

Minutes of
THE FACULTY SENATE
OF
ARKANSAS TECH UNIVERSITY

The Faculty Senate met Wednesday, December 6, 2006, at 3 p.m. in Room 300 South of the Ross Pendergraft Library and Technology Center. The following members were present:

Dr. Cheryl Smith	Dr. Tim Smith
Dr. Carey Roberts	Mr. Rick Ihde
Dr. Jeff Robertson	Dr. Shelia Jackson
Dr. Jeff Mitchell	Dr. Trey Philpotts
Dr. Robert Fithen	Dr. Sammie Stephenson
Dr. Scott Kirkconnell	Dr. Hanna Norton
Dr. Brenda Montgomery	Dr. David Ward
Ms. Pat Buford	Dr. Andrew Cannon

Ms. Sarah Robison was absent. Dr. Annette Holeyfield, Dr. Thomas Vaughan, Dr. John Krohn, Dr. Ron Nelson, Dr. Don Carnahan, Dr. Ursula Chandler, and Dr. Charles Gagen were visitors.

CALL TO ORDER
APPROVAL OF
MINUTES

President Jackson called the meeting to order and asked for action on the November 8, 2006, minutes. Motion by Dr. Roberts, seconded by Ms. Buford, to dispense with the reading of the minutes. Motion carried. There being no amendments or corrections, motion by Mr. Ihde, seconded by Dr. Cheryl Smith, to approve the minutes as distributed. Motion carried.

NEW BUSINESS:
CURRICULAR
ITEMS

Motion by Dr. Robertson, seconded by Dr. Roberts, for the Senators to ask questions of the appropriate guest for only those proposals, or parts of a proposal, for which they need clarification; if a proposal is not questioned, then it is approved by acclamation. Motion carried. As no questions were forthcoming, the following proposals were approved by acclamation:

School of Business

(a) modify the text for transfer students as follows: delete the statements “of credit prior to enrollment” and “provided they have the appropriate course prerequisites” and add the statements “have a cumulative GPA of at least 2.0” and “approval from the School of Business Dean.”

School of Education

(a) modify the curricula in Early Childhood Education; Middle Level Education Mathematics and Science Licensure; Middle Level Education English Language Arts and Social Studies Licensure; Foreign Language with Concentration in French, German, or Spanish for Teacher Licensure; Life Science and Earth Science for Teacher Licensure; Physical Science and Earth Science for Teacher Licensure; and Health and Physical Education including Teacher Licensure as follows: add the following footnote to

MATH 1113, College Algebra: (Appropriate footnote number) “Any higher level Mathematics course may be substituted for MATH 1113, College Algebra.”

Department of Foreign Languages and International Studies

(a) (1) modify the course description for FR 1014, Beginning French I; FR 1024, Beginning French II; FR 2014, Intermediate French I; and FR 2024, Intermediate French II; as follows: delete “Laboratory work by arrangement” and add “One hour of foreign language lab per week is required”; (2) modify the course description for GER 1014, Beginning German I; GER 1024, Beginning German II; GER 2014, Intermediate German I; and GER 2024, Intermediate German II; as follows: add “One hour of foreign language lab per week is required”; and (3) modify the course description for SPAN 1014, Beginning Spanish I; SPAN 1024, Beginning Spanish II; SPAN 2014, Intermediate Spanish I; and SPAN 2024, Intermediate Spanish II; as follows: add “One hour of foreign language lab per week is required”; (b) modify the course description for SPAN 1063, Basic Spanish for Medical and Social Services, and add the following prerequisites: Prerequisites: SPAN 1014, Beginning Spanish I, and SPAN 1024, Beginning Spanish II; (c) modify the text regarding areas of concentration for the Curriculum in International Studies by deleting the statement “Students may select the 27 hours in an area of concentration from any of the departmental majors offered at Tech” and replacing it with “Students may select areas of concentration from available programs in the Schools of Community Education and Professional Development, Liberal and Fine Arts, Physical and Life Sciences, and Systems Science”; (d) modify the text and footnotes regarding the ACTFL Oral Proficiency Interview (OPI) in the Curriculum in Foreign Languages BA Degree with Concentration in French, German, or Spanish and in the Curriculum in Foreign Languages with Concentration in French, German, or Spanish for Teacher Licensure, by adding verbiage concerning the OPI requirement and minimum proficiency rating; (e) change the title of SPAN 3143, Contemporary Hispanic Culture Immersion Experiences, to Study Abroad; cross-list with French and German; and modify the course description; and (f) (1) delete SPAN 3153, Hispanic Cultural Heritage Immersion Experiences, from the course descriptions; (2) add FR/GER/SPAN 3163, Community Internship Experience, to the course descriptions; and (3) modify the curriculum in Foreign Languages BA Degree with Concentration in French, German, or Spanish and the Curriculum in Foreign Languages with Concentration in French, German, or Spanish for Teacher Licensure as follows: delete SPAN 3153, Hispanic Cultural Heritage Immersion Experiences; add FR/GER/SPAN 3143, Study Abroad, or FR/GER/SPAN 3163, Community Internship Experience; and delete 3 hours of upper level electives.

