

Facts on Sexual Harassment

1. Sexual harassment is the misuse of power that involves two people of perceived unequal authority and status, in a situation which has sexual overtones.
2. Men as well as women are sexually harassed.
3. Sexual harassment occurs in all combinations: male-male, female-female, female-male, and male-female.
4. Sexual harassment is *primarily* a problem for women. More than 95 percent of reported cases occur when a male of greater power harasses a female of lesser power. Exact statistics are not available. About 3 to 4 percent are cases of men harassing other men.
5. Sexual harassment affects women of all kinds: all races, ages, occupations, and classes.
6. Surveys show that 33 to 42 percent of all college women report some form of sexual harassment. Recent studies indicate the frequency may be over 60 percent. Within this group, 5 to 8 percent report serious harassment.
7. Sexual harassment is at least as severe for women faculty members and support staff as it is for students.
8. These problems raised by sexual harassment are often exacerbated by miscommunication based on stereotypes about race or culture.
9. Men and women perceive sexual harassment very differently. Women often see it as threatening, offensive, humiliating, or inappropriate. Many men believe the same conduct to be flattering or friendly.
10. Reports of sexual harassment are almost never false, or made out of the desire to harm or embarrass someone. In a majority of cases the harasser verifies the victim's account. Failure to report sexual harassment is a much greater problem that complicates institutional efforts to end harassment.
11. As women's status improves, women are much less willing to accept discriminatory behavior or sexual harassment. Such refusal is related to similar protests about rape, assault, incest, or other forms of violent behavior.
12. Sexual harassment is a form of sexual assault. Federal Bureau of Investigation statistics show that *one out of four* women will be sexually assaulted during their lifetimes. Women between the ages of 18-25 are the most vulnerable age group, but all ages are affected. These reports *do not* include sexual harassment figures.
13. A victim of sexual assault is likely to become a victim of further assaults. Psychological and emotional pressures on the individual increase with every incident.
14. The person with physical, emotional, psychological, or economic power must assume the responsibility for maintaining relationships that are free of harassment or intimidation.
15. Sexual harassment is legally a form of discrimination. Title VII of the 1964 Civil Rights Act and Title IX of the Education Amendments of 1972 prohibit sexual harassment. Through case law, state and federal courts continue to define sexual harassment; the responsibilities of perpetrators, employers, and supervisors; and the remedies available to victims.
16. Harassers often repeat the same pattern of behavior. They use the same approach and words with successive victims. Understanding and interrupting these patterns can deflect potentially embarrassing, even dangerous, situations.
17. Serious cases can lead to severe psychological, physical, and emotional damage to the individuals affected. These cases also lead to expensive administrative and legal problems for the institution.

The preceding was taken from Anne Truax's "Sexual Harassment in Higher Education: What We've Learned" in the Spring 1989 edition of *Thought and Action: The NEA Higher Education Journal*, Volume V, Number 1; pages 32-34. It was originally included in *Academic Sexual Harassment: An Annotated Bibliography*, Minnesota Women's Center, Univ of MN, 1988.

**EAST CAROLINA UNIVERSITY FACULTY SENATE
MINUTES OF JANUARY 23, 1990**

The fifth regular meeting of the Faculty Senate for the academic year 1989-1990 was held on Tuesday, January 23, 1990, in Mendenhall Student Center, Room 244.

Absent were: Chancellor Eakin, Vice Chancellor Connell, Chamness (Faculty Assembly), Patton (Aerospace), Singhas (Biology), Dudek and Pories (Medicine).

Alternates present were: Thiele for Grove (Council of Deans), Glascoff for Karns and Thornton for Schellenberger (Business), Anderson (Education), and Hankins for Chestang (Geography).

Agenda Item I. Call to Order

Chair Jim Joyce called the meeting to order at 2:10 p.m.

Agenda Item II. Approval of the Minutes of December 5, 1989

The Chair presented an editorial correction to the minutes as follows: Page 7, Resolutions #89-24 through #89-28 should read "Resolution regarding recommendations to the Chancellor." The minutes were declared approved as corrected.

