

**University Faculty Senate Meeting
Friday, December 4, 2015 – 1:45 PM
Morgan Hall D-301**

Minutes

Attendance:

Representative senators and officers: 24

Ex-officios: 0

Faculty, Administrators and guests: 19

WebEx: 18

1. Call to Order:

President Jones called the meeting to order at 1:54 p.m.
Information provided by President Jones on use of WebEx

2. President recommended moving old business to head of the agenda.
Motion to approve the agenda. Motion approved.

3. Old Business:

President Jones provided explanation of distinction between Representative Faculty Senate meetings versus University Senate meetings. President Jones explained FSSC discussion concerning Angel's motion and thought that this would be reviewed at the next Representative Faculty Senate meeting rather than University Faculty Senate meeting. Option of taking Angel's motion off the table – motion coming off the table would be original motion from September meeting. Note from Michael Gebhardt, University Counsel, that assertion from Professor Angel that the 1992 sexual harassment and sexual assault policy and current policy apply to Trustees as members of the University community. Gebhardt indicated "This assertion is reasonable, and I do not disagree." (e-mail to President Jones, 5:42 p.m., December 3, 2015) Jones noted that the FSSC recommended not bringing up the Angel motion today because: 1) motions from Representative Faculty Senate meetings should come at next Representative Faculty Senate meeting, not University Senate meeting; 2) would have hopefully gotten information desired by January.

Motion from the floor to take Angel motion off the table and seconded. Open for discussion and action. Angel noted information from Philadelphia Intelligencer, local legal newspaper, concerning Cosby defense lawyers' strategies, especially concerning Cosby deposition. Angel talked about potential conflict of interest for Board of Trustees Chairman O'Connor and Cosby defense. Temple has not taken an official position on Cosby. Angel suggests faculty want action on this issue.

Joyce Lindorff (BCMD) spoke in support of the motion. She discussed two policies from 1992 on sexual harassment and sexual assault, as well as third one on Conflict of Interest.

Art Hochner (FSBM and TAUP) mentioned Philadelphia Inquirer article breaking this story. Suggested conflict of interest because O'Connor was representing Cosby while still serving as Chairman of BOT. Tainted votes concerning this issue. Urged support of motion.

Angel talked about deposition and admissibility of evidence in court. Cited Brown University statements. Suggesting ignoring word "alleged" in news reports.

Angel proposed an amendment to her motion: Calls upon President Neil Theobald and the Board of Trustees to quickly withdraw Cosby's honorary degree. Amendment seconded, question called. Amendment approved unanimously.

Voting on main motion. Approved unanimously.

4. Approval of April 16, 2015 University Faculty Senate Minutes:
The minutes from April 16, 2015 were approved as amended unanimously.

5. President's Report:

Noted for this past Fall semester:
President Theobald's State of the University Address, October 8th.
Faculty Service Awards brunch, November 17th
FSSC Guests in fall semester

UTPAC Clarification and Election
Endorsement of Tuition Benefits Committee
Presentation of Child Care Committee report: Casey Breslin briefly discussed report of the committee and committee's recommendations and various options that could be made available to Temple University community
Facilitated Faculty Questions on Adjunct Representation issue
Activated the Bargaining Units Liaison Committee
Creation of New Committees:
Committee on Faculty LGBTQ Issues: Chairperson Scott Gratson briefly discussed charge of this committee
Committee on Faculty Disabilities Concerns
Council on Diverse Constituencies

6. Vice-President's Report:

Approximately 50 Senate committee vacancies at beginning of semester. Down to small handful of vacancies remaining, and starting appointment of members of new committees. Looking for members for new committees – LGBTQ Committee and Faculty Disabilities Concerns – call will go out shortly for nominations and self-nominations. Council on Diverse Constituencies will be comprised of members of these committees.

Question about UTPAC appointments – no word on Kevin Delaney's appointments to UTPAC.

