



FLORIDA STATE UNIVERSITY
FACULTY SENATE

MINUTES
FACULTY SENATE MEETING
WEDNESDAY, MARCH 23, 2022
FSU ZOOM
3:05 P.M.

Regular Session

The regular session of the 2021-22 Faculty Senate was held on Wednesday, March 23, 2022. Faculty Senate President Eric Chicken presided.

The following members attended the Senate meeting:

T. Adams, P. Aluffi, E. Alvarez, S. Ballas, E. Bangi, A. Barbu, C. Barrilleaux, C. Barry, P. Beerli, B. Birmingham, D. Bish, M. Blaber, M. Bourassa, M. Bukoski, U. Bunz, G. Burnett, J. Calhoun, E. Chassignet, E. Chicken, I. Chiorescu, R. Coleman, E. Crowe, P. Doan, J. Du, M. Duncan, V. Fleury, S. Foo, R. Goodman, T. Graban, S. Grant, A. Gunjan, W. Guo, W. Hanley, E. Hilinski, P. Hoeflich, C. Hofacker, R. Hughes, P. Iatarola, J. Ingram, K. Ishangi, E. Jakubowski, K. Jones, H. Kern, D. Kim, E. Kim, J. Kimmes, E. Klassen, S. Lester, E. Loic, I. MacDonald, C. Madsen, A. McKenna, R. Morris, A. Muntendam, E. Murphy, I. Padavic, J. Palmer, C. Patrick, E. Peters, D. Peterson, Q. Rao, A. Rassweiler, N. Rogers, E. Ryan, C. Schmertmann, H. Schwadron, T. Somasundaram, J. Standley, E. Stewart, R. Stilling, B. Stults, B. Stvilia, M. Swanbrow Becker, G. Tyson, A. Vanli, A. Volya, D. Whalley, Q. Yin, Z. Yu, I. Zanini-Cordi.

The following members were absent. Alternates are listed in parenthesis:

G. Adams, A. Ai, I. Alabugin, T. Albrecht-Schoenzart, D. Armstrong, T. Bradley (K. Brodhead), R. Brower, J. Brown Speights, M. Buchler, E. Cecil, S. Daniels, F. Dupuigrenet, D. Eccles, C. Frederiksen, J. Geringer, M. Gonzales-Backen, D. Gussak, K. Harris, A. Huber, C. Kelley, T. Lee, T. Mariano, G. Martorella, M. McFarland, C. Moore, M. Nair-Collins, K. Reynolds, L. Rinaman, J. Sobanjo, D. Soper

I. Approval of the Minutes, February 16, 2022 meeting

The minutes were approved as amended.

II. Approval of the agenda, March 23, 2022 meeting

President Chicken asked for approval of a special order to occur after the approval of the agenda. The agenda was modified and approved.

III. Special Order

a. A Resolution in Honor of Clifford K. Madsen, Todd Adams

- Senator Adams started with sharing Clifford Madsen's accomplishments over his 57 years at Florida State University.

- Senator Adams presented Clifford K. Madsen with the Fred L. Standley Distinguished Service Professor Award.
- **President Chicken** – congratulated Clifford K. Madsen and thanked him for all his service to Florida State University.
- **Clifford K. Madsen** – stated all should take service to the institution very seriously, regardless of anything else we do. He thanked everyone for the award.
- **President Chicken** – moved forward to Announcements of President McCullough since Senator Ryan was not in attendance yet to present the Steering Committee report.

IV. Announcements of the President McCullough

- President McCullough touched on the success of the Inauguration Academic Symposium and showing those who travelled from other universities all the great things Florida State University has to offer.
- The close of session has been finished and we are waiting for the governor's signature on the budget.
- President McCullough highlighted some of the budgets that were approved:
 - \$125 million to build a new Life Sciences Research building. This would ideally be next to Tallahassee Memorial Hospital, that would help establish an academic medical center and help attract more physicians to the region. It is estimated to contribute \$220 million to the local economy and create 1,500 direct or indirect jobs.
 - Florida State University will now be in possession of the State of Florida's Data Center. This will add \$50 million to recurring money budgets to help run this center. The administration views this as an addition to our research enterprise and possibly access to data. The data center has successfully moved a lot of items to the cloud.
 - \$45 million in recurring resources to help support our faculty and faculty hiring.
 - Over \$6 million of recurring funds for the FAMU-FSU College of Engineering.
 - Approx. \$16 million to the Mag Lab towards their ongoing project of cleaning up gypsum stacks in Tampa Bay and another \$8,000,000 to go towards the Mag Lab infrastructure work.
- President McCullough continued with noting there are currently over 170 faculty searches on going and the administration will work very hard to set aside money to help the colleges that are particularly competitive make attractive offers.
- One policy change is that university teaching or material regarding critical race theory, can jeopardize preeminence funding, which is about \$66 million for Florida State University. We have third party vendors that provide training modules to help guide faculty with this.
- Another policy touches on post tenure review, which is a concern because the review has been asked to be taken up by the board of governors. President McCullough feels very strongly that the evaluation of faculty should be left to the universities and their Board of Trustees.
- President McCullough addressed a question in chat on accreditation, but sadly expressed that he has very little influence or control. He believes that the outcome will be a one-time change to a different accreditor, or we will stick with SACS.
- President McCullough asked if Provost Clark had anything to add.
- **Jim Clark, Provost** – Added that they have been communicating to the legislature the heavy financial costs that these changes will bring. He also noted that this is out of their control. Provost Clark continued that he believes what will drive the outcome is whether other accreditors show interest in accrediting Florida Universities or not.

- **President McCullough** – Added to the discussion of post tenure reviews that the faculty senate chairs were highly supportive of this because they see this as a mechanism for faculty to receive merit-based raises.
- **President McCullough** – Continued with that he is continuing to build the leadership team.
- Noted there has been a lot of progress on the implementation of the President's Task Force on Anti-Racism Equity Inclusion, and there is a website that explains the progress and a timeline.
- President McCullough concluded with they are starting to work on salaries for the university. The target goal is a 5% increase for staff and a 1% pool that can be used for merit. About \$30 million recurring funds will be needed to be used to make sure this happens. All subject to negotiations but plans on being very aggressive on this.
- **President Chicken** – Opened the floor to questions.
- **Kathryn Jones, Arts & Sciences** – How can faculty convey to the legislature and the Board of Governors that it's particularly demoralizing they are addressing post tenure review at a time when faculty have put in so much.
 - **President McCullough** – Suggested connecting with the BOG members and representatives directly to express your concerns. Greg Mateer has been appointed to the BOG to help represent FSU and he would be a good person to reach out to. President McCullough believes the faculty have a voice and they should use it and express your opinions.
 - **Jim Clark, Provost** – Agreed reaching out to Craig Mateer is a good idea. He believes the more data driven and related to student success, is the best way to give a clear message. Also talking to legislators that you know and showing them the morale impact. Provost Clark state him and President McCullough try to communicate these issues, but he also believes it is a good idea to have it come directly from faculty.
 - **President Chicken** – agreed that going to the Board of Trustees, making public comments, go to Board of Governors. Also, legislative contacts are a good suggestion. Noted the union is very good at informing members how to correctly contact legislature.
 - **Matthew Lata, President UFF/FSU Chapter** – also agreed with all these suggestions. He noted that it doesn't take a lot of contact with legislatures to make a voice heard, if it's not a controversial issue. Communication is very important. He suggested to communicate with legislators in their home districts as well.
- **Will Hanley, Arts & Sciences** – Had a question about the preeminence funding and the critical race theory provision. Senator Hanley's concern is bad faith efforts to push back against this. He urges the administration to have some strategies in place that will push back against this. Some faculty began discussions about this last semester, and Senator Hanley noted they have a document in circulation with some response ideas for this mischaracterized of course offerings. He stressed how this can have a serious effect for those who teach race, inequality, and all these sorts of things.
 - **President McCullough** – Thanked Senator Hanley for his comment and stated that he would love to see the document in place. Notes he's had four incidents where he's been approached about this issue and that he argues back with the viewpoint that Florida State University teaches historical topics, critical thinking, race relations, and theory. He wanted to note that he has personally be taking these issues and pushing back on them. President McCullough wants faculty to know he understands what they are expressing, he is keeping an eye on it, and he takes defending academic freedom very seriously.
- **Roxanne Hughes, Natl High Magnetic Field Lab** – Wanted to speak on the issue that the Board of Trustees brought forward about specialized faculty and ask if there was anything the faculty can do, or the administration can do regarding this concern.
 - **President McCullough** – asked for clarification on what Senator Hughes is speaking about.

- **Irene Padavic, Social Sciences and Public Policy** – stated what Senator Hughes is referring to is a proposal in the appointments article to reduce the term of the contract for top ranked specialized faculty III members, from four years to three years. This is a proposal; it has not been agreed to.
- **President McCullough** – inquired where this came from.
- **Irene Padavic, Social Sciences and Public Policy** – Yes, it came from the BOT.
- **Renisha Gibbs, Assoc. VP for HR and F&A Chief of Staff** – Renisha was unable to attend last week's session but is aware of that proposal and it's been discussed with the management team. The team is looking forward to engaging in discussion with you about that proposal in bargaining.
- **Jim Clark, Provost** – Agreed this is one of the articles and it's part of what they are deliberating about with the team.
- **President McCullough** – Asked Provost Clark to discuss this with him offline so he can be up to date with this new information.
- **President Chicken** – Thanked President McCullough for being able to speak and transitioned back to the Steering Committee report since Senator Ryan was now in attendance.

