Senior Associate Dean Cindy Kam, in the absence of Interim Dean John Sloop, called the meeting to order at 4:14 p.m. in Wilson Hall 103. Approximately 60 faculty members were in attendance.

1. Update on Title IX requirements and Vanderbilt’s sexual misconduct policy.

Damian Marshall, the Title IX Compliance Manager for Vanderbilt’s EAD (Equal Opportunity, Affirmative Action, and Disability Services), presented an update on federal Title IX requirements and on faculty members’ obligations toward Title IX. He first explained that EAD has four major functions: 1) EAD investigates any allegation of discrimination, harassment, or retaliation on campus. According to Title IX, persons cannot be discriminated, harassed, or retaliated against on the basis of race, sex, ethnicity, age, religion, disability, veteran status, gender identity, gender expression, and sexual orientation; 2) EAD oversees Vanderbilt’s affirmative action plan; 3) EAD provides reasonable accommodations for students, staff members, and faculty members who have disabilities; and 4) EAD presents training sessions on the above issues.

Mr. Marshall further explained that Title IX is a federal law that prohibits discrimination in educational programs on the basis of sex. Sexual discrimination includes sexual harassment and all types of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Vanderbilt receives funds from the federal government and therefore must comply with Title IX requirements. Vanderbilt’s Title IX Coordinator is Anita Jenious, who is the Director of EAD (Ms. Jenious attended the meeting for this item of the agenda). For a number of years, Mr. Marshall continued, the primary issue for universities relating to Title IX was athletic equity, and, in particular, whether women’s athletic teams were funded equitably. At present, though, the primary issue for universities relating to Title IX is obligations to investigate allegations of sexual misconduct.

Mr. Marshall emphasized that faculty members, with respect to Title IX and Vanderbilt’s sexual misconduct policy, are considered responsible employees and are therefore required to report incidents of sexual misconduct to EAD. Faculty members are not confidential resources and are strongly discouraged from investigating any allegations of sexual misconduct and from pre-judging any incident or person involved in an incident. Consequently, if a faculty member receives information about an incident of sexual misconduct from another faculty member, a staff person, or a student, s/he is obligated to report it to EAD. Faculty members might receive information about incidents of sexual misconduct, because, even though such incidents are underreported to the police and to other authorities, victims of sexual misconduct often tell someone about the incident.
Vanderbilt’s sexual misconduct policy, Mr. Marshall explained, prohibits non-consensual sexual intercourse or contact, sexual harassment (either in the form of quid pro quo demands of a sexual nature or in the form of unwelcome severe or pervasive comments that create a hostile environment, on campus or off), stalking, sexual exploitation, invasion of privacy or retaliation of a sexual nature, and other forms of power-based personal violence, such as domestic violence. Sexual activity between persons, according to Vanderbilt’s policy, requires effective consent that is informed and is freely and actively given. Consent for sexual activity on a particular day does not imply consent for other kinds of sexual activity or consent on another day. If effective consent cannot be given, because the person is intoxicated, for example, then sexual activity with that person is therefore prohibited.

Mr. Marshall explained that in addition to investigating incidents of sexual misconduct, EAD assists victims of sexual misconduct, depending on the situation, by developing a safety plan for the individual, seeking interim accommodations for the individual, and/or receiving a formal complaint from the victim. Even in situations where the perpetrator of an incident of sexual misconduct is not affiliated with Vanderbilt and the victim is affiliated with Vanderbilt, EAD can still act upon the allegation by providing resources or counseling to the victim. He stated that there is a significant difference between filing a sexual misconduct complaint with the police and filing such a complaint with EAD. The police investigate whether a crime has been committed and the criminal justice system ascertains whether the alleged perpetrator is guilty beyond a reasonable doubt, whereas EAD investigates whether Vanderbilt’s sexual misconduct policy has been violated and whether the preponderance of evidence shows that the perpetrator committed the infraction. Further, EAD does not tell persons that they must go to the police or file a complaint with the police.