Department of Social Sciences and Philosophy

(a) modify the course description for GEOG 4803, Seminar in Global Studies; (b) add HIST 3193, History of American Disasters, to the course descriptions; (c) add POLS 2153, Introduction to Strategic Studies, to the course descriptions; and (d) add a minor in Strategic Studies.

Department of Speech, Theatre, and Journalism

(a) modify the Curriculum in Speech for Teacher Licensure as follows: delete SPH 4073, Directing Forensics; and add SPH 3123, Argumentation.

Department of Biological Sciences

(a) change the course number for BIOL (PSY) 3023, Animal Behavior, to BIOL (PSY) 3184, Animal Behavior; change the prerequisites from Prerequisites: a biology course and a psychology course, or approval of the instructor, to Prerequisites: sophomore standing in biology or psychology, or approval of the instructor; and modify the course description; (b) modify the prerequisite for BIOL 4891, Seminar in Biology, from Prerequisite: an upper level science course, to Prerequisites: an upper level biology course and senior standing; and (c) (1) change the course number for AHS 1024, Basic Pharmacology with an Overview of Microbiology, to AHS 1023, Basic Pharmacology with an Overview in Microbiology, and modify the course description; (2) change the course number for AHS 2031, Medical Assistant Clinical Practice Laboratory, to AHS 2032, Medical Assistant Clinical Practice Laboratory, and modify the course description; and (3) modify the Curriculum in Medical Assistant as follows: delete AHS 1024, Basic Pharmacology with an Overview of Microbiology, and AHS 2031, Medical Assistant Clinical Practice Laboratory; add AHS 1023, Basic Pharmacology with an Overview in Microbiology, and AHS 2032, Medical Assistant Clinical Practice Laboratory; delete HIM 2003, Fundamentals of Medical Transcription; and add HIM 3033, Basic Coding Principles.

Department of Physical Sciences

(a) modify the course description for GEOL 1004, Essentials of Earth Science; and (b) change the title for PHYS 1114, Applied Physics, to Survey of Physics.

Department of Mathematics

(a) change the prerequisite for MATH 2914, Calculus I, from Prerequisites: MATH 1914, Precalculus, and MATH 1203, Plane Trigonometry, or consent of the Mathematics Department, to Prerequisites: Math ACTE score of 24 or higher, or a grade of C or higher in both MATH 1914, Precalculus, and MATH 1203, Plane Trigonometry, or consent of Mathematics Department; and modify the course description; (b) change the prerequisite for MATH 3203, Introduction to Analysis, from Prerequisites: MATH 2934, Calculus III, and MATH 2703, Discrete Mathematics, to Prerequisite: MATH 3003, Foundations of Number Systems; and (c) change the prerequisite for MATH 4033, Abstract Algebra I, from Prerequisites: MATH 2703, Discrete Mathematics, to Prerequisite: MATH 3003, Foundations of Number Systems; and modify the course description.