V. Report of the Steering Committee, Erin Ryan

- Senator Ryan stated that all the topics that have already been discussed and that she knows are coming up, are the items that the Steering Committee have been working on.
- Steering Committee has worked with the committees to prepare their final report for the year.
- Senator Ryan continued that they have worked on these legislative proposals and have tried to communicate back FSU's concerns regarding those proposals.
- Steering Committee has worked with the new members of the President's team to build the bridges of shared governance that we have enjoyed for many years and with hopes to continue that for many years to come.
- Senator Ryan concluded her report and stated she is happy to take questions.
- **President Chicken** – Thanked Senator Ryan for her report and opened the floor for questions. None were posed.

VI. Reports of Standing Committees

a. Sustainability Committee, Ian MacDonald (addendum 1)

- Senator MacDonald started with informing the senate that the committee has met separately and individually with facilities groups, had a tour of the facilities, and met with the parking director. As a result of these occurrences, the committee has been able to develop specific suggestions for President McCullough on the matter of goals for sustainability within the campus.
- The committee has added a student member to their group.
- The committee has met with President McCullough twice. The President suggested the committee to continue in the mode that they have done, as well as that the committee continue to meet with individuals within the administration. Senator MacDonald continued the committee plans to meet with VP Kyle Clark in the upcoming days to discuss specific proposals.
- Senator MacDonald concluded that President McCullough indicated that it might be possible to initiate seed money funding to promote sustainability projects on campus and the committee is interested in pursuing that possibility.

- Senator MacDonald acknowledge there are other committee members here and they are available for questions.
- **President McCullough** – Two comments to add, one was about the parking lot in the pathway for the students, and he encouraged the committee to bring that up to the VP Kyle Clark. The other thing the President mentioned is about possibility for funding for environmental climate research. There's a group called the Council on Research for Creativity. President McCullough met with the Council, and they oversee, broadly, seed funding or grants given internally. He mentioned that to them about the idea of having a climate change solutions fund. He suggested the committee reach out to Heather Flynn; she is the chair. The President is very serious about trying to get this going, sooner rather than later.
- **Ian MacDonald, Arts & Sciences** – thanked the President for that information.
- **Erin Ryan, Law** – wanted to make sure that the Sustainability Committee reported back to the Senate on the charge they were given a year ago in the April meeting. The Senate asked for the committee to make sustainability become part of the next strategic plan for the University. Senator Ryan wanted to show the work of the committee and what they proposed to President McCullough. Senator Ryan proceed to share and review the document they provided President McCullough with the Senate.
 - The goal of the strategic plan was to continue to build on FSU's history of productivity, efficiency and responsibility, to achieve recognition as a national and international leader in sustainability.
 - The proposal also included several initiatives:
 - Develop measurable sustainability goals for inclusion within a Sustainability and Climate Action Plan (S-CAP).
 - Establish permanent cabinet-level Sustainability Council that will keep FSU accountable to the goals of the S-CAP and ensure ongoing oversight of sustainability goals and decision-making.
 - Foster interdisciplinary research opportunities, facilitate new curricular offerings, and support campus and student organizations that promote and practice sustainability.
 - Nurture community partnerships, such as the Capital Area Sustainability Compacts to cultivate FSU's relationships with local organizations, fellow universities, and government offices at the local, state, and federal levels.
 - Senator Ryan concluded with underscoring Senator MacDonald's point that we've been extremely gratified by President McCullough's willingness to work with us and take our suggestions, and to think about how to move forward.
- **Erin Ryan, Law** – the committee submitted several proposals including the one that President McCullough referred to: making a more walkable campus, by taking advantage of some unutilized resources to connect walkable spaces on the main campus. There were also other projects involving other aspects of sustainability. Senator Ryan asked senators to look at the docs independently to stay informed about what the committee.
- **Erin Ryan, Law** – concluded with thanking Senator Ian MacDonald for his service as leader of the committee on the verge of his retirement.

b. Nominations for Sabbatical Committee, Arda Vanli

- Senator Vanli started with summarizing the specialized faculty nominations and elections. Two large-unit and three at-large seats for specialized faculty senators were expiring, and the elections committee undertook those elections in first two week of March. The senators that have been elected have been notified.
- Currently, the Sabbatical Committee has eight seats open, and the elections for that will be in the coming days. Nominations have been called from respective colleges. Additional nominations can be taken today from the senate floor. Senator Vanli then proceeded to ask for nominations from the senate floor.
- No nominations were posed.
- **President Chicken** opened the floor for questions.
- **Erin Ryan, Law** – noted there was a question in chat from Senator McKenna.
- **Anna McKenna, Natl High Magnetic Field Lab** – inquired if the Sabbatical Committee also covers professional development leave for specialized faculty.
- **Janet Kistner, VP Faculty Development and Advancement** – answered that no, that is a separate committee.
- **President Chicken** – thanked Senator Vanli for his service and help.

VII. Old Business

a. Bylaw Changes, Erin Ryan (addendums 2, 3, 4, 5, 6)

- Senator Ryan started with reminding the senate these were introduced at the last meeting and that many are non-substantive bylaw amendments. These changes are either institutionalizing things that have always done or clarify which members of our Senate committees are ex-officio.
- **Bylaw – Ex-Officio (addendum 2)**
 - Senator Ryan reminded the senate that there are several standing committees, some which previously specified which members were non-voting ex-officio members. As a parliamentary generality, ex-officio members in general are non-voting, and this is change is clarify that in our bylaws.
 - This first document specifies that these ex-officio members, who are on a committee, but not on the senate, are non-voting. Some committees have not changed because it was already specified. Senator Ryan opened the floor for discussion.
 - **Marilyn Young, Parliamentarian** – Clarified that it is common belief that ex-officio's are generally non-voting, but in fact they are usually voting unless specified as non-voting. From parliamentary perspective, is that every committee should have a vote. She concluded that specifying it in the bylaws is probably a good idea since there is some confusion.
 - **Todd Adams, Arts & Sciences** – Inquired about the Torch Awards committee note being listed.
 - **President Chicken** – Confirmed it is not listed because this is the one committee where the foundation and steering committee member would be voting members.

- **Todd Adams, Arts & Sciences** – wanted to confirm whether or not there was a change in text on the Torch Awards Committee.
- **President Chicken** – Confirmed there is no change.
- **Ulla Bunz, Communication & Information** – Asked for clarification the person who is the designate for the Vice President for Academic Affairs for the GPC. She stated Dr. Jennifer Buchanan is the current representative.
 - **President Chicken** – Stated no he cannot clarify that. He noted that the VP for Academic Affairs would appoint their own representative.
 - **Ulla Bunz, Communication & Information** – Clarified she is asking because the GPC has had this discussion, and she believes Dr. Buchanan vote count at the GPC.
 - **President Chicken** – Noted that the intent is to make administrators non-voting, so that would apply.
 - **Jennifer Buchanan, Assoc. VP of Faculty Development & Advancement** – spoke up to clarify that she has never voted at GPC, and she does not vote.
- **President Chicken** – Called for more discussion. None was posed. He called for a vote.
- **The proposal was passed.**

- **Bylaw – Order of Business (addendum 3)**
 - Senator Ryan stated this proposal is to adjust the order of business to reflect what the Senate actually do during the Senate.
 - President Chicken called for discussion.
 - **Bridgett Birmingham, Universities Libraries** – Wanted to confirm that when the President or other visitors need, the Senate can and will adjust the agenda and order of business.
 - **President Chicken** – Confirmed, yes, that is just a curtesy that is extended.
 - President Chicken asked for more questions or discussion. None were posed. A vote was called for.
 - **The proposal was passed.**

- **Bylaw – Former Presidents (addendum 4)**
 - Senator Ryan stated this proposal is to help maintain institutional memories. It reads that the immediate past Faculty Senate President, if not independently elected as a senator to be on the steering committee, that they remain on the steering committee in the following term as a non-voting ex-officio member. The reason for this proposal is to ensure institutional memory especially in periods where there is high turnover or if there is an unexpected transition issue. Senator Ryan also noted this is a common practice among institutions such as FSU. There is a training period for the incoming President, then they serve as President and then very commonly they remain on as an ex-officio, non-voting member.
 - President Chicken opened the floor for comments or questions.
 - **Unknown Speaker** – Inquired how long the former president would serve in this capacity.