Mr. Marshall reiterated that faculty members are not confidential resources with respect to sexual misconduct. Faculty members should not promise confidentiality to anyone and should not promise that no one involved in an incident of sexual misconduct will or will not get into trouble. He encouraged everyone to understand that persons react differently to trauma. If a faculty member is approached or informed about an incident of sexual misconduct, the faculty member should explain that s/he is not a confidential resource but that Vanderbilt offers confidential resources. Confidential resources on the Vanderbilt campus include the Psychological and Counseling Center, the Student Health Center, and clergy, pastoral counselors, and medical providers acting in these respective capacities. The faculty member could provide a list of resources to the person and inform the person that s/he has the right to report the incident to EAD and to the police. A handout, distributed at the meeting and attached to these Minutes, provides information about sexual misconduct support and resources on campus. He emphasized that faculty members should not share information about incidents of sexual misconduct to persons who are without a need to know and are required to report incidents of sexual misconduct to EAD. In some situations it might be appropriate for faculty members to take the initiative if a faculty member notices signs of distress in a student, such as
uncharacteristic changes in behavior, physical appearance, or academic performance, talk of harm to self or others, or comments by others about the person’s alcohol or drug use.

Mr. Marshall stated that the Vanderbilt Faculty Senate has initiated a sexual misconduct awareness campaign, Golden Opportunity/Golden Obligation, which includes an online training module for faculty members. The module covers much of the same material as this presentation.

In response to questions, Ms. Jenious and Mr. Marshall stated that first-year students are required to complete a module on Vanderbilt’s sexual misconduct policy before matriculating at Vanderbilt. Students, therefore, should understand what effective consent means and what kinds of behavior are not permitted according to Vanderbilt’s sexual misconduct policy. They acknowledged that in certain situations it might be awkward for a faculty member to inform a student in distress that the faculty member has to report an incident of sexual misconduct to EAD, yet the faculty member should inform the student of his/her obligation to report as soon as possible in the conversation. Further, faculty members are obligated to report incidents of sexual misconduct even if the student begs the faculty member not to report it and even if a faculty member learns about an incident third hand. In cases of sexual misconduct in study abroad situations, a faculty member can provide a list of resources to the student and refer him/her to local services and to the local police. According to Vanderbilt’s sexual misconduct policy, faculty members and teaching assistants may not date their students, and supervisors may not date their staff members. It is not strictly forbidden, though, for a faculty member to date a graduate student in another department, and a graduate student may date an undergraduate student if there is no power relation between them, e.g. if the graduate student is not the teaching assistant of the undergraduate student. In these situations, Ms. Jenious recommended that the relationship be reported to the relevant supervisor so that EAD can ensure that the relationship is appropriate and can ensure the safety of everyone involved. They also explained that lawsuits might allow access to information that would otherwise not be available. For instance, a rape survivor sued the University of Oregon for mishandling her case, and, in response to the lawsuit, the university was able to access her medical records through a clause in FERPA. Mr. Marshall stated that hazing at fraternities and sororities falls under Vanderbilt’s student conduct policy, not Vanderbilt’s sexual misconduct policy.

2. **Announcements from Senior Associate Dean Karen Campbell.**

Karen Campbell, Senior Associate Dean for Undergraduate Education, presented several announcements: First, she announced that the deadline for Littlejohn Fellow proposals is May 15th. The Littlejohn Family Undergraduate Research Program helps support A&S faculty members who involve undergraduate students in their research during the academic year. Eight faculty members, from all three academic divisions, and thirteen students are involved in the program this year, the second year of the program. Dean Campbell stated that Senior Lecturers are eligible to apply this year and that a slightly fewer number of participants will be involved in next year’s program.
Dean Campbell announced that the deadline for nominations for the annual Nordhaus and Gilliam undergraduate teaching awards is July 20th. She explained that if a department nominated a candidate last year and the candidate did not win the award, then the nomination may be rolled over to this year. Dean Campbell encouraged departments to nominate faculty members for these awards. It is important to recognize excellent teaching in the college, and there are relatively few nominations for these awards.

Dean Campbell also encouraged departments and programs to update their webpages to reflect the new course numbering scheme. Web Communications can help in this process, but she suggested that it might be best to do the update internally. The Course Renumbering Lookup Tool, at http://registrar.vanderbilt.edu/faculty/course-renumbering/course-lookup/?w=letter&id=A, is a helpful aid.