Department of Electrical Engineering

(a) (1) change the course number for ELEG 2131, Digital Logic Design Lab, to ELEG 2130, Digital Logic Design Lab; and (2) change the corequisite/prerequisites from Corequisite: ELEG 2133, Digital Logic Design. Prerequisite: COMS 2803, Programming in C, or COMS 2104, Foundations of Computer Programming I, or consent of instructor, to Corequisite: ELEG 2134, Digital Logic Design. Prerequisite: COMS 2803, Programming in C, or COMS 2104, Foundations of Computer Programming I, or consent of instructor; (b) (1) change the course number for ELEG 2133, Digital Logic Design, to ELEG 2134, Digital Logic Design; and (2) change the corequisite/prerequisites from Corequisite: ELEG 2131, Digital Logic Design Lab. Prerequisite: COMS 2803, Programming in C, or COMS 2104, Foundations of Computer Programming I, or consent of instructor, to Corequisite: ELEG 2130, Digital Logic Design Lab. Prerequisite: COMS 2803, Programming in C, or COMS 2104, Foundations of Computer Programming I, or consent of instructor; (c) change

the prerequisites for ELEG 4133, Advanced Digital Design, from Prerequisites: ELEG 3103, Electronics I, and ELEG 3133, Microprocessor Systems Design, to Prerequisite: ELEG 2134, Digital Logic Design; and (d) modify the Curriculum in Electrical Engineering as follows: delete MCEG 3313, Thermodynamics I.

Department of Mechanical Engineering

(a) add MCEG 4343, Internal Combustion Engines, and MCEG 4473, Mechanical Vibrations, to the course descriptions; and (b) modify prerequisites/corequisites and the Curriculum in Mechanical Engineering as follows: (1) delete COMS 2803, Programming in C; (2) add MCEG 2203, Computational Methods in Engineering, to the course descriptions and curriculum; (3) change the prerequisites for MCEG (ELEG) 3003, Engineering Modeling and Design, from Prerequisites: COMS 2803, Programming in C, and MATH 3243, Differential Equations I, to Prerequisites: MATH 3243, Differential Equations I, and COMS 2803, Programming in C, or MCEG 2203, Computational Methods in Engineering; (4) change 3 hours of 3000-level Engineering Electives to 3 hours of Technical Electives; and add footnote 4 “Technical elective course to be chosen with approval of advisor list of eligible courses maintained in the departmental office”; (5) modify the prerequisite for MCEG 1002, Engineering Graphics, from MATH 1113, College Algebra, to Prerequisite or corequisite: MCEG (ELEG) 1012, Introduction to Engineering; (6) modify the corequisite for MCEG 2013, Statics, from Corequisite: PHYS 2114, General Physics I, to Prerequisite or corequisite: PHYS 2114, General Physics I; (7) modify the corequisite for MCEG 2033, Dynamics, from Corequisite: MATH 3243, Differential Equations I, to Prerequisite or corequisite: MATH 3243, Differential Equations I; (8) change the title of MCEG 3403, Machine Dynamics and Vibrations, to Machine Dynamics; (9) modify the prerequisite for MCEG 3442, Mechanical Laboratory I, from Prerequisite: MCEG 2023, Engineering Materials, to Prerequisite or corequisite: MCEG 2023, Engineering Materials; (10) modify the corequisite for MCEG 3503, Basic Nuclear Engineering, from Corequisite: PHYS 2114, General Physics I, to Prerequisite or corequisite: PHYS 2114, General Physics I; (11) modify the prerequisites for MCEG 3512, Radiation Detection Laboratory, from MATH 2914, Calculus I, CHEM 2124, General Chemistry I, and MCEG 3503, Basic Nuclear Engineering, to MATH 2914, Calculus I, and CHEM 2124, General Chemistry I; (12) modify the prerequisites for MCEG 4323, Power Plant Systems, from Prerequisites: MCEG 3313, Thermodynamics I, MCEG 4403, Mechanics of Fluids and Hydraulics, or consent, to Prerequisite: MCEG 3313, Thermodynamics I, or consent. Prerequisite or corequisite: MCEG 4403, Mechanics of Fluids and Hydraulics; (13) modify the prerequisites for MCEG 4443, Heat Transfer, from Prerequisites: MCEG 3313, Thermodynamics I, MCEG 4403, Mechanics of Fluids and Hydraulics, or consent, to Prerequisite: MCEG 3313, Thermodynamics I, or consent. Prerequisite or corequisite: MCEG 4403, Mechanics of Fluids and Hydraulics; and (14) modify the prerequisites for MCEG 4463, Heating, Ventilating, and Air-Conditioning Design, from Prerequisites: MCEG 3313, Thermodynamics I, MCEG 4443, Heat Transfer, or permission of instructor, to Prerequisite: MCEG 3313, Thermodynamics I, or permission of instructor.