Agenda Item III. Special Order of the Day

B. Announcements, Jim Joyce, Chair

1. The Chancellor has approved the following Senate resolutions:
 - #89-24 Resolution regarding recommendations to the Chancellor
 - #89-25 Resolution regarding recommendations to the Chancellor
 - #89-26 Resolution regarding recommendations to the Chancellor
 - #89-27 Resolution regarding recommendations to the Chancellor
 - #89-28 Resolution regarding recommendations to the Chancellor
 - #89-29 Admissions Committee Report on Minutes of November 9 and 30, 1989
 - #89-31 School of Industry and Technology Unit Code
 - #89-32 Curriculum Committee Report on Minutes of November 9 and 16, 1989
2. Special thanks to the following Alternate Senators serving as Tellers today for the Faculty Assembly Delegate and Alternate elections: Marie Farr (English), Maria Malby (Foreign Language), Jim Pinkney (Counseling Center), and Fred Ragan (History).
3. Thanks to several faculty members who have recently been appointed to serve on the following committees:
 - Agenda Committee - George Bailey (Philosophy)
 - Committee on Committees - Robert Woodside (Mathematics)
 - Faculty Affairs Committee - John O'Brien (Music)
 - General College Committee - Jim Kirkland (English),
 - General College Committee - Brenda Killingsworth (Business)
 - Research/Creative Activity Committee - Soumaya Khuri (Mathematics)
 - Teaching Effectiveness Committee - Beth Morrison (Health Sciences Library)
4. Academic and Administrative Committee Preference Forms have been distributed to all faculty. If you are interested in serving on one of these committees a completed form must be returned to the Faculty Senate Office no later than Friday, February 2, 1990.
5. Since facilities planning is an integral part of the on-going strategic planning effort, the Chancellor dissolved the University Facilities Administrative Committee in the Fall of 1989; therefore, an election for that committee vacancy is no longer needed.

6. By February 1, 1990, departments will receive notification of Senate representation for 1990/1991. If it is necessary for your unit to hold an election(s), please do so and report the name(s) of the senators/alternates to the Faculty Senate Office no later than March 1, 1990.
7. Marie Farr, Director of Women's Studies Program and Jim Smith, Chair of Philosophy have been granted speaking privileges during today's meeting.
8. Reminder to all faculty about the "Teaching Excellence Workshop" to be held on Wednesday, January 24, 1990 from 3:00 to 4:00 p.m. in Mendenhall Student Center, Room 244.

C. Chancellor Eakin was in Chapel Hill meeting with President Spangler.

D. Vice Chancellors' Reports

Dr. Marlene Springer, Vice Chancellor for Academic Affairs reported on the shortfall in State revenues for the current fiscal year, and the effect on East Carolina University. The university's third quarter allotment has been reduced by \$3 million, which is a 8.2% reduction for the quarter. Projections for the fourth quarter indicate a potential for further reduction. As a result, the Chancellor announced on January 22 a series of cost containment measures which have already gone into effect. They include:

1. A "managed" hiring freeze is in effect for all State appropriated positions with the exception of faculty positions for the 1990-1991 academic year and positions directly related to health and safety functions. All vacant positions must be justified on the basis of absolute need before recruitment will be authorized. Almost all personnel savings, therefore, will be borne by the operational, administrative and support units where turnover is more frequent.
2. A Utility Conservation Program will be initiated. This program, with the cooperation of the University community, could result in much needed savings over the next few months. Increases in utility rates make this even more necessary.
3. Operating budgets (supplies, communications, equipment, etc.) will be reduced 5% across-the-board with those funds being placed in reserve pending a clearer understanding of fourth quarter allotments. While discretion on the use of the remaining funds will reside with each budget manager, fixed expenses (telephone, postage, contracts, etc.) must be covered first.
4. A Cost-Reduction Advisory Team will be established to develop other ideas to reduce expenditures during the next six months.

Vice Chancellor Springer announced that in a recent issue of USA Today, an article lists three teams of national student scholars. This list includes Rebecca Denson, a Chemistry graduate, who developed a vaccine for the pneumococcal virus at the National Institute of Health. Additionally, Vice Chancellor Springer reported that progress is being made on the planning of Joyner Library. The architects are collating prospective plans at this time.

Agenda Item IV. Unfinished Business

Strategic Planning. Chair Joyce announced that the University Directions document and a draft copy of the University Implementation Plans have been sent to all members of the Faculty Senate. The University Directions document is the final report from the Chancellor that outlines the University's strategic directions over the next five years. It will be put into a color brochure within the next 6-8 weeks and distributed widely throughout the University community.