- **President Chicken** – Confirmed this would be for one year.
- **Todd Adams, Arts & Sciences** – Stated that as it is currently written it reads as though they serve until there is another immediate past president.
- **Erin Ryan, Law** – stated that the decision was it would be the immediate past President in just that previous year. However, the senate can make a change if they so see fit.
- **Ulla Bunz, Communication & Information** – Agreed with Senator Adam's comment. She also thinks the wording should be specified to a length of time.
- **Erin Ryan, Law** – suggested some wording changes to the document to the Senate, but there were no amendments from senators to make these changes.
- **Sam Grant, Engineering** – Suggested to put at the end "for no more than two years." He also questioned if the institutional memory would be lost if the ex-officio former President doesn't get elected back to the senate.
- **Erin Ryan, Law** – Agreed with Senator Grant's suggested edits. Senator Ryan continued with an answer to Senator Grant's question concerning a President not being re-elected to the Senate, stated that if for some reason the past President is not re-elected, that is sufficient enough to raise questions whether that person should be on the steering committee. Senator Ryan continued they thought this was the most conservative way of proposing a change that would provide some benefit without being binding. She wanted to remind everyone that the senate still has the power to elect whoever they want to the steering committee.
- **President Chicken** – Edited the document to include Senator Grant's change to the wording. President Chicken asked Parliamentarian Young to confirm the Senate is following procedure, and Parliamentarian Young confirmed.
- **Thayumanasamy Somasundaram, Arts & Sciences** – One option would be to put Senate President or Vice President, that way if the President is not the senator, that is an option for the Vice President.
- **President Chicken** – Noted that there is no Vice President, but there is a Co-chair and that this would not work because usually the Co-Chair is the one appointed President.
- **Todd Adams, Arts & Sciences** – Added that he does not like the current change of wording. He would vote for this proposal without the change, and vote against with the change. He believes it's unnecessary complication. He wanted clarification on what this meant, not to make a change to it.
- **President Chicken** – Removed the edits and returned the document to the original wording. There was no more discussion, so he called for a vote.
- **The proposal was passed.**
- **Bylaw – College Specific Seats (addendum 5)**
 - Senator Ryan opened with this is the problem that the steering committee encounters every summer when they have to fill our standing committee seats. Some of the bylaws require that specific seats be allocated to specific colleges. Many of our colleges are very disciplined and excited to provide nominees and some do not. This proposal states that

basically a college will forfeit that seat for that term if that college does not provide their own proposed representative.

- The addition says “when there are no nominations for an open college seat on the committee, the Steering Committee will seek nominations from the college's faculty senator. If no Senator responds to such request within four weeks, the college may forfeit its representation on the committee until the next appointment cycle.”
 - Senator Ryan continued the reason for this is to allow us to stay in compliance with our own bylaws when colleges do not provide us with the representation.
 - **President Chicken** – Opened the floor for discussion. None was posed. He called for a vote.
 - **The proposal was passed.**
- **Bylaw – Emergency Powers (addendum 6)**
 - Senator Ryan began with noting the Senate did not have a bylaw about this before, this came about because it was forced to happen during the pandemic. These emergency power bylaws reflect our practice and thought it would be wise to make it official and have the consent of the body for the next time that this would happen. There are two separate bylaws: one discusses the emergency powers of the Senate, and one discusses the emergency powers of the Steering Committee.
 - Senator Ryan continued this language was proposed because during the pandemic the university had to go remote and most ordinary practices were suspended. Many things changed in terms of how the university operated and how the senate operated within it. The Steering Committee decided this was a place for strategic ambiguity. The pandemic caused the Steering Committee to act in place of the Senate when decisions where time sensitive. The Steering Committee also thought it was important to put into the dialogue, both the authority and also a mechanism for the Senate to undo the decision of the Steering Committee, if they should act without the consensus or beyond the approval of the Senate body.
 - President Chicken opened the floor for discussion.
 - **Teraz Graban, Arts and Sciences** – Senator Graban trusts that this is the body of people that would need to be able to make decisions in times of emergency, and noted she is in favor of the of the first proposal. The second one she is slightly uncomfortable based on the vast difference between the body of six and the body of hundred. She inquired if there's not time to pull the entire Senate, would it possible to pull the entire Senate but to agree to pass certain things if they have less than a quorum. That makes her more comfortable because at least that way more people have had an opportunity to respond.
 - **Erin Ryan, Law** – Started with while she understands Senator Graban's concern, Senator Ryan spoke from having experienced this situation for the last two and a half years, Senator Ryan would vote against an amendment because she doesn't believe that it would be possible to pull the Senate. There were moments when the Steering Committee had to make decisions when there was not sufficient time to pull the Senate. Senator Ryan noted did hold Senate emergency meetings and the Senate was very responsive and there was a lot of deliberation. Senator Ryan wanted to remind

them that the Senate elects the Steering Committee as the representative body for the Senate, which is the representative body for the faculty. She is concerned about putting in requirements for a process that would be difficult to implement. Putting in a requirement to pull the Senate seems to her the opposite of what an emergency provision is for.

- **Teraz Graban, Arts and Sciences** – Thanked Senator Ryan and added she understands that she can vote for the people on the Steering Committee, she did not mean to imply lack of trust or raise suspicion. The second clause essentially says if the Steering Committee acts on behalf of the Senate and then the Senate is not happy with that, the burden is on the Senate then to either call a special meeting or wait until the next scheduled meeting in order to correct what's been done.
 - **Erin Ryan, Law** – Stated that is correct. She continued that she thinks if the Steering Committee did something so egregious that the Senate needed to correct it, it would be fitting for members of the Senate to call a special meeting and undo it. That would be the responsibility of the Senate.
- **Todd Adams, Arts & Sciences** – Suggested another way to have written the last part of it is that the action would automatically expire at the next regular or special meeting, and then it could require the Senate to affirm that action. That is a check on the Steering Committee to make sure they are fairly confident the Senate would approve their actions.
 - **Erin Ryan, Law** – Stated the Steering Committee did not think about that, and that it is a good suggestion that might speak to some of Senator Graban's concerns. She noted the Senate did that with the emergency powers of the Senate for over a year. The Senate started an emergency process in the spring of 2020, and we needed to reaffirm it to continue it into the fall of 2021. Senator Ryan agreed they could apply the same idea between emergency action of the Steering Committee and the next regular meeting of the Senate, that she would support that as a friendly amendment.
- **President Chicken** – Asked Senator Adams and Senator Ryan for clarification on the wording they wanted to change. Senator Adams and Ryan debated for a bit over the true wording concern.
- **Bridgett Birmingham, University Libraries** – Understands the objections, but as another person on the Steering Committee during the pandemic, noted that the reality was there were a lot of things that needed to be moved or needed to be changed, and the Steering Committee couldn't wait until the Senate met to approve some of these actions. She also believes the Senate can't just evacuate that notice two weeks later at the next Senate meeting. She believes while there is a real need for faculty input on these decisions, it wouldn't have been practical with 110 people, but at the same time, it also isn't practical to easily back out of. The key here is that it was an emergency. Senator Birmingham continued that they had to make a lot of decisions and fundamentally change the university in the same way that they would for a hurricane or something else that's long term. These aren't procedures that the Steering Committee would do lightly or that do regularly. Behind the scenes there were very many hours of work with the Steering Committee to move the university, and they did say no to a lot of things that the administration asked. It was a process that was deliberative as it could be in an emergency.

- **President Chicken** – Thanked Senator Birmingham. He noted to Senator Ryan that the conners seem to be about the powers of the Steering Committee and not of the Senate. President Chicken suggested dropping the Steering Committee part for now and approving the emergency powers of the Senate. Then the Senate and Steering Committee can rethink the Steering Committee one.
- **Erin Ryan, Law** – Stated she was fine with separating the two and passing what we have consensus on.
- **Ulla Bunz, Communication & Information** – Suggested that they borrow some of the language from the other one, maybe instead of talking about expiring, just talk about confirming it or modifying it. She also believed that is the best path.
- **Erin Ryan, Law** – Noted it is a good suggestion, but there is still the problem of what Senator Birmingham stated. Senator Ryan provided the example of having to go remote without Curriculum Committee approval. She agreed with President Chicken's suggestion to put this to the side and come back to it. She suggested everyone can continue to think about how to create accountability to the Steering Committee while also meeting the needs of the moment in an emergency.
- **Jayne Standley, Music** – Wanted to agree with what Senator Birmingham said and stressed the importance that the Steering Committee needs to be able act under emergency condition. Those actions may have implications long term, for an entire semester or an entire academic year, and at any point the Senate can move to confirm, sanction, whatever they wish in response. She wanted to urge the Senate to pass the statement as the Steering Committee has it. She believed it is very well thought through. Senator Standley also stated in the past, the many hours that go into the best decisions can be questioned by the Senate in using the usual legislative process that the Senate has. She doesn't believe the statement needs to be changed and should pass as it is.
- **Petra Doan, Social Sciences and Public Policy** – She wanted to call to question, as they have a lot of items the agenda, and she doesn't believe they are moving forward. She would like to see a vote on the bylaws amendment as listed.
- **President Chicken** – Called a vote to close the debate and proceed to a vote on the bylaws as the originally were presented.
- **The call to close debate was approved.**
- **President Chicken** – Asked if there was any more discussion on this bylaw and noted the discussion could not be about amending the bylaws. No discussion was posed.
- **President Chicken** – called for a vote was to approve the bylaws as originally presented.
- **The proposal was passed.**

b. Online Evaluation- TEC, Jon Ahlquist (addendum 7)

- **Jon Ahlquist** – Began with introducing Robby Fuselier, the Director of Distance Learning, who makes the teaching evaluation process work, because most of what is under dispute has to do with technical issues regarding how the teaching evaluations are conducted.
- **Robby Fuselier, the Director of Distance Learning** – Presented a graph which showed data from 2016 to 2019 on teacher evaluation responses. It is clear to see how many more responses are given via online rather than on paper.