FACULTY OWNERSHIP

President Jackson asked Dr. Roberts to speak to this item. Dr. Roberts noted that his choice of wording for the agenda heading was misleading. Dr. Roberts reminded the Senate of comments made by Dr. Brown during the general faculty meeting last August where he referenced a number of rules and regulations in place for a long time that need to be reviewed to determine current relevancy for the campus. Dr. Roberts also referred to the current strategic planning process underway and advised that the Senate should be a leader in implementing any new academic initiatives. He asked the Senate to consider reviewing

any rules and regulations in place that “are impeding what we are doing in the classroom or in our offices.” One example he noted was the requirement for faculty to meet the immunization requirement in order to take a class. Dr. Roberts also mentioned curricular changes and defining which types of changes need action and which don’t. Dr. Mitchell noted the inconsistency in allowing food and drink in classrooms across campus. Motion by Dr. Roberts, seconded by Dr. Robertson, for the Senate in the spring semester to investigate ways to streamline campus policies affecting academics. Motion carried.

OLD BUSINESS:
COURSE
EVALUATION
FORM WORDING

President Jackson asked for action on the proposed course evaluation form. Motion by Dr. Philpotts, seconded by Ms. Buford, to approve the proposal (see Attachment A). President Jackson asked for discussion. Dr. Tim Smith questioned whether the student’s grade point average was requested on the form. It was indicated that students are asked to fill in their GPA; however, the form is not considered invalid if this information is not provided. Dr. Philpotts recommended that the wording of question 6 be changed from “Generally, the instructor began class on time and held class for the allotted time” to “The instructor generally began class on time . . .” Dr. Mitchell noted his concerns with questions 5, 6, and 7. He emphasized that instructors “can sometimes intellectually challenge students and they can interpret this as disrespect.” He noted that he understands Dr. Hamm’s intent with the questions but that these questions put the students, instead of department heads, in the position of “checking up” on instructors. Dr. Mitchell reported that the ATU chapter of the AAUP shares his concerns for these three questions.

Dr. Philpotts commented that instructors who routinely allow students to leave early or cancel class are “lazy” and the students should have the opportunity to evaluate them. Dr. Kirkconnell noted that the word “respect” in question 7 refers to being polite, cordial, professional, and treating students equally. Dr. Mitchell observed that students may “perceive the faculty as less than professional” if asked to respond to these questions. Dr. Philpotts responded that students should be allowed to answer the questions, and if a problem is indicated by their responses, it is up to the “dean or department head to take care of it.”

Dr. Kirkconnell reported that one faculty member responding to the email sent out to the general faculty concerning this wording had indicated that some students did not know what the word “fluent” means for question 13.

Dr. Philpotts amended his earlier motion to approve to include the change in question 6 noted previously; amended motion seconded by Dr. Robertson. Motion carried.

GENERAL
EDUCATION
GOALS

President Jackson asked for action on the proposed general education goals. Motion by Dr. Philpotts, seconded by Dr. Robertson, to approve the proposal (see Attachment B). President Jackson asked for discussion. Dr. Robertson stated that he agreed with President Jackson’s comments from last month’s meeting that the goals should include a health and wellness component. He also noted his preference for the shorter goal statements proposed by the Assessment Committee and distributed by Dr. Roberts at the November meeting. Dr. Roberts read aloud those statements: communicate effectively; think critically; demonstrate ethical behavior; understand the application of scientific processes; and appreciate the arts and humanities.

Dr. Philpotts questioned how ethical behavior can be demonstrated and suggested instead “demonstrate knowledge of ethical and moral issues.” Dr. Mitchell indicated his concern that knowledge of foreign languages and cultures was still not included as a goal.

Dr. Roberts noted that the goals have two audiences: students and their parents and The Higher Learning Commission. He emphasized that the goals should not include a learning objective that every student will not have the opportunity to experience. Dr. Philpotts suggested using the wording “diverse cultures” as a compromise. President Jackson suggested that “healthy behaviors” be included with “demonstrate knowledge of ethical and moral issues.” Dr. Mitchell recommended this component have its own goal.