The University Implementation Plans represent the second level of goal setting in the strategic planning process. These six plans have been recommended to the Chancellor as strategies for implementing the 10 goals of the University, and will guide, along with the University Directions document, the development of unit plans. Information copies of the guidelines and timetable for unit planning have been sent to all senators. Chair Joyce announced that the Chancellor is interested in receiving comments regarding the implementation plans, and asked that comments/suggestions be forwarded to the Chancellor within the next week.

Bailey (Philosophy) representing the Teaching Effectiveness Committee made a motion recommending that under the category of Human Resources Development in the "Faculty and Staff Development Implementation Plan," an explicit connection be drawn between the teaching goals specified in the University Directions document and the implementation strategies appropriate to these goals. The motion was seconded. The motion passed. (Resolution #90-1)

Bailey (Philosophy) requested that in the "Faculty and Staff Development Implementation Plan" consideration should be given to separate funding for faculty travel and faculty searches. He commented that in some units the same budget line is used for both activities.

Agenda Item V. Report of Committees

A. Committee on Committees

Dan Hines (Business), Chair of the Committee on Committees, presented the nominees for two elected delegate positions to the Faculty Assembly. Chair Joyce presented the slate of nominees to the Senate and called for nominations. Ferrante (Counseling Center) made a motion for acceptance of the entire slate of nominees. The motion was seconded and passed. The results of the balloting were as follows:

<u>First Ballot</u>		<u>Second Ballot</u>	
<u>Nominees</u>	<u>Votes</u>	<u>Nominees</u>	<u>Votes</u>
Nancy Mayberry (For Lang)	9	Nancy Mayberry (For Lang)	7
Ken Wilson (Soc and Anthro)	15	Ken Wilson (Soc and Anthro)	28
Vila Rosenfield (SEED)	5	Vila Rosenfield (SEED)	1
Stella Daugherty (Math)	5	Stella Daugherty (Math)	2
Joseph Hill (Management)	5	Joseph Hill (Management)	1
Don Ensley (Allied Health)	1	Don Ensley (Allied Health)	1
Henry Ferrell (History)	13	Henry Ferrell (History)	18
Jack Brinn (Medicine)	4	George Bailey (Philosophy)	21
George Bailey (Philosophy)	12	Connie Kledaras (Soc Work)	4
Sandra Wurth-Hough (Pol Sci)	1	Steve Thomas (Allied Health)	12
Margaret Lawrence (Soc Work)	1		
Robert Morrison (Chemistry)	3		
Connie Kledaras (Soc Work)	6		
Steve Thomas (Allied Health)	10		
Ineligible votes	4		

The number of votes required for election was 24. Chair Joyce declared Ken Wilson elected as a delegate for the Faculty Assembly serving a second term.

The number of votes required for election was 24.

<u>Third Ballot</u>	
<u>Nominees</u>	<u>Votes</u>
Nancy Mayberry (For Lang)	1
Henry Ferrell (History)	13
George Bailey (Philosophy)	20
Connie Kledaras (Soc Work)	2
Steve Thomas (Allied Health)	6

The number of votes required for election was 21.

<u>Fourth Ballot</u>	
<u>Nominees</u>	<u>Votes</u>
Nancy Mayberry (For Lang)	1
Henry Ferrell (History)	8
George Bailey (Philosophy)	25
Steve Thomas (Allied Health)	5

The number of votes required for election was 20. Chair Joyce declared George Bailey elected as a delegate for the Faculty Assembly.

Hines presented the nominees for three elected alternate delegate positions to the Faculty Assembly and Joyce called for nominations. Eugene Hughes (Business), Steve Thomas (Allied Health), Henry Ferrell (History), Connie Kledaras (Social Work), and Vila Rosenfield (SEED) were nominated. The results of the balloting were as follows:

<u>First Ballot</u>	
<u>Nominees</u>	<u>Votes</u>
Eugene Hughes (Business)	21
Steve Thomas (Allied Health)	23
Henry Ferrell (History)	20
Connie Kledaras (Soc Work)	20
Vila Rosenfield (SEED)	14

The number of votes required for election was 19. Chair Joyce declared Eugene Hughes and Steve Thomas as alternates for the Faculty Assembly. Election was held again because of the tie between Connie Kledaras and Henry Ferrell.