- In fall of 2019, there was 160,747 online student responses and 24,473 paper evaluations that had to be processed.
- Acknowledged that most of our peers have moved away from paper to online evaluations.
- Noted even though online has had a higher overall response rate, there are individual courses who are on paper and have had higher response rates. We observed offering the paper evaluations during dedicated class time you have a captive audience and some classes have better responses via paper evaluations versus online.
- Many opportunities with online, for example all online evaluations are available, either laptop or mobile friendly. If we take that same dedicated class time and make that available to students and have the additional two-week period outside of that class, students could have opportunity to write a more thoughtful response or responded early.
- Recommends permanently shifting to online-only evaluations and instructors allocating class time to complete course evaluations.
- Robby Fuselier continued with mentioning the administrative and custodial overhead associated with paper evaluations. Opened for questions.
- **Jon Alquist** – noted a question in chat asking why faculty can't continue paper evaluations if they wanted to and responded that the testing center is closed.
- **Robby Fuselier** – spoke up to respond to a previous question asking if it was possible to administer them for smaller sections, that had 50 or fewer students. He went back and checked all of their orders, and 91% are with 50 or less.
- **Kathrine Jones, Arts & Sciences** – Inquired about what the student can see on online teacher evaluations and if students have a chance to revisit if the accidentally opt-out.
 - **Robby Fuselier, Director of Distance Learning** – The students have an option to “do it later” instead of only opting out. However, there is an opt-out option, but they are prompted to provide feedback on why they opted-out.
 - He continued he would like to have a future discussion on the “do it later” button to see what we can do to help encourage students to respond.
- **Tarez Graban, Arts & Sciences** – Noted that if the student decided to opt-out on paper, that paper evaluation was still counted in the total, she inquired if that is happening at the online level as well. She is concerned about not being able to access evaluations if the number of responses is less than the minimum.
 - **Robby Fuselier** – Responded yes, all types of responses are recorded. He noted as far as the minimum number is concerned, he will have to look into that. He believes it is counted, but he will look more closely at it and get back to the senate about that.
- **Jon Alquist** – One final comment, on the aspect of the online evaluations, if faculty members feel that they would get a higher response using dedicated class time for evaluations, they still can. It's just that instead of marking on a piece of paper, they're marking on a laptop or tablet or smartphone.
- **President Chicken** – called for a vote.
- **The proposal was passed.**

VIII. Special Order

a. Provost's Update, Jim Clark

- Started with reporting on the application numbers. For the freshman class we received 80,000. On February 17th, we released 45,000 positive decisions.
- FSU had the highest number of applications in Florida and one of the highest in the United States.

- FSU had 14,000 graduate student applications submitted this year.
- After conversation with the Senate Budget Advisory Committee, two of their members have been invited to be a part of the next upcoming legislative budget construction.
- Budget requests from all the colleges are being processed now.
- Currently involved with the search for the Dean for the College of Engineering, and the panel for the search committee for the College of Medicine has been appointed. Sam Huckaba will lead the COM.
- VPR search is being led by same group that did Presidential search. Currently have about 20 - 25 target names submitted. Meeting is set up for the near future.
- Will be meeting with the College of Social Work, Communication and Information Science, and Health and Human Sciences about their leadership prospects and committee prospects.
- New faculty funding proposals have been successful.
- Provost Clark continued that he has heard the concerns raised about graduate waivers and graduate stipends. A task force has been put together to analyze the issues and develop solution, including enhanced support for graduate students.
- Continued work with faculty in Sandal's building regarding the remediation has been underway. Updates should be published to the website very soon. We are also continuing work on Williams building.
- **President Chicken** – opened the floor for questions. None were posed.

IX. New Business

a. Report from Harassment Task Force, Petra Doan (addendum 8 & 9)

- Petra Doan started with everyone should have received their final report and the resolution. The charge of this committee was to understand the failings of recent harassment cases in terms of: reporting up the chain, the lack of openness, timely action by Administration, and to report findings.
- Petra Doan continued with listing the members on the committee, who they interviewed, what departments they spoke to.
- The committee reviewed documents and reports from other universities dealing with these issues. Documents from other academic organizations, academic journals. Reviewed press articles and looked at data from the Academic Sexual Misconduct Database (a website of publicly available data).
- The committee has had the reports and statements are posted to the Senate website and on the Canvas page.
- Petra Doan continued that some of the highlights of the final report are FSU needs to improve communication about sexual harassment procedures. Better advertisement of existing actions by the University, such as protection of those complaining, and what do to if someone feels like the complaint was not acted upon. FSU needs to revamp and better advertise training. Increased transparency is vital, especially on the conclusion of an investigation.
- Petra next showed and read the resolution that she wanted the Senate to pass (addendum 9).
- **President Chick** – Petra Doan has motioned for the senate to approve this resolution. A second was confirmed. President Chicken opened the floor for discussion. No discussion posed. President Chicken called for a vote for the approval on the resolution.
- **The resolution passed.**

b. Motion to postpone, Erin Ryan

- Erin Ryan wanted to acknowledge the time and how two topics on our new business list have agreed to postpone their request until the next senate meeting.
- Senator Ryan made a motion to postpone the remaining new business until April, the Minimum usage policy, UCC, Liz Jakubowski and the Syllabus review and course change processes, Ulla Bunz.
- **President Chicken** – asked for second. A second was confirmed. No objection was stated. Items were moved to next meeting.
- **President Chicken** – asked if any other new business items. Recognized Senator Alexander Volya.

c. Ukraine Resolution, Alexander Volya (addendum 10)

- Senator Volya wanted to present a resolution that is related to the crisis in the Ukraine.
- The Russians authoritarian regime attacked the sovereign country of Ukraine, causing millions of people to be displaced and creating a real crisis.
- The resolution has two relatively simple parts. First, we would like to condemn the war and call for the war to stop and the second part, we are calling for everyone, to do what they can to help displaced students and academics at FSU.
- Many of us have academic connect connections, collaborations and colleagues and friends that are in quite in crisis right now that are appealing for help.
- Senator Volya then proceeded to read the resolution.
- President Chicken confirmed that this is a proposal from a senator for a motion to approve. It was seconded and President Chicken opened the floor for discussion.
- **Peter Hoeflich, Arts & Sciences** – spoke up to say he is in support of this resolution.
- **Nancy Rogers, Music** – asked for clarification on the portion of the resolution that states, “to welcome displaced students and academics.”
 - **Alexander Volya** – stated this is interpreted as we call for policies that will welcome those displaced. He continued by listing a possible example of assisting a student that had to run from the war.
- **Petra Doan, Social Sciences & Public Policy** – suggested some edits to the resolution, but after a short discussion decided to not propose the amendment.
- A vote was called for. **The resolution was passed.**
- **President Chicken** – called for any other items of new business. None were posed.

X. University Welfare**a. United Faculty of Florida, Florida State University Chapter, Matthew Lata**

- The presidential search in the shadows bill passed.
- Richard Corcoran announced his resignation as the from the Department of Education and may be the next President of University of Florida.
- The lawsuit against last year bill 233 about academic freedom and imposing a survey on faculty is still pending in the court.

- The union busting bill did not make it through committee because of an outpouring of opposition from all across the state all different unions, not just the educational unions.
- The union is in bargaining and will continue to send updates
- The union is back to live events, there is an end of month cocktail tomorrow, and baseball game event coming up.

XI. Announcements by Deans and other Administrative Officers

- a.** No announcements presented.

The meeting adjourned at 5:54 p.m.

Eric Chicken
Faculty Senate President

To: President Richard McCullough
From: Faculty Senate Sustainability Committee
Date: February 18, 2022
Re: University Strategic Planning

Rationale

The Faculty Senate Sustainability Committee, as part of our mission to raise the profile of sustainability issues at Florida State University, encourages President McCullough to increase the prominence of sustainability during any future university strategic planning. Sustainability is crucial for long-term societal well-being, environmental health, and economic prosperity, but accomplishing it will require innovation and transformational change. Universities play a critical role in documenting challenges, developing solutions, training the next generation of leaders, and fostering a culture of innovation and change. In light of these responsibilities, FSU can and should be a sustainability leader. By prioritizing sustainability now, FSU can instigate an operational and cultural shift throughout the campus and, in so doing, better prepare for the future, raise its prominence as a top international research university, and meet student demands for sustainability education and leadership.

Proposed Strategic Planning Goal

Sustainability

Build upon FSU's history of productivity, efficiency, and responsibility to achieve recognition as a national and international leader in sustainability.