Dean Campbell reported that the Vanderbilt Catalog is in the process of being revised for next year and that there will be two more rounds of revision. She stated that the Provost’s Office announced recently that the 2015-16 Vanderbilt Catalog will be the catalog of record for the upcoming SACS reaccreditation process.

3. Approval of the Minutes of the Faculty Meeting of December 9, 2014.

There were no comments or questions, and the Minutes were approved.


Professor Beth Conklin, Chair of Faculty Council, explained that an ongoing issue in Faculty Council this year is whether and the extent to which faculty members who are primarily appointed to one department or interdisciplinary program may have voting rights in another department or program. A specific proposal from Council on this issue should be forthcoming by the end of the academic year, she said. There were no questions or comments about the Council Minutes or about the new and revised course descriptions.

5. Executive Motion Calendar.

A. From the Committee on Educational Programs (CEP):
   i. Proposed revision of the Classical Languages major and honors program and the Classics honors program.
   ii. Proposed creation of an Environmental Sociology major and honors program.
   iii. Proposed revision of the Physics minor.
   iv. Proposed creation of a study abroad program, New Zealand, through Frontiers Abroad.
   v. Proposed revision of the History major.
   vi. Proposed creation of a study abroad program, Pune, India, through the Alliance for Global Education.
vii. Proposed revision of the Medicine, Health, and Society major and minor.

There were no comments or questions about these proposals, and the faculty approved all of them in a single motion.

B. From the Committee on Graduate Education (CGE): Proposed revision of the Latin American Studies graduate certificate program. There were no comments or questions, and the faculty approved the revision of the Latin American Studies graduate certificate program.

6. Approval of the candidates for degrees at the end of the fall semester, December 13, 2014.

Associate Dean Roger Moore moved that the faculty of the College of Arts and Science recommend to the Board of Trust that it confer upon these candidates their degrees (a list of degree candidates is attached to these Minutes). His motion was seconded and unanimously approved.

7. Original Motion Calendar.

No issues were raised.

8. Good of the College.

No issues were raised.


The meeting adjourned at 4:57 p.m.

Respectfully submitted,

Lesley Gill,
Secretary of the Faculty
Vanderbilt University Sexual Assault Support and Resource Information

Vanderbilt University seeks to maintain a safe and healthy environment for all students. We take reports of sexual assault seriously, and how we respond depends on, among other things, the facts and circumstances of the specific incident, the wishes of the victim, to whom it was reported, and the University’s obligations under applicable federal and state laws. The policies governing our investigative and accountability processes may be found in Chapter 7 of the Student Handbook, available at www.vanderbilt.edu/student_handbook. Regardless of whether a formal complaint is filed, we offer support and a number of resources for students impacted by sexual assault. Information about support services and resources is outlined in more detail below and can also be found at www.vanderbilt.edu/projectsafe. Project Safe serves as the central resource for those impacted by power-based personal violence and can assist with navigating all facets of the University’s resource and support network and other processes; however, there are multiple points of entry that may be utilized by a victim or survivor, and appropriate referrals and assistance will be provided by other offices and departments, as needed.

<table>
<thead>
<tr>
<th>Resource Information &amp; Support</th>
<th>Obtaining Counseling</th>
<th>Seeking Interim Accommodations*</th>
<th>Filing a Formal Complaint*</th>
<th>Confidentiality Level*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Safe (615) 322-7233</td>
<td>Yes</td>
<td>Assists</td>
<td>Assists</td>
<td>Private</td>
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<tr>
<td>Psychological &amp; Counseling Center (615) 322-2571</td>
<td>Yes</td>
<td>Yes</td>
<td>Assists</td>
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</tr>
<tr>
<td>Student Health Center (615) 322-2427</td>
<td>Yes</td>
<td>Refers</td>
<td>Assists</td>
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<tr>
<td>Chaplain &amp; Religious Life (615) 322-2547</td>
<td>Yes</td>
<td>Yes</td>
<td>Assists</td>
<td>Confidential (when acting as clergy)</td>
</tr>
<tr>
<td>VUPD (615) 322-2745 (615) 421-1911 (Emergency)</td>
<td>Refers</td>
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<td>Refers</td>
<td>Not Confidential</td>
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<tr>
<td>VUPD Victim Services (615) 322-7846</td>
<td>Yes</td>
<td>Refers</td>
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</tr>
<tr>
<td>EAD/ Title IX Coordinator (615) 322-4705</td>
<td>No</td>
<td>No</td>
<td>Refers</td>
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</tr>
<tr>
<td>Student Accountability (615) 322-7868</td>
<td>Refers</td>
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<td>Private</td>
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<tr>
<td>Housing &amp; Res. Education (615) 322-2591</td>
<td>Assists</td>
<td>Refers</td>
<td>Assists</td>
<td>Refers</td>
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*SEEKING INTERIM ACCOMMODATIONS: Some examples of interim accommodations include issuing a directive to desist or stay away order, adjusting course schedules, and reorganizing housing assignments.