<u>Second Ballot</u>	
<u>Nominees</u>	<u>Votes</u>
Henry Ferrell (History)	15
Connie Kledaras (Soc Work)	20
Vila Rosenfield (SEED)	2
Ineligible votes	1

The number of votes required for election was 19. Chair Joyce declared Connie Kledaras as an alternate for the Faculty Assembly.

Hines presented the first reading of proposed changes to the charges of the Admissions Committee, Credits Committee, Curriculum Committee, Student Recruitment and Retention Committee, and the Teaching Effectiveness Committee (see Agenda, attachment 2) and the first reading of the charge of the proposed Readmission Appeals Committee (see Agenda, attachment 3). Hines commented that the Chair of the Faculty as an ex-officio member had been deleted in an effort to streamline the committee membership. He related however that the committee would not oppose the addition of ex-officio members. Jones (English) commented that given the nature of the proposed Readmission Appeals Committee, the following ex-officio members should be included: the Chair of the Faculty (with vote), the Chancellor, the Vice Chancellor for Academic Affairs, the Director of Admissions, the Dean of Continuing Education, the Associate Vice Chancellor for Undergraduate Studies and the Dean of the General College or their appointed representatives (without vote). Atkeson (History) called the Senate's attention to the Constitution of the Faculty Senate, section VIII-4 which reads: "The Chair is an ex-officio member to all academic committees." Therefore deleting the Chair of the Faculty from the Readmission Appeals would require a change in the Constitution. Chair Joyce commented that consideration should also be given to inclusion of the Vice Chancellor for Academic Affairs as an ex-officio member of the Student Retention Committee.

B. Faculty Affairs Committee

Paul Tschetter (Sociology), Chair of the Faculty Affairs Committee moved the adoption of the recommendations of the committee regarding proposed changes to the original Sexual Harassment Policy (original policy distributed at November 7, 1989 meeting, amended policy distributed to all Senators prior to January 23, 1990 meeting). Duckett (Medicine) questioned the rationale for deleting the second paragraph of Section II. Tschetter responded that the committee recommended that such specific rules should not be included in the policy, but rather are best placed in the Faculty Manual along with the other University policies. Yarbrough (Political Science) referring to IV-C, Paragraph 2, expressed his concern centered around the notification of the EEO Officer of an anonymous complaint as this does not comply with the previous sentence that "...anonymous complaints will not result in any action by the Board." He further questioned where the complaints would be filed and kept. Irons responded that he supported the need to maintain a continuing record of all complaints, but that such a record would be kept confidential. Atkeson (History) made a motion to delete the last two sentences of Section IV-C of the amended policy and to move the first sentence to the end of the first paragraph and add "such complaints received by the Board will be destroyed." Jim Smith (Philosophy) expressed concern that the chairperson's only role in this process is to forward complaints to the Board, and suggested that if other actions are not to be included in the Sexual Harassment Policy, written guidelines should be developed and included in a document listing administrative procedures for chairpersons. He further commented that in his opinion, there are serious ramifications for the University's taking no action on continuous complaints, both anonymous and signed. Hughes (Business) questioned what action the Board could take if the Chairperson received continuing anonymous complaints. Smith responded that he does not recommend the Board take any action. Rather, the Chairperson take action by notifying the faculty member of the complaint, providing an opportunity for response, and maintaining all records as a part of the personnel file. Atkeson stated that the intent of the motion is to prevent the Board from keeping record of anonymous complaints, for these complaints could be made by disgruntled students. Marie Farr (English) disseminated a handout entitled "Facts on Sexual Harassment" (available in the Faculty Senate Office), and addressed item 10 that states "Reports of sexual harassment are almost never false, or made out of the desire to harm or embarrass someone." Graham (Psychology) responded that there are a number of disturbed students who are capable of creating chaos through anonymous complaints about faculty. He further elaborated that a professor who was denied promotion could possibly relate this action to anonymous complaints and sue the University. Yarbrough, in support of the motion, stated that the burden is on the individual to identify him/herself in order for any action to be taken. The motion to amend passed. (Resolution #90-2)

Spickerman (Math) questioned the need for the word "individual" in the sentence being moved as approved in the motion to amend. The Chair considered this as an editorial correction, and there were no objections to striking the word "individual".