Initiatives:

- Develop measurable sustainability goals for inclusion within a Sustainability and Climate Action Plan (S-CAP).
- Establish a permanent cabinet-level Sustainability Council that will keep FSU accountable to the goals of the S-CAP and ensure ongoing oversight of sustainability goals and decision-making.
- Foster interdisciplinary research opportunities, facilitate new curricular offerings, and support campus and student organizations that promote and practice sustainability.
- Nurture community partnerships, such as the Capital Area Sustainability Compact, to cultivate FSU's relationships with local organizations, fellow universities, and government offices at the local, state, and federal levels.

To: President Richard McCullough
From: Faculty Senate Sustainability Committee
Date: February 18, 2022
Re: Sustainability Action Points for FSU

Rationale and Context: The Faculty Senate Sustainability Committee is tasked with providing relevant input and accountability as the university becomes a sustainability leader, including a review of key indices of a sustainability assessment. The committee will employ faculty expertise to report annually on adherence to the university's sustainability commitments (such as the Campus Master Plan) and progress towards goals. This document lists some of the action points that the committee identifies for advancing sustainability at FSU. This list, however, is a work in progress. An essential function of the committee is to educate ourselves and the broader faculty, within the committee and through reporting back to the Faculty Senate, about opportunities to improve FSU's sustainability. To date, we have toured the facilities plant, met with parking directors, and are planning on additional field trips to ground our ideas in the realities of the campus community.

Operations - Transportation and Energy

1) Increased sustainable transportation options

- Reduce overall fleet (1090 vehicles) and increase electronic vehicle share of campus fleet (currently 3.2%)
- Provide electric charging infrastructure in all parking lots
- Create incentive system for alternatives to single-driver transportation

2) Parking

- Introduce parking permit fee for students to incentivize transportation alternatives and end subsidy by 18,000 student non-drivers of 26,000 student drivers. This will bring us in line with our peer institutions
- Reduce campus parking footprint

3) Walkable campus

- Improve pedestrian connectivity with Collegetown in concert with City/County Planning Departments
- Convert FSU parking lot 183, between Pensacola and Lafayette at north end of Gay street, into pedestrian campus gateway

4) Reduced campus energy use per square foot

- Educate campus community about energy use (e.g., ~80% of power is from plug demand; high energy use of devices in standby mode)
- Transition devices and equipment to grouped powerstrips that are powered down on nights and weekends
- Encourage behavior change for improved energy conservation in research labs (e.g., close sashes on >700 fume hoods on campus)

Operations - Waste and Procurement

1) Recycling and waste reduction

- Incentivize recycling through campus competitions (e.g., reward units that recycle the highest proportion of paper, metal, etc.)
- Support faculty and student initiatives to improve recycling (e.g., nitrile glove recycling pilot program)
- Make double-sided printing the campus-wide default and work with college and department IT, business services, etc. to change the default settings on all printers
- Ban single-use plastics (e.g., bottles, bags, food containers) on campus

2) Biohazardous waste audit

- Initiate programs to separate and recycle non-hazardous plastic and nitrile waste from biomedical labs
- Research opportunities to safely inactivate and recycle biohazardous lab waste to reduce the percentage that is incinerated

3) Procurement practices

- Strengthen sustainable and environmentally sound procurement practices, including preference for post-consumer recycled or bio-based content
- Promote partnerships with disadvantaged businesses, social enterprises, and/or local enterprises

Education**1) Sustainability-related curriculum and degrees**

- Offer Sustainability Certificate and Sustainability Minor for undergraduates
- Develop new graduate training programs related to sustainability (e.g., Climate Solutions Master's Degree)

2) Co-curricular sustainability research opportunities for undergraduates

- Support the expansion of and provide additional funding for undergraduate research focused on sustainability, including through Undergraduate Research Opportunity Program (UROP), FSU Chemistry and Biochemistry Research Experience for Undergraduates (REU), FAMU-FSU College of Engineering IME REU, and MagLab REU
- Identify key faculty mentors for supervising sustainability research projects

Research**1) Leverage FSU expertise to improve campus sustainability**

- Establish a seed fund for research and data gathering on FSU operations and campus sustainability issues
- Support and expand faculty expertise in the fields of Green Chemistry, Environmental Engineering, Sustainable Business, Social Entrepreneurship, and other sustainability-focused disciplines

2) Interdisciplinary research in sustainability

- Support new and current research centers that focus on convergent research in sustainability across diverse disciplines
- Incentivize sustainability-related research and cross-disciplinary collaborations through FSU Office of Research (e.g., Collaborative Collision or other incubators/accelerator program)
- Develop a sustainability research fellowship program and a sustainability competition program for both faculty and graduate students

Governance**1) Strategic planning and decision-making**

- Elevate sustainability to a core strategic goal in FSU's next strategic planning effort
- Implement a "look-before-we-leap" decision protocol that subjects all major university decisions with implications for sustainability to a sustainability review process to improve accountability and reduce risk

2) Administration

- Establish a Sustainability Cabinet that reports to the President and exercises oversight of progress toward sustainability goals

Ex-Officio Members in Faculty Senate Standing Committees:

DLC: The Director of the Office of Distance Learning and the Provost and Executive Vice President for Academic Affairs or their designee shall be **non-voting** ex-officio members.

GPC: The Provost and Executive Vice President for Academic Affairs, or their designee, and the Dean of The Graduate School, or their designee, shall be **non-voting** ex-officio members.

HPPC: The Dean of Undergraduate Studies, or their designee, and the Director of the University Honors Program shall be **non-voting** ex-officio members.

LSC&PC: The Dean of Undergraduate Studies and Provost and Executive Vice President for Academic Affairs or their designee shall serve as **non-voting** ex-officio members.

LC: The Provost and Executive Vice President for Academic Affairs, or their designee, the Vice President for Faculty Development and Advancement, or their designee, the Dean of University Libraries, and the directors of the College of Music Allen Music Library, the College of Law Research Center, the College of Medicine Maguire Medical Library, the Harold Goldstein Library, the Dirac Science Library, and the head of Scholars Commons, shall be non-voting ex-officio members.

SC: The Director of Campus Sustainability, or his or her designee, shall be a nonvoting ex-officio member. The Committee chairperson shall appoint annually one student to serve as a nonvoting member.

TEC: The Vice President for Faculty Development and Advancement, a representative from the Office of Distance Learning and the Assistant Director, Assessment and Testing shall serve as **non-voting** ex officio members.

TC: The Associate Vice President for Technology and Chief Information Officer shall serve as **non-voting** ex-officio member.

TAC: The committee shall consist of no fewer than 7 and not more than 10 members, including ex officio members. Members of the committee shall be appointed by the President of the Faculty Senate and shall include a mix of active and retired faculty. At least one member of the committee shall be a member of the Faculty Senate Steering Committee; *the President of the FSU Foundation, or his/her representative*, shall be an ex-officio voting member.

UPC: The Provost and Executive Vice President for Academic Affairs, or their designee, and the Dean of Undergraduate Studies, or their designee, shall be **non-voting** ex-officio members.

UCC: The Vice President for Faculty Development and Advancement, or their designee, shall be a **non-voting** ex-officio member.

ByLaws – Order of Business

Current:

Section C. Order of Business

1. Minutes
2. Report of the Steering Committee
3. Special orders
4. Reports of special committees
5. Reports of standing committees
6. Unfinished business
7. Response of the President of the University to previous Senate action
8. New business
9. University welfare
10. Announcements of deans and other administrative officers

Proposed:

Section C. Order of Business

1. Call to order
2. Approval of the agenda
3. Approval of the minutes
4. Report of the Steering Committee
5. Announcements of the President of the University
6. Reports of special committees
7. Reports of standing committees
8. Unfinished business
9. New business
10. Special orders
11. University welfare
12. Announcements of deans and other administrative officers

Bylaws – Former Presidents

Section F. Steering Committee and Senate President

1. Election

a. As soon as the elected membership of the Senate has been certified by the Faculty Senate Coordinator, a nominating ballot listing all voting members of the Senate shall be circulated to the Senate membership with a two-weeks return requirement. Each member may nominate as many candidates from this list as there are positions on the Steering Committee to be filled.

b. The March meeting of the Faculty Senate shall be the last regular meeting of that Senate for the academic year. Members of that Senate shall hold office until the first meeting of the new Senate. The new Senate shall be seated at the April meeting date, with the previous Senate President presiding until the new Senate shall elect its President from its ranks. A majority shall be required for election. The new Senate may receive reports and conduct business during elections for both the Senate President and the Steering Committee.

c. As soon as the Senate President has been elected, the new Senate shall proceed to elect its seven- member Steering Committee. The Elections Committee shall prepare and circulate to the Senate membership two weeks in advance of the meeting a slate of nominees. The slate shall consist of twice the number to be elected, including any members tied for last position on the ballot. Additional nominations may be taken from the floor of the Senate with four seconds. Nomination and election ballots shall remind Senators that at least one person from each of four colleges shall be represented on the Steering Committee and that no more than two Specialized Faculty may serve on the Steering Committee. Names of Senators shall be listed by college or unit. Four members shall be elected for two-year terms in even years and three members for two-year terms in odd years. Unless the immediate past senate president is elected to serve on the steering committee, they shall serve on the committee as a non-voting ex officio member provided they are still a sitting senator.

d. Each member of the new Senate may vote for as many nominees as there are positions to be filled. On the first two ballots a majority shall be required for election. On the third ballot a plurality vote shall suffice. The Senate President shall withhold his/her ballot to break any possible ties on this third ballot. All voting shall be by secret ballot.