After additional discussion concerning specific language for each of the goals, motion to amend by Dr. Philpotts, seconded by Dr. Roberts, to approve the goals as follows: communicate effectively; think critically; demonstrate knowledge of ethical and moral issues; apply scientific processes; demonstrate knowledge of the arts and humanities; demonstrate understanding of diverse cultures; and demonstrate an understanding of health and wellness concepts. Motion included rewriting the leading statement for the catalog to read: “The graduating ATU student should have acquired a foundation for knowledge common to educated people and the capacity to expand that knowledge over his/her lifetime. In order to fulfill this, the student will be able to:” (goals follow). Motion carried. The recommendations of the Senate will be forwarded to Academic Affairs and the Assessment Committee.

REVIEW OF SEXUAL HARASSMENT POLICY

President Jackson asked Dr. Mitchell, chair of the sub-committee, to address this issue. Dr. Mitchell reviewed the changes in the draft policy (see Attachment C) which had been previously distributed and explained at the November meeting. President Jackson expressed her concern with requiring involvement of a Faculty Welfare Committee representative in an informal resolution of a complaint. She stated that it should be the faculty member’s choice whether or not to involve a member of the Faculty Welfare Committee in an informal complaint. Dr. Philpotts noted the addition of qualifying wording to the “bullet list” and stated that the repetitiveness of the language made it redundant. Dr. Kirkconnell questioned why some of the language on the first page had been stricken. Dr. Mitchell responded that the sub-committee had deleted this verbiage in order to streamline the document. Dr. Kirkconnell noted that these items had been recommended by last year’s Faculty Senate and that they were derived from Yale University’s policies, which are highly regarded and often referenced in the policies adopted by many of the most prestigious universities in the nation.

Dr. Kirkconnell then questioned the process the Senate was undergoing in review of the sexual harassment policy. He noted his understanding from the previous meeting that the Senators were going to ask questions concerning why some of the changes were made to the policy recommended by the Senate last May. He offered the opinion that, as an advisory body, the Senate would be in a better position to propose changes if the members first understood why those initial changes were made. Dr. Cannon observed that it might be better to receive feedback concerning the changes approved by the Board of Trustees and then formulate recommendations to the policy. Dr. Philpotts and Dr. Mitchell both expressed their preference for presenting a draft recommendation on wording to the administration first and then receive feedback. Motion by Dr. Philpotts, seconded by Dr. Roberts, to modify the draft policy as indicated during the discussion, and direct President Jackson to meet with Mr. Pennington to receive feedback to the proposed changes. President Jackson observed that Mr. Pennington would have the option of speaking with her directly or attending a spring meeting of the Senate. Dr. Kirkconnell stated that, if the Senate was going to proceed with approval of the draft policy, he had other issues with the policy he wished to discuss. He questioned the change in language concerning the filing of a false complaint, noting that there is a “high burden of proof to establish that the complaint

was both false and made with malicious intent” and questioned why the wording recommended by the Senate had been changed. He stated that these are the types of questions the Senate needs to be asking and that he would like to have an explanation for this and other changes. Dr. Kirkconnell referenced again his concern with the process the Senate is undergoing concerning revision of the sexual harassment policy. President Jackson asked that he formulate a question relating to this particular passage to be presented to Mr. Pennington. President Jackson called for the question on Dr. Philpotts’ motion. Motion carried.

OPEN FORUM

President Jackson asked for any additional discussion items. Dr. Kirkconnell noted that Dr. Sean McDougal has served on the ATU Board of Trustees for ten years; his term of service is up in January, 2007. Dr. Kirkconnell distributed a letter addressed to Dr. McDougal expressing appreciation for his service and asked the Senators to sign it if they wished.

Dr. Mitchell asked that pedestrian safety be included on the Senate’s next agenda.

Ms. Buford reported that many of the engineering faculty were concerned about the upcoming email system change. She suggested a faculty meeting with Computer Services. Dr. Roberts noted that the change will take place on December 22 and stated that there is not time to call a faculty meeting. He suggested that Computer Services send out an explanatory memo to all faculty and that this should be delivered by campus mail.

ANNOUNCEMENTS/
INFORMATION
ITEMS: SPRING
MEETING
TIME/DAY

After discussion, the spring meetings for the Senate were set for the second Wednesday of the month at 3 p.m. The first meeting will be February 14, 2007. The meeting place will be announced later.

ADJOURNMENT

The meeting adjourned at 5:00 p.m.