*FILING A FORMAL COMPLAINT: Filing a formal complaint with VUPD may lead to a criminal investigation and prosecution by the Metropolitan Nashville Police Department. Filing a formal complaint with the University will lead to an investigation and may result in disciplinary outcomes. A student may file a formal complaint with VUPD, the University, or both, and the criminal and University processes may occur simultaneously.

*CONFIDENTIALITY LEVEL

CONFIDENTIAL: Conversations are confidential. Except in rare and extreme circumstances, nothing will be shared without your explicit permission.

PRIVATE: Conversations are kept private to the extent possible, but information about incidents of sexual misconduct must be shared with relevant administrators and a Title IX coordinator so that we can take action, if necessary, for reasons of safety. In planning any response, the wishes of the victim are given full consideration.

NOT CONFIDENTIAL: Police reports are maintained at the Metropolitan Nashville Police Department Central Records Division, and subject to provisions of the Tennessee Open Records Act. As long as the investigation is open and ongoing, reports are not released.

If you or someone you know has been the victim of a sexual assault, you can call the 24-hour Project Safe Hotline at 615-322-SAFE (7233) or the Vanderbilt University Police Department Emergency Line at 911 or 421-1911.
Vanderbilt University seeks to maintain a safe and healthy environment for faculty and staff. We take reports of sexual assault and harassment seriously, and how we respond depends on, among other things, the facts and circumstances of the specific incident, to whom it was reported, and the University’s obligations under applicable federal and state laws and regulations. The policy governing faculty complaints may be found in the Faculty Manual, [https://medschool.vanderbilt.edu/faculty/policies-procedures](https://medschool.vanderbilt.edu/faculty/policies-procedures). Staff complaints are governed by applicable HR policies, [http://hr.vanderbilt.edu/policies/](http://hr.vanderbilt.edu/policies/). EAD’s website contains information about the investigatory process, [http://vanderbilt.edu/ead/griev.html](http://vanderbilt.edu/ead/griev.html). Information about support services is outlined in more detail below.

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<tbody>
<tr>
<td>EAD (615) 322-4705</td>
<td>No</td>
<td>No</td>
<td>Refers</td>
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</tr>
<tr>
<td>Human Resources (615) 343-7000</td>
<td>Yes</td>
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<tr>
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<td>Yes</td>
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<td>Assists</td>
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<tr>
<td>Protection of Minors (615) 936-0660</td>
<td>No</td>
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<td>Refers</td>
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<td>VUPD Victim Services (615) 322-7846</td>
<td>Yes</td>
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<td>Refers</td>
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<tr>
<td>Employee Assistance Program Faculty/Physician Wellness (615) 936-1327</td>
<td>Yes</td>
<td>Assists</td>
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<tr>
<td>PCC (615) 322-2571</td>
<td>Yes</td>
<td>Yes</td>
<td>Assists</td>
<td>No</td>
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</table>

*SEEKING INTERIM ACCOMMODATIONS: Some examples of interim accommodations include administrative leave and work schedule changes.

*FILING A FORMAL COMPLAINT: Filing a formal complaint will lead to an investigation and may result in disciplinary outcomes. Filing a complaint is often the best way to seek protection from future harm.

*CONFIDENTIALITY LEVEL

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