ByLaws – College Specific Seats

There are several faculty senate standing committees which specify that each college have representation. These are the Graduate Policy Committee (GPC), the Library Committee, the Technology Committee, and the Undergraduate Policy Committee (UPC).

While there are many volunteers each year to sit on senate standing committees, the requirements for the above mentioned committees often make it difficult to fill these college-specific seats. Often there are no volunteers or nominations from a college with an open seat.

To fix this, we propose the changes to the above four committees' bylaws.

ByLaws – College Specific Seats

Graduate Policy Committee

CURRENT:

The Graduate Policy Committee shall consider University-wide policies relating to graduate education. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have one representative; the Colleges of Education, Business, and Social Sciences shall have one additional representative; and the College of Arts and Sciences shall have four additional representatives. The Provost and Executive Vice President for Academic Affairs, or his or her designee, and the Dean of The Graduate School, or his or her designee, shall be ex-officio members; and membership shall include two graduate student representatives from different colleges appointed for a one-year term by the President of Student Government.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee, which will transmit the recommendations to the Senate for action.

PROPOSED:

The Graduate Policy Committee shall consider University-wide policies relating to graduate education. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms.

Each College is entitled to have one representative; the Colleges of Education, Business, and Social Sciences are entitled to have one additional representative; and the College of Arts and Sciences is entitled to have four additional representatives. When there are no nominations for an open College seat on the Committee, the Steering Committee will seek nominations from the College's Faculty Senator(s). If no Senator responds to such a request within four weeks, the College may forfeit its representation on the Committee until the next appointment cycle.

The Provost and Executive Vice President for Academic Affairs, or his or her designee, and the Dean of The Graduate School, or his or her designee, shall be ex-officio members. The President of Student Government is entitled to appoint two graduate student representatives from different colleges for a one-year term.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee, which will transmit the recommendations to the Senate for action.

ByLaws – College Specific Seats

Library Committee

CURRENT:

The Library Committee shall consider University-wide policies on general library operations. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have one representative; the Colleges of Education, Business, and Social Sciences and Public Policy shall each have one additional representative; and the College of Arts and Sciences shall have four additional representatives. The Provost and Executive Vice President for Academic Affairs, or their designee, the Vice President for Faculty Development and Advancement, or their designee, the Dean of University Libraries, and the directors of the College of Music Allen Music Library, the College of Law Research Center, the College of Medicine Maguire Medical Library, the Harold Goldstein Library, the Dirac Science Library, and the head of Scholars Commons, shall be non-voting ex-officio members; and membership shall include a graduate student and an undergraduate student from different colleges appointed for a one-year term by the President of Student Government.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee which will transmit the recommendations to the Senate for action.

PROPOSED:

The Library Committee shall consider University-wide policies on general library operations. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms.

Each college shall have one representative; the Colleges of Education, Business, and Social Sciences and Public Policy shall each have one additional representative; and the College of Arts and Sciences shall have four additional representatives. **When there are no nominations for an open College seat on the Committee, the Steering Committee will seek nominations from the College's Faculty Senator(s). If no Senator responds to such a request within four weeks, the College may forfeit its representation on the Committee until the next appointment cycle.**

The Provost and Executive Vice President for Academic Affairs, or their designee, the Vice President for Faculty Development and Advancement, or their designee, the Dean of University Libraries, and the directors of the College of Music Allen Music Library, the College of Law Research Center, the College of Medicine Maguire Medical Library, the Harold Goldstein Library, the Dirac Science Library, and the head of Scholars Commons, shall be non-voting ex-officio members; and membership shall include a graduate student and an undergraduate student from different colleges appointed for a one-year term by the President of Student Government.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee which will transmit the recommendations to the Senate for action.

ByLaws – College Specific Seats

Technology Committee

CURRENT:

The Technology Committee shall consider how University-wide technology related infrastructure may impact on academic issues. Members of this committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have one representative; the College of Arts and Sciences shall have two representatives. University Libraries shall also have a representative. The Associate Vice President for Technology and Chief Information Officer shall serve as an ex-officio member.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee, which will transmit the recommendations to the Senate for action.

PROPOSED:

The Technology Committee shall consider how University-wide technology related infrastructure may impact on academic issues. Members of this committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have one representative; the College of Arts and Sciences shall have two representatives. University Libraries shall also have a representative. When there are no nominations for an open College seat on the Committee, the Steering Committee will seek nominations from the College's Faculty Senator(s). If no Senator responds to such a request within four weeks, the College may forfeit its representation on the Committee until the next appointment cycle.

The Associate Vice President for Technology and Chief Information Officer shall serve as an ex-officio member.

The Committee shall annually elect its chairperson from the faculty representatives. The Committee will make its recommendations to the Steering Committee, which will transmit the recommendations to the Senate for action.

ByLaws – College Specific Seats

Undergraduate Policy Committee

CURRENT:

The Undergraduate Policy Committee shall consider University-wide policies on undergraduate academic affairs. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have a representative; the Colleges of Education, Business, and Social Sciences shall have one additional representative; and the College of Arts and Sciences shall have four additional representatives. The Provost and Executive Vice President for Academic Affairs, or their designee, and the Dean of Undergraduate Studies, or their designee, shall be ex-officio members. The President of Student Government shall appoint an undergraduate student member annually.

The Committee shall elect its chairperson annually from the faculty representatives. The Committee will make its recommendations to the Steering Committee which will transmit the recommendations to the Senate for action.

PROPOSED:

The Undergraduate Policy Committee shall consider University-wide policies on undergraduate academic affairs. Members of this Committee shall be appointed by the Steering Committee, with the advice and consent of the Senate, for staggered three-year terms. Each college shall have a representative; the Colleges of Education, Business, and Social Sciences shall have one additional representative; and the College of Arts and Sciences shall have four additional representatives. When there are no nominations for an open College seat on the Committee, the Steering Committee will seek nominations from the College's Faculty Senator(s). If no Senator responds to such a request within four weeks, the College may forfeit its representation on the Committee until the next appointment cycle.

The Provost and Executive Vice President for Academic Affairs, or their designee, and the Dean of Undergraduate Studies, or their designee, shall be ex-officio members. The President of Student Government shall appoint an undergraduate student member annually.

The Committee shall elect its chairperson annually from the faculty representatives. The Committee will make its recommendations to the Steering Committee which will transmit the recommendations to the Senate for action.

Emergency Powers Bylaws

Emergency Powers of the Senate

In extraordinary circumstances, the Senate may declare that it is operating in an emergency mode. In such instances, the Senate may suspend or modify certain university policies that are within its jurisdiction. The Senate shall state the date at which impacted policies are suspended and the date at which they will become effective again. The Senate must approve or renew ongoing suspensions and modifications before the beginning of each semester in which they will be in effect.

Emergency Powers of the Steering Committee

During emergency circumstances, or when the full Senate cannot be convened within the available time frame, the Steering Committee may act on behalf of the Senate on appropriate matters. The Senate will be notified of all such actions within one week of their occurrence. The Senate may overturn or modify such action at the next regular or special Senate meeting.