Respectfully submitted,



Shelia Jackson, Ph.D., President



Scott Kirkconnell, Ph.D., Secretary

Course evaluation form (i.e., student evaluation form) proposed wording:

Responses are: Strongly Agree (5), Agree (4), Neutral (3), Disagree (2), Strongly Disagree (1)

DRAFT

Note: If the question is not applicable to your course, please leave blank.

1. The instructor was knowledgeable in the subject matter of the course.
2. The instructor effectively presented the content of the course.
3. The instructor was well prepared for each class.
4. The class time was valuable in helping my understanding.
5. The instructor rarely cancelled class.
6. Generally, the instructor began class on time and held class for the allotted time.
7. The instructor acted in a professional manner and treated students with respect.
8. The instructor was available during scheduled office hours.
9. The instructor provided feedback on my academic progress on a regular basis through grades on quizzes, exams, written reports, projects, presentations, etc.
10. The instructor fairly evaluated my work in this course.
11. The textbook required for the course was useful.
12. The instructional aids (e.g., audio, visual, web, handouts, etc.) were beneficial.
13. The instructor is fluent in English.
14. The instructor's overall performance as a teacher was excellent.

Reverse side questions:

- Current: What do you consider to be the strengths of this course?
 What constructive suggestions do you have for improving this course?
- Addition: Other comments?

General Education Goals

Proposed and Approved by the University Curriculum Committee, 20 October 2006

The graduating ATU student should have acquired a foundation for knowledge common to educated people and the capacity to expand that knowledge over their lifetime. In order to fulfill this, the student will:

- Effectively use communication skills to understand, analyze, inform, and persuade.
- Understand ethical and moral issues of diverse societies and environments.
- Think critically, synthesizing knowledge and drawing conclusions from complex material.
- Gain knowledge of the natural, physical, and technological world and the qualitative and quantitative methods and analysis used to obtain that knowledge.
- Understand the role of humanistic and artistic expression in ancient and contemporary cultures.

POLICY ON SEXUAL HARASSMENT*

It is the policy of Arkansas Tech University to maintain the University community as a place of work and study for staff, faculty, and students free of harassment, including sexual and gender harassment and all forms of sexual intimidation and exploitation. All students, staff, and faculty should be aware both that the University is concerned and prepared to take action to prevent and correct such behavior.

Sexual harassment by any faculty, staff or student is a violation of both law and University policy and will not be tolerated at Arkansas Tech University. The University considers sexual harassment to be a very serious issue and shall subject the offender to dismissal or other sanctions following the University's investigation and substantiation of the complaint and compliance with due process requirements.

The determination of what constitutes sexual harassment will vary with the particular circumstances, but it may be generally described as repeated and unwanted sexual behavior, such as physical contact and verbal comments or suggestions that adversely affect the working or learning environments of others.

EEOC Guidelines define sexual harassment as unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a condition of an individual's employment with the University or a factor in the educational program of a student; and/or
2. Submission to or a rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting such individuals; and/or
3. Such conduct has the purpose or effect of substantially interfering with an individual's right to achieve an educational objective or to work in an environment free of intimidation, hostility, or threats stemming from acts or language of a sexual nature.

Although sexual harassment most frequently occurs when there is an authority differential between the persons involved (Faculty member and student, supervisor and staff member), it may also occur between persons of the same status (e.g. faculty-faculty, staff-staff, student-student). Both men and women may be victims of sexual harassment and sexual harassment may occur between individuals of the same gender.

Because of the unique situations which exist between students, faculty, supervisors and staff, relationships in the workplace and on campus should at all times remain professional. In particular, due to the professional power differential between faculty and students, faculty members are encouraged to remain professional in all relationships with students. As teachers, professors, encourage the free pursuit of learning by their students. They hold before them the best scholarly standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. ~~Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of the students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.~~

*Approved Board of Trustees 6/24/06

Sexual harassment may create a hostile, abusive, demeaning, offensive or intimidating environment. It is manifested by verbal or physical actions, including gestures and other symbolic conduct. Sexual harassment is not always obvious and overt; it can also be subtle and covert. A person who consents to sexual advances may nevertheless be a victim of sexual harassment if those advances were unwelcome.

~~If a professor's speech or conduct takes place in the teaching context, it must also be persistent, pervasive and not germane to the subject matter.~~ The academic setting is distinct from the workplace in that wide latitude is required for professional judgment in determining the appropriate content and presentation of academic material. In order for a professor's speech or conduct to be considered sexual harassment in the academic arena, it must be persistent, pervasive and not germane to the subject matter.

