some of those terms to allow for overlap and continuity of membership. [This was agreed to and two members have volunteered to serve an extra year on their current terms.]

The individual committee slates were reviewed and suggested requested where there were still openings for some disciplines - the Faculty Compensation Committee, the Faculty personnel Committee and the Executive Committee. There are two candidates for chair-elect.

The slate of candidates will be presented at the March Senate meeting along with a call for any additional nominations from the floor. The electronic ballot will be prepared and sent out during April so that results can be announced at the April 26th Faculty Senate meeting.

Report of the Faculty Senate Committee on Research 2006-2007

Carol Musil, Chair

The Committee outlined our priorities for the year as promoting responsible research conduct, examining the monitoring functions of the Committee, and continued work with the Library Committee, in addition to policy and other matters brought to our attention.

Responsible Research conduct. The committee sees a need for additional education, policy and/or guidelines regarding responsible research conduct (that go beyond scientific misconduct) when educating, mentoring and supervising.

Monitoring the implementation of existing research policy (as outlined in our charge) and requesting regular annual reports from administrative committees: ongoing discussion item

Digital Case: met with Paul Salipante, chair of the Library Committee; Research Committee will support efforts as needed.

Avian Flu. Two members, Chuck Rozek and Eric Cottington, are members of the AF task force. The Committee on Research has provided input to the task force.

Academic Affairs and Student Life Committee meeting of the Board of Trustees. Two Research Committee members participated in the December meeting and the Committee provided information about the state of research at the university.

Openness of research. The committee studied this issue at the request of the F/S Executive Committee. In general, openness is required in teaching and research to promote academic freedom and free exchange of ideas. Many peer institutions have policies re: openness of research, and the Research Committee supported creating a brief statement that would help CWRU in negotiating contracts with external agencies, limit inappropriate and/or unnecessary restrictions on grants and contracts. The draft has received commentary from individual faculty and the executive and research committees in the schools and requires additional modification.

Conflict of Commitment- brought to the Research Committee, forwarded to Executive Committee for assignment to Personnel Committee

Interdisciplinary research, research funding and promotion/tenure. The competitiveness of NIH and other research funding sources may require more group efforts to secure funding and these changes may have implications for promotion and tenure decisions. The issue, discussed in the Research Council spring 2006 and assigned to the Committee on Research, will be considered by the deans, in the schools, and at Faculty Senate.

Report of the Faculty Senate Committee on University Library 2006-2007

Paul Salipante, Chair

During the 2006-2007 academic year the Library Committee addressed three major issues: new modes of scholarly communication, budgetary planning, and prioritizing of long-term goals for the campus libraries. Two reports were made to the Faculty Senate concerning these issues, one in the fall and one in the spring. The latter presentation was in the form of an open meeting, providing general discussion and useful ideas concerning further action. The main focus and intents of the Committee have been as follows:

New modes of scholarly communication: The Committee shared knowledge with faculty groups concerning more efficient production of research through the use of enhanced library online services, and promoted open access to the University's scholarly products through posting on Digital Case. In view of other demands, a decision was made to not pursue revision of University policy concerning the ownership of copyrights to research publications. Over the course of the academic year the Committee worked with librarians to pursue initiatives for campus scholars to retain sufficient author's rights to enable posting of their research, increasing the availability and impact of CWRU research.

Budget issues: The Committee reviewed the library budget practices of other research universities and identified the need to re-think our processes and rules for determining overall library budgets and the allocation of library costs. In particular, the nature of library services as a common good, with heavy inter-disciplinary use of many library materials, established the need for libraries to be handled in an exceptional way in the Responsibility Center Management process. Also identified was the continuing high rate of cost increases for serials and the resulting threat to libraries' ability to secure materials essential to a research university. The required response is a separating of the materials budget from operating budgets, and a commitment to a multi-year materials budget that sustains needed buying power.