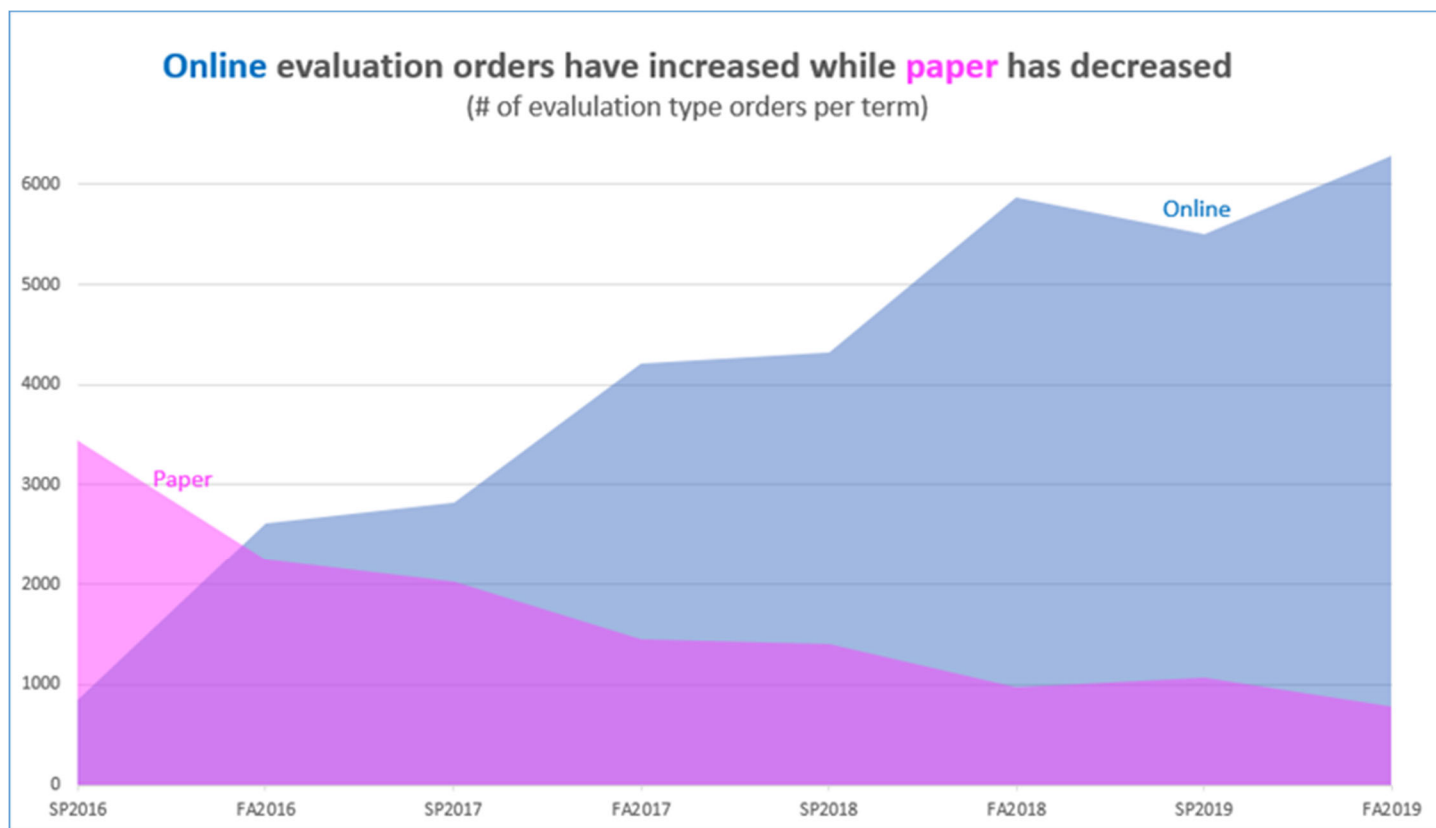
Proposal for Teaching Evaluations

Jon Ahlquist and Robert Fuselier

In Spring 2021, the Teaching Evaluation Committee voted to support a request from the Office of Distance Learning (ODL) and the Office of Faculty Development & Advancement (FDA) that FSU move to “online only” course evaluations. This is motivated by increasing use of online evaluations at FSU and the closure of the ODL Testing Center, which facilitated the paper course evaluation process.

At the Faculty Senate meeting on 20 October 2021, the Faculty Senate voted to continue online course evaluations in Spring 2022 and requested a proposal to be presented in Spring 2022 that addresses concerns of instructors whose student response rate has decreased with online evaluations during COVID. What follows is a response to that request.

First we present context. FSU is the only Research 1 (R1) university known to the ODL Director, Mr. Fuselier, that has not shifted exclusively to online course evaluations. Even before the online course evaluations necessitated by COVID, FSU’s teaching evaluations were voluntarily shifting online. As the graph below shows, in Spring 2016, approximately 800 courses/sections had online evaluation requests and 3500 had “paper” requests. By Fall 2019, online evaluation requests had voluntarily grown to over 6000 courses/sections while paper requests had declined to about 800.



The graphs on the next page for 2019 show that, for the university as a whole, the response rate is higher with online course evaluations than with paper course evaluations. In Fall 2019, not quite 25,000 responses were on paper. Although dwarfed by over 160,000 online responses, processing 25,000 sheets of paper is still a lot, requiring more careful handling than machine scoring of multiple-choice exams.

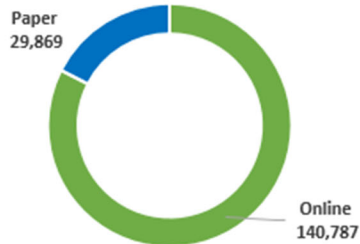
Average of Response Rate Spring 2019



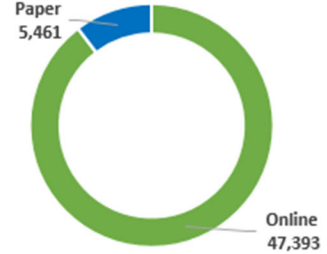
Average of Response Rate Summer 2019



Total Orders/Students Spring 2019



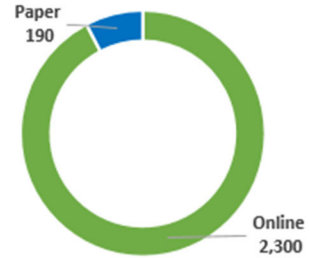
Total Orders/Students Summer 2019



Total Courses Spring 2019



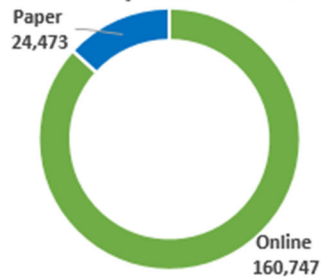
Total Courses Summer 2019



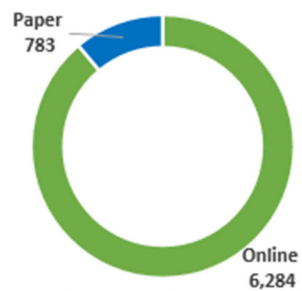
Average of Response Rate Fall 2019



Total Orders/Students Fall 2019



Total Courses Fall 2019



Not all classes have experienced an increased response rate, though. Here it is important to recognize that the shift to online evaluations has also involved a shift to students completing the course evaluations outside of class anytime during the last two weeks of the semester. However, nothing prevents an instructor from informing students that class time will be dedicated to course evaluation on a particular date during the last two weeks of the semester. Students can be asked to bring a laptop, tablet, or smartphone to class to complete the evaluation. The instructor can make the usual announcement to the class about the importance of the course evaluation process and can then leave the room. Students can then use class time to complete the course evaluation. The procedure is the same as with paper evaluations and avoids having to identify a student to collect the papers, seal them in an envelope, and find a campus-mail drop-off point. We recognize that a small number of students do not own portable technology, but they can be excused to take advantage of computers located in the libraries and computer labs located throughout campus.

Mr. Fuselier notes that a return to paper would require a reinvention of the process last used 2.5 years ago plus a special budget allocation from the Provost to restaff the Testing Center evaluation unit. We regard a return to paper as merely postponing the inevitable shift online, one that would entail great cost and effort. (Recall that FSU is the only R1 university known to Mr. Fuselier that has not shifted course evaluations entirely online.)

Therefore, our proposal is that FSU permanently shift to online-only course evaluations, as recommended by the Teaching Evaluation committee's vote in Spring 2021. Instructors concerned with low response rates can allocate class time to complete course evaluations, just as they did in the past with paper but now electronically. Further, Mr. Fuselier is happy to strategize with instructors and departments who are not among the larger group that has experienced a higher response rate through online evaluations. ODL is already at work on an outreach campaign to increase the response rate for everyone.

Sexual Harassment on the FSU Campus: A Spotlight on Problems and Solutions

A Report by the Faculty Senate Task Force on Sexual Harassment

March 16, 2022

Prof. Petra Doan, Chair

Prof. Todd Adams, Prof. Enrique Alvarez, Prof. Fran Berry

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Section One: Purpose and Context for the Task Force

During the Spring semester of 2021, an article in the *Florida Phoenix* by Lucy Morgan (Morgan 2021a) revealed that longtime FSU Professor Richard Feiock had resigned from the University in the wake of sexual harassment complaints. More disturbingly, the article revealed that Professor Feiock had been the subject of a series of such complaints dating from 1991 and yet had remained a professor in the Askew School of Public Administration. He resigned immediately prior to being interviewed by FSU's Human Resources Office, which had been charged with investigating the most recent (2020) complaint. A *Tallahassee Democrat* article by Dobson (2021) also highlighted the case and raised concerns about how the University had handled it, given the years-long history of harassment complaints against this faculty member.

After discussion in the Florida State University Faculty Senate Steering Committee, Senate President Dr. Eric Chicken called for the formation of a Task Force on Sexual Harassment to investigate recent sexual harassment cases. He invited several Faculty Senators to be members and provided the task force with the following charge:

The initial charge and focus of this task force is understand the failings of recent harassment cases in terms of (1) reporting up the chain, (2) lack of openness, (3) timely action by admin, (4) reporting of findings.

Longer term specific goals include determining ways to:

*reduce the number of incidents
reduce the suffering of the victims
make it clear how individuals can file complaints - including skipping supervisors who do not follow up
let everyone know what is unacceptable behavior
ensure people know their responsibility to report unacceptable behavior
receive the numbers / frequency of complaints and the actions taken*

The Faculty Senate Task Force on Sexual Harassment began meeting in May of 2021. The Task Force interviewed faculty from the Askew School as well as faculty from other Colleges where complaints of sexual harassment had occurred, including in the College of Arts and Sciences and the College of Health and Human Sciences. These interviews focused on assessing which aspects of the complaint process, the investigatory process, and the communication processes went well and which were in need of improvement.