Examples of sexual harassment may include, but are not limited to the following:

- Verbal abuse of a sexual nature, which is considered to include, but is not limited to epithets, derogatory comments, sexual advances, invitations, propositions, comments, or requests for sexual favors;
- Intimate unwelcome physical contact which is not related to academic, training or safety related issues;
- **Repeated unwanted discussions of sexual matters** which are not relevant to the academic training, teaching or research;
- Use of sexual jokes, stories, analogies or images which are not related to the subject of the class or work situation which are not relevant to the academic training, teaching or research;
- ~~Ogling, leering, or prolonged staring at another persons body;~~
Display or use of sexual graffiti or sexually-explicit pictures or objects which is not relevant to the academic training, teaching or research;
- Sexually suggestive jokes, comments, e-mails, or other written or oral communications which is not relevant to the academic training, teaching or research;
- Associating or basing Condition, explicitly or implicitly, academic or employment decisions, explicitly or implicitly, upon an individual's submission to requests for sexual favors or conduct.

Individuals who are aware of or have been subjected to sexual harassment are encouraged to promptly contact the **Affirmative Action Officer**.

Resolution Options

The University provides two options for reporting and resolving matters involving sexual harassment: an informal resolution process and a formal complaint process. An individual who believes that he or she has been subjected to sexual harassment and seeks to take action may use the informal resolution process, the formal complaint process, or both. First use of the informal resolution process will, in most cases, be consistent with fairness and correcting an undesired circumstance with a minimum of emotional and professional damage. ~~The informal resolution process and formal complaint resolution process are not mutually exclusive and however neither is required as a pre-condition for choosing the other.; however, they cannot both be used at the same time.~~

Informal Resolution

An individual who believes that he or she has been subjected to sexual harassment should contact the Affirmative Action Officer who will review the facts presented. The individual, if they are a faculty member, may additionally contact the Faculty Welfare Committee representative. No person shall be subject to restraints, interference or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment.

Informal resolution may be appropriate when the conduct complained of is not of a serious or repetitive nature and disciplinary action is not required to remedy the situation. As there is no formal investigation involved in the informal resolution process, there is no imposition of discipline. University methods for resolving complaint informally include, but are not limited to:

- Mediating between the victim and the individual who is engaging in the offensive conduct;
- Aiding in the modification of the situation in which the offensive conduct occurred;
- Assisting a department or division with the resolution of a real or perceived problem; or
- Arranging for a documented meeting between the person allegedly engaged in the offensive conduct and a University official that involves, at a minimum, a discussion of the requirements of the Sexual Harassment policy.

~~The University will document any informal resolution. The Any documentation will be retained by the Affirmative Action Officer and, if a faculty member is involved, and so requests, the Faculty Welfare Committee representative(s) will provide review and oversight. The documentation will be kept confidential to the extent permitted by law. If a complaint is filed in a faculty or staff's permanent record, If any record is made of a complaint, the faculty or staff member must be notified.~~ An informal resolution meeting is not a precondition for filing a formal written complaint.

Formal Complaint

An individual who believes that he or she has been subjected to sexual harassment may submit a written formal complaint setting forth all pertinent facts to the Affirmative Action Officer who will review and investigate the facts presented. ~~If t~~The individual filing the complaint, if they are ~~is~~ a faculty member, he or she may also request that a copy of the complaint be sent to the Faculty Welfare Committee representative. No person shall be subject to restraints, interference or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment.

Investigation

A formal investigation will be initiated if the complaint articulates sufficient specific facts which, if determined to be true, would support a finding that the University's policy was violated. The Affirmative Action Officer will give the alleged offender a copy of the complaint. The alleged offender is also provided with an opportunity to respond to it within ~~five (5)~~ ten (10) working days (~~ten~~ twenty working days if school is not in session) of receipt by the alleged offender. The letter will include a statement advising the alleged offender that retaliation against the individual who filed the complaint is prohibited and will subject the alleged offender to appropriate disciplinary action if retaliation occurs.