Library priorities: The Committee worked with key library administrators in producing for the Provost a plan for the Universities' libraries, *Library Priorities, 2008-2012*. In order of importance the six priorities are: 1) sustaining and enriching collections by materials budgets that reflect economic realities, 2) enhancing fundraising and development, 3) producing robust, library-oriented technology solutions in support of research and scholarship, 4) recruiting and retaining a highly-qualified staff adept at technology, service and change management, 5) updating facilities to reflect new patterns of study, teaching and learning, and 6) partnering with scholars and academic units to advance scholarly communication, publishing and dissemination.

The above issues and recommendations were developed through discussions at:

Seven formal Committee meetings bringing faculty members together with key librarians from around campus.

Three meetings with the Provost, Assistant Provost and staff concerning policies for determining library budgets and the allocation of library costs to the academic units on campus.

Two special retreats, proposed by the Provost, bringing together additional faculty from the various academic units to review their collections and library needs.

Presentations by various Library Committee members and library staff to faculty and administrative groups in MSASS, WSOM, and Engineering, and to the graduate student governing body.

The Committee anticipates the following agenda for the 2007-2008 academic year:

Exploring and institutionalizing faculty processes at the academic unit level that can accomplish the level of library planning and prioritizing achieved this year through the special retreats.

Pursuing further initiatives at the academic unit level concerning new modes of scholarly communication, particularly with Engineering, Arts & Sciences, and Nursing.

Continuing to review and promote improvements in University processes for establishing library needs and budgets.

Report of the Faculty Senate Committee on Women Faculty 2006-2007

Kathryn Adams, Chair

During AY 2006-2007, the F/S Committee on Women Faculty has taken action on four matters of relevance to the women faculty at Case Western Reserve University. I will enumerate these below:

1. Child care motion. The Committee on Women Faculty brought a motion in support of developing a child care center on campus to the full Faculty Senate in December, which passed with a great show of support. Now this committee will continue to monitor the child care issue and plans to support the University Advisory Committee on Women, which has done such a tremendous amount of work on planning and funding the proposed child care center on campus.
2. Women's Studies Program. Our committee got an update from the director of the Women's Studies Program, Margaretmary Daley, on progress since 2005, when we proposed a resolution in support of that program on campus. The Committee recently sent Dean Cyrus Taylor of the College of Arts and Sciences an updated copy of a letter we sent to former Dean Mark Turner back in 2005. At that time, this committee made a motion to the F/S Executive Committee that we wished to support the Women's Studies program and see it strengthened. We have asked Dean Taylor whether he would be willing to meet with members of our committee to discuss the Women's Studies program, and we have also offered our help to facilitate the process of raising the visibility and viability of the Women's Studies Program at Case Western Reserve.
3. Partner Hiring Policy evaluation. Our committee has requested that the Provost's office provide data on the outcomes of the Partner Hiring policy at Case Western Reserve University. We are particularly interested in knowing how many hires have been made, how many unsuccessful attempts at hiring were made, the genders of the main hire and the partner, financing for this program, and other relevant outcomes, so we may evaluate this policy, which our committee helped to write in 2004-2005. We have recently contacted Provost John Anderson with this request. He has responded that his office will work with Lynn Singer and her office to gather the data on this policy and that they will report back to our committee either this summer or in the fall.
4. Mentoring on campus. We have discussed the need for more attention and structure to be given to mentoring women, minorities and junior faculty in general. The surveys we have from recent years all point to a lack of mentoring for a majority of recent hires, particularly women and minority faculty members. In light of this, our committee wants to do our part to remind administrators and faculty at Case Western Reserve about the importance of mentoring, and to promote stronger actions to make sure it takes place. So far in this process, members of our committee have drafted a set of recommendations about mentoring. Next, we will determine what sorts of "action items" can be associated with these in order to formulate a resolution to put before the Faculty Senate. We anticipate further discussion on this in the fall, and may request putting it on the agenda for the Executive Committee at that time.