

*Minutes
Faculty Senate Meeting
July 24, 2020*

The complete Recording for this meeting can be found at:

<https://myau.american.edu/groups/Committee/fs/Shared%20Documents/Forms/AllItems.aspx>

Present: Professors: John Heywood, Garret Martin, Randall Blair, Mike Cabot, Todd Eisenstadt, David Haaga, Robert Hauswald, Olivia Ivey, Kelly Joiner, Benjamin Leff, Tom Merrill, Lillian Baeza-Mendoza, Mirjana Morosini, Hannah Park, Carolyn Parker, Britta Peterson, Jennifer Poole, Rick Semiatin, Richard Sha, Cathy Schaeff, April Shelford, Jason Snyder, Jennifer Steele, Laurie Stepanek, Brian Yates, Acting Provost Peter Starr, Interim Dean of Faculty Monica Jackson

Chair Heywood opened the meeting by welcoming all senators and reviewing Senate procedures. He also welcomed the newly appointed Acting Provost, Peter Starr, and Interim Dean of Faculty, Monica Jackson.

Professor Heywood began the meeting with a brief overview of the Department of Education Title IX regulations and stated that American University is required to meet these new changes by August 14. There have been several working groups established to bring AU into compliance. Professor Heywood also mentioned that during AY 2020-2021 the Faculty Senate will be conducting a fuller review of the Faculty Manual.

Section 22 of the Faculty Manual: Disciplinary Actions, Investigations, and Formal Faculty Hearings – John Heywood

Professor Heywood presented the proposed changes to Section 22 of the Faculty Manual, which centered on three main sections: 22b (clarifying that this section does not cover Title IX Sexual Harassment Complaints); 22c (that Section 22 would not cover cases involving the University's Discrimination and Non-Title IX Sexual Misconduct Policy); and section 22k (removing discrimination as part of the Section 22 process, since these complaints will now be reviewed by the new central equity office).

Professor Benjamin Leff proposed an amendment for section 22c to ensure that cases involving the University's Discrimination and Non-Title IX Sexual Misconduct Policy would remain subject to the existing process in Section 22 of the Faculty Manual. The Faculty Senate first approved the amendment proposed by Professor Leff, before approving the wholesale changes to Section 22 of the Faculty Manual. The Senate **VOTED** 20-0-1 in favor.

Section 20 Appeal Procedures for Denial of Reappointment, Tenure, or Promotion of Tenure-Line Faculty and Certain Term Faculty – John Heywood

The Chair briefly reviewed the proposed changes to Section 20 of the Faculty Manual, which centered on several sections: 20.A.1 (changes basis of appeal from discrimination law to the University's policy); 20.C.1 (changes default behavior to emphasize the need for timeliness, relying on the appropriate bases for an appeal); 20.C.2.b (changes process for appeals involving the

University's Discrimination and Non-Title IX Sexual Misconduct Policy, whereby the investigators of the Office of Equity and Title IX will work together with the Committee on Faculty Grievances on the complaint); and 20.C.2.d (eliminating the ability of the Committee on Faculty Grievances, when investigating discrimination complaints, to request the review of other colleagues' files).

Professor Todd Eisenstadt put forward an amendment for the proposed changes to Section 20.C.2.d, which would no longer allow the Committee on Faculty Grievances the opportunity to request the personal files of colleagues. Professor Eisenstadt argued that this represented a significant change and that it would be preferable to revisit this issue in the fall. The Senate approved the amendment proposed by Professor Eisenstadt, before approving the wholesale changes to Section 20 of the Faculty Manual. The Senate **VOTED** 20-2-1 in favor.

Sunseting the Modified Work Arrangement Policy – John Heywood

Professor Heywood stated that the proposal to sunset the Modified Work Arrangement Policy, in light of the new District of Columbia Universal Paid Leave Act coming into force on July 1, 2020, and the revisions to the Family and Medical Leave Act policy.

Acting Provost Peter Starr stated that the implementation of the Modified Work Arrangement Policy had been spotty in the past and not always applied evenly. The new District of Columbia policy, in addition, is far more generous than what was offered by the Modified Work Arrangement policy. The Senate **VOTED** 20-0-0 in favor.

The meeting was adjourned at 3:30 pm.