7. Faculty Thoughts on Stadium Issue:

President Jones discussed some background on this issue. No official proposals have yet come to the BOT. Some discussion with Jeremy Jordan (the Faculty Athletics Representative) about this issue. Some discussion with Jordan about reconstituting the PACIA – Presidential Advisory Committee on Intercollegiate Athletics.

Q: David Elesh (CLA): We have been told that the cost of this new stadium would not be a cost to the university budget. What about the costs of maintenance and challenges to the building of the stadium? South Dakota State University applies 2% of the construction costs similar to for other buildings.

A: Theoretically, it would pay for itself, but it is unclear whether this has happened in practice. Hopefully if and when a proposal comes forward it will address this information.

Q: Steve Newman (CLA): At the last faculty senate meeting numerous questions were raised. In particular, to what degree has the community been consulted? What prior examples do we have of stadia of this size and in light of our competition in terms of revenue? Empirical data are welcome for similar projects.

A: Hopefully the proposal will include this information.

Q: Scott Gratson (SMC): It is also essential to gauge the student reaction to the proposed stadium. We have a responsibility to find out what the student body's views are about this and it is unclear that they have been included in this discussion.

A: We do not know of any survey data on this topic. The example of selected student sports that were proposed for dissolution highlights the importance of not ignoring this constituency.

Q: Casey Breslin (CPH): Philadelphia Magazine this morning wrote a short article highlighting community dissatisfaction with the proposed stadium last night.

A: The representativeness of this perspective is unclear. Representative Clarke and Mayor-Elect Kenney will need to weigh in.

Jones suggested word is that decision has been made. PACIA serves at the pleasure of the President and hasn't been called. BOT Athletics Subcommittee meeting will take place next week. Perhaps events will happen during Winter break.

8. New Business

Jim Korsh (CST): football stadium symbolic of things getting done at Temple without faculty input. We should state clearly that we are not happy with this (or lack of involvement in this process).

President Jones wished everyone a very Happy Holiday season and New Year! Shared a private concern – hard to talk about issues wherein people are particularly emotionally invested. This body should involve civil discourse and fair process. She was not sure we have risen to this level. If we don't respect each other, how can we expect others on campus to respect us. If you have any suggestions on facilitating this we would love to hear them.

9. Call to Adjourn:

Meeting adjourned at 3:07 pm.

Respectfully submitted,

Michael Sachs, Secretary

Motion by the Temple University Faculty Senate Regarding the Temple University Sexual Harassment and Sexual Assault Policies

The Temple University Faculty Senate drafted, passed, and proposed to the Temple Board of Trustees, the first Temple University Anti-Sexual Assault Policy in 1992.

Temple was the first U.S. college or university to prohibit sexual or romantic relationships between faculty members and faculty members' students.

Temple's Sexual Harassment and Sexual Assault Policies were strong statements of ethical standards, not just law.

Temple's Sexual Harassment and Sexual Assault Policies were and are applicable to all members of the Temple University community, including Trustees.

The actions of then Temple University Trustee, Cosby, assaulting a then-Temple University employee, Andrea Constand, violated both Temple University's Anti-Sexual Harassment and Anti-Sexual Assault policies.

Temple University Trustee, now Chair of the Temple University Board of Trustees, O'Connor, nevertheless, provided legal representation to Trustee Cosby, was fully aware of the facts of the Constand's case, including the availability of ten other women who experienced similar assaults [now over 30], and tape recorded admissions by Cosby. O'Connor was bound by the Temple University Sexual Harassment and Sexual Assault Policies. He also violated these policies.

THEREFORE, the Temple University Faculty Senate

1. Condemns the actions of then-Trustee Cosby and then-Trustee, now Chair, O'Connor:
2. Calls upon President Neil Theobald to include as a majority of a Committee drafting new No Sexual Harassment, No Sexual Assault and No Stalking Policies, nominees of the Temple University Faculty Senate and students.
3. Calls upon President Neil Theobald to adopt and implement the proposal of his own Committee to form a single office to oversee and implement Temple University's Sexual Harassment and Sexual Assault Policies.