Both the individual submitting the complaint and the alleged offender will be individually interviewed as a part of the official investigation as will any witnesses or persons who have information related to the complaint. Documents relevant to the complaint will also be examined. Facts will be considered on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. In the course of a complaint investigation, the University will attempt to maintain confidentiality for all parties involved. However, there can be no guarantee of confidentiality and anonymity based upon the course and scope of the complaint investigation.

Findings will be based on the totality of the circumstances surrounding the conduct complained of, including, but not limited to:

- the context of the conduct;
- the severity;
- the frequency; or
- whether the conduct was physically threatening, humiliating, or was simply offensive in nature.

Representation

During the complaint process, the individual making the complaint and the alleged offender may designate and thereafter be accompanied by an advisor of his or her choosing at meetings and interviews at which he or she is present; however, no representative may examine witnesses or otherwise actively participate in a meeting or interview.

1. Report of Findings and Recommendation - Complaints Against Non-Students

The Affirmative Action Officer will provide a proposed statement of findings, copies of relevant documents, and any physical evidence considered to the appropriate vice president within ten (10) working days (twenty working days if school is not in session) of receipt of the statement from the person whose conduct was complained about.

The appropriate vice president will promptly notify the individual bringing the complaint and the alleged offender that the investigation has been completed and attach a copy of the proposed statement of findings. **A student's identifiable information, if any, which is confidential by law, will be redacted.** Within ~~five (5)~~ ten (10) working days (~~ten~~ twenty working days if school is not in session or the faculty member is away from the university, e.g., on sabbatical) from the date of notification, the individual bringing the complaint and the alleged offender may each submit, for consideration by the appropriate vice president, such comments and corrections as they may have. Within ten (10)-working days (twenty working days if school is not in session) from the date of notification, the vice-president shall take one of the following actions:

- Dismiss the complaint if the result of the completed investigation is inconclusive or there is insufficient reasonable, credible evidence to support the allegation(s); or
- Find that the Sexual Harassment policy was violated.

If the Vice-president determines that this policy was violated, he or she shall determine a disciplinary action that is appropriate for the severity of the conduct. The Vice President shall inform the individual bringing the complaint, accused individual and the appropriate dean or department head of his or her decision, and shall attach a copy of the final statement of final statement of findings. Copies of the vice-president's letter, the attached statement of findings, and relevant documents shall also be sent to the Affirmative Action Officer.

Disciplinary action may be appealed by the employee who is disciplined. Appeals for faculty shall be made, pursuant to the Faculty Handbook, to the Faculty Welfare Committee. Appeals for non-faculty shall be made, pursuant to Classified Employee Handbook, in the form of a formal grievance hearing.

2. Report of Findings and Recommendation - Complaints Against Students

The Affirmative Action Officer will provide a proposed statement of findings, copies of relevant documents, and any physical evidence considered to the Vice President for Student Services for a determination pursuant to Article IV of the Arkansas Tech University Student Code of Conduct.

Filing of a False Complaint

Individuals whose complaint is found to be both false and have been made with malicious intent will be subject to disciplinary action, which may include, but is not limited to, demotion, transfer, suspension, expulsion or termination of employment.

POLICY ON CONSENSUAL RELATIONS*

Sexual relations between students and faculty members with whom they also have an academic or evaluative relationship are fraught with the potential for exploitation. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. Even when both parties initially have consented, the development of a sexual relationship renders both the faculty member and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students.

In their relationships with students, members of the faculty are expected to be aware of their professional responsibilities and to avoid apparent or actual conflict of interest, favoritism, or bias. When a sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision of the student.

An employee, whether faculty or staff, should not develop a dating or sexual relationship with a student whenever the employee is in a "position of authority" over that student. An employee is in a "position of authority" whenever he or she is that student's teacher, or when the employee is either evaluating or supervising the student. The "position of authority" may also include formally advising the student or when that student is a major in the employee's department.

A supervisor, whether faculty or staff, should also not develop a dating or sexual relationship with an employee when the supervisor has a "position of authority" with respect to the employee.

Should a dating or sexual relationship develop or exist, the person with the greater position of authority must consult with an appropriate supervisor. The supervisor, with advice from University Counsel, shall develop a mechanism to ensure that objective evaluation is achieved, that conflicts of interest are avoided, and that the interest of the other individual and University are fully protected. If this policy is violated, any discipline, if necessary, shall be reviewed on a case by case basis.

* Approved Board of Trustees 5/18/06