Engelke (Nursing) made a motion to recommit the proposed Sexual Harassment Policy to the Faculty Affairs Committee with specific instructions. Engelke recommended that the Committee develop procedures to advise individuals who make anonymous complaints to submit these in writing so as to prevent anonymous complaints from being ignored. Parkerson (History) recommended feedback to the faculty member on an informal basis so as to make the faculty aware that a complaint had been registered.

Glascoff (Business) questioned where the policy would be published and asked how widely it would be distributed. Irons responded that from a legal standpoint it should be published widely, e.g. student handbook, faculty manual, bulletin boards, etc. Moskop (Faculty Assembly) questioned if there is an existing procedure and, if so, does this policy change the procedure. Irons responded that the new policy will supersede any existing policy regarding complaints of sexual harassment. Moskop stated that since complaints can be registered with any member of the Board, the names of Board members would have to be published widely. Thomas (Allied Health Sciences) suggested that rather than publishing the list of Board members, the location of the list should be published since Board members could potentially change every year. Woodside (Faculty Assembly) expressed concern that based on the composition of the Board and the policy as stated, two students and a staff member could recommend action be taken against a faculty member. He recommended that the committee reconsider page 4, paragraph 7 "...when accepted by a simple majority...". Bailey (Philosophy) commented regarding B.5 that in his opinion records should not be destroyed after completion of the action and resolution of the issue. Atkeson commented that the committee should consider that there are at least three types of complaints - anonymous telephone calls, anonymous written statements and signed written statements- therefore there should be a differentiation between verbal and written complaints. Bailey questioned a 2 year time period for making a complaint and suggested extending it to 4 years. He elaborated that this would allow a student to make a complaint at a later time, even after graduation. Wilson (Faculty Assembly) spoke in favor of putting the four paragraphs back in to expand the definition of sexual harassment. Swanson (History) commented that an amorous consensual relationship is not necessarily unwelcomed. Bailey expressed concern that the policy will not be seen as effective unless there is a separate personnel policy that addresses the issue of relationships that are prohibited. Farr spoke in favor of putting the four paragraphs back in and supported her position by reporting research related to the issues of sexual harassment. Hughes (Business) commented that, if the intent is to avoid sexual harassment, the proper place to inform faculty of prohibited/unwise behaviors is in the Faculty Manual. Rose (EEO Officer) commented that it was not clear if the Senate supports the inclusion of a prohibition of amorous consensual relationships in the Sexual Harassment Policy. Wilson responded that he would encourage the committee to put the four paragraphs back in or add to/develop a new policy/procedure. Atkeson commented that the policy should be publicized to both faculty and students and that placement in the Faculty Manual would only inform faculty. The motion to recommit to the committee passed. (Resolution #90-3)

C. Faculty Governance Committee

Eugene Hughes (Business), Chair of the Faculty Governance Committee presented the first reading of the proposed amendment to Appendix A regarding the Agenda Committee's role in preparing dates for Faculty Senate meetings (see Agenda, attachment 4).

D. Calendar Committee

Jim Hix (Chemistry), Chair of the Calendar Committee presented an amendment to the "Guidelines for Setting University Calendars" (see Agenda, attachment 5). The amendment would delete from item 7, "when on a Friday or Monday." The Senate approved the recommendation as presented. (Resolution #90-4) Hix moved the adoption of the recommendations of the Calendar Committee (see Agenda, attachment 6) regarding the correction of the current calendar to include Independence Day 1990 as a holiday. Editorial changes made by the Committee (at the request of the Graduate School) include the identification of dates for the last day to apply for admission to the Graduate School and the last day to submit thesis to the Graduate School. The Senate approved the recommendations as presented. (Resolution #90-5)

Hix presented several different calendar plans and open discussion was held regarding each plan presented, to provide feedback to the Calendar Committee for preparing the 1992-1993 Calendar. Thornton (Business) questioned how many students are involved in the appeal process. Anderson (Education) responded that 113 cases were heard in January 1990. Hix stated that the Committee was considering a more traditional calendar which would eliminate Saturday final examinations. He asked for input regarding the Monday/Wednesday class and indicated that the Committee has received very few complaints. Jones (English) stated that she was not sure if it was effective or if the classes just did not meet.

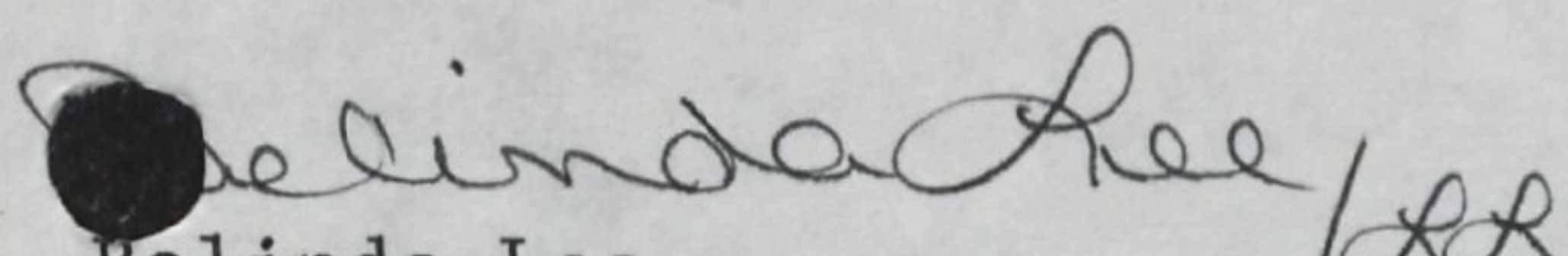
Spickerman (Math) questioned if the University could admit students for a year rather than for the semester. Anderson responded that it would require a change in admission procedures. Vice Chancellor Springer commented that in her opinion something is wrong with the current system, and she proposed an investigation to determine a more humane approach/procedure for readmitting students.

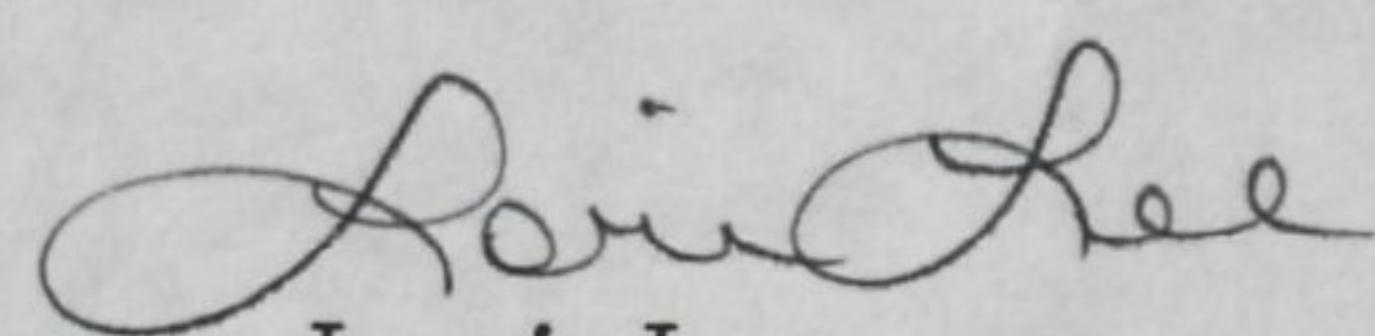
VI. New Business

The Chair recognized Ken Wilson (Faculty Assembly) who offered salutatory resolutions of appreciation to Roger Eldridge and William Bloodworth (see Agenda, attachment 7). The resolutions were seconded and approved. (Resolution #90-6)

There being no further new business, Chair Joyce adjourned the meeting at 4:50 p.m.

Respectfully submitted,


Belinda Lee
Secretary


Lori Lee
Office Secretary

<u>RESOLUTION #</u>	<u>TITLE</u>	<u>DISPOSITION</u>
#90-1	Recommendation under the category of Human Resources Development in the "Faculty and Staff Development Implementation Plan"	Chancellor
#90-2	Recommended amendment to the Sexual Harassment Policy	Faculty Affairs Committee
#90-3	Referral of the Sexual Harassment Policy back to the Faculty Affairs Committee	Faculty Affairs Committee
#90-4	Amendment to the Guidelines for Setting University Calendars	Chancellor
#90-5	Amendment to Summer 1990 and Summer 1991 calendars	Chancellor
#90-6	Salutatory resolutions of appreciation to Roger Eldridge and William Bloodworth	n/a