We also interviewed Vice President for Faculty Development and advancement, Janet Kistner; Associate Vice President for Human Resources, Renisha Gibbs; Director of the Title IX Office, Tricia Bucholz; Director of HR-Equity, Diversity, and Inclusion, Michelle Douglas; Chief Compliance and Ethics Officer, Robyn Blank; Dean of the College of Medicine, John Fogarty; Dean of the College of Health and Human Sciences, Michael Delp; Chair of Biological Sciences, Dr. Thomas Houpt; representatives of the Graduate Assistants Union; and several faculty members.

We read documents from universities with high-profile sexual harassment cases to assess how they had revamped their reporting, investigatory, and communication processes in the wake of the investigations. We examined data from the Academic Sexual Misconduct Database (Libarkin, n.d.), an independent website that gathers publicly-available data. Finally, we gathered data from FSU regarding the number of complaints and investigations related to sexual harassment in recent years, and reviewed public reporting of these incidents. We also reviewed redacted investigation reports for the five recent FSU cases this report covers.

Regarding the scope of this report, sexual harassment complaints of student-on-student harassment go through the Title IX office, and sexual harassment complaints involving staff and faculty are addressed by Human Resources, in the Office of Equity, Diversity and Inclusion (HR-EDI). The Task Force focused on the problems and possible solutions for the latter group and thus did not consider student-student harassment.

The Task Force's goal is to report the experiences of people in the FSU community who have been involved in the sexual harassment complaint and investigation processes, to provide details of problems experienced in these processes, and to offer thoughts about possible improvements. The members of the Task Force recognize that the potential for harm is great both for parties affected by harassment as well as for faculty members subjected to spurious complaints of harassment. It is not within the Task Force's authority to adjudicate the merits of any of these cases, but we do wish to highlight the seriousness of these issues. Accordingly, this report takes as its focus both the prevention of future harassment and the assurance that the reporting process and the subsequent investigations are transparent, thorough, and fair.

The remainder of this report is divided into several sections. The second section presents a brief review of the literature regarding the extent, definitions, and consequences of campus sexual harassment at the national level. The third identifies points of weakness in FSU's processes by reporting on recent cases. The final section offers recommendations for improvements and identifies areas that need further study as FSU continues to act on its commitment to protecting faculty, staff, and students from sexual harassment.

Faculty Senators can access the investigative reports and the Memorandum by Robyn Blank (Blank 2021) outlining communication procedures in sexual misconduct cases by signing onto the Faculty Senate Canvas page.

Section 2: Sexual Harassment in U.S. Universities

The Faculty Senate Task Force recognizes that the viral expansion of the "Me Too" movement has helped shine a light on the seriousness and pervasiveness of sexual harassment in U.S. universities. Although not a thorough literature review, this section outlines the extent of the problem, definitions, some characteristics of perpetrators and victims, and the consequences faced by parties who have been harassed.

The problem is pervasive. The National Academy of Sciences, Engineering, and Medicine (NASEM) recently conducted an intensive study of the levels and effects of the sexual harassment of undergraduate and graduate students by faculty or staff (NASEM 2018). The

Report indicates that more than 50 percent of women faculty/staff and 20–50 percent of women students have experienced sexual harassment at universities (p. 172). Another national study is by the Association of American Universities, which conducted a climate survey at 33 universities with a total of 181,754 respondents, comprising 108,221 undergraduates and 73,531 graduate and professional students (Cantor et al., 2020). The researchers found that 42 percent had reported being harassed at least once since they had enrolled. Another recent study, conducted throughout the University of Texas System (Swartout 2018), found that 20 percent of undergraduate and graduate female science students, over 25 percent of female engineering students, and over 40 percent of female medical students had experienced sexual harassment on the part of faculty or staff (Swartout, 2018). A similar study conducted of the Pennsylvania State University System revealed that one-third of undergraduates, 43 percent of graduate students, and half of medical students had been harassed by faculty or staff. These numbers suggest that the problem of sexual harassment is widespread.

Definitions of sexual harassment vary. One that is useful was developed by the National Academy of Sciences Study on Sexual Harassment (NASEM 2018; 28). The NASEM defines sexual harassment as a form of discrimination that is composed of three categories of behavior: (1) gender harassment (verbal and nonverbal behaviors that convey hostility, objectification, exclusion, or second-class status about members of one gender), (2) unwanted sexual attention (verbal or physical unwelcome sexual advances, which can include assault), and (3) sexual coercion (when favorable professional or educational treatment is conditioned on sexual activity).

This definition is similar to the one developed by the *Association of American Universities*, which defines it as consisting of sexual connotations that interfered with an individual's academic or professional performance, limited the individual's ability to participate in an academic program, or created an intimidating, hostile, or offensive social, academic, or work environment (Cantor et al.).

Another useful definition comes from the Office of Civil Rights in the U.S. Department of Education (U.S. Department of Education, n.d.). It holds that sexual harassment refers to sex-based conduct that satisfies one or more of the following: (1) *quid pro quo* harassment by an employee of an educational institution—meaning that an employee offers something to a student or other person in exchange for sexual conduct; (2) unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity; or (3) sexual assault (as defined in the [Clery Act](#)), dating violence, domestic violence, or stalking (as defined in the [Violence Against Women Act](#)). Each of these categories of misconduct is a serious violation that jeopardizes a victim's equal access to education.

All these definitions make clear that harassing behavior can be either direct (targeted at an individual) or ambient (a general level of sexual harassment in an environment). The NASEM study (2018, p. 32) includes the following useful heuristic:



Figure 1. Source: National Academies of Sciences, Engineering, and Medicine 2018. *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*, p. 32.

It can be hard to estimate the prevalence of sexual harassment because of difficulties collecting data. A direct query about having experienced it or not, for example, garners far lower positive responses than does a set of questions that instead itemize the specific behaviors that constitute sexual harassment but do not use the label (Ilies et al., 2003). This seems to point to a tendency for respondents to introduce distance between themselves and the category. Similarly, of the three major categories of harassment displayed in Figure 1, researchers have found that women who experience gender harassment (versus the sexual-advances type represented by the other categories) are seven times less likely to categorize the experience as sexual harassment (Holland and Cortina 2013). Hesitancy to report also makes it difficult to gather accurate data: over half (59 percent) of respondents who had experienced sexual harassment did not report it to their employer, the EEOC, the police or the media (Vagins and Gatta 2019, p. 5). Finally, the underrepresentation of women of color and sexual- and gender-minorities likely produces unreliable rates of prevalence for these vulnerable populations (NASEM 2018).

Nevertheless, it is possible to draw some conclusions about groups that are more likely to have been harassed. The NASEM Report notes that women are more likely than men to be targets of sexual harassment (NASEM, 2018, p. 171). A survey of graduate and undergraduate students by the Association of American Universities (AAU) reveals that women graduate students were more likely than women undergraduates to have experienced harassment. The most marginalized populations, especially women of color, experience harassment at greater rates (e.g., Buchanan, Settles, and Woods 2008; Clancy et al. 2017; Cortina 2004; Cortina et al. 1998). Women who identify as lesbian, bisexual, or as having a non-normative gender-identity also are more likely to experience harassment, as are men who identify as gay, bisexual, and gender non-normative. One study of 629 employees in higher education (147 sexual-minority women, 82 sexual-minority men, 219 heterosexual women, and 181 heterosexual men) indicated that nearly 70 percent of sexual minorities (of both genders) experienced gender harassment, whereas only 30 percent of heterosexuals (of both genders) experienced it (Konik and Cortina 2008, p. 324).

As for perpetrators of harassment, some basic characteristics tend to appear. Men are more likely than women to perpetrate sexual harassment (NASEM, p. 171). In the field of graduate biomedical and health sciences, one study (Espinoza and Hsiehchen 2020) used targeted Google searches and found that between 1982 and 2019, 125 faculty had been accused of sexual misconduct and that these incidents involved at least 1,668 targets. Particular faculty members represented a wide range of institutions, but over one-third came from institutions ranked in the top 50 universities by *US News & World Report*. The vast majority of accused faculty members were men (97.6%), and the vast majority of the people they sexually harassed were women (91.5%). Most of the faculty perpetrators were senior faculty and administrators, including full professors, department chairs, and deans.

The consequences of sexual harassment are profound for those who have experienced it. The AAU national study found that 19 percent of student respondents had experienced harassing actions that had interfered with their academic or professional performance, negatively impacted their ability to participate in an academic program or had created an academic, work, or social environment that was intimidating, hostile, or offensive (Cantor et al., 2020 p. xiii). The NASEM Report highlighted the fact that “women’s experiences of sexual harassment are associated with reductions in their professional, psychological, and physical health” (NASEM

2018, p. 68) and pointed to three types of effects: reduction in the ability to perform in a work environment, reduction in school performance (i.e., GPA; degree acquisition), and reduction in personal health and well-being.

A study of 311 members of the American Association of University Women (Vagins and Gatta 2019) found pervasive negative impacts for women faculty who had experienced harassment. A large majority (86%) had experienced at least one form of sexual harassment during their careers. A smaller percentage had experienced sexual coercion (12%), unwanted sexual attention (61%), and sex-based harassment (65%). The consequences included decisions to leave a job early (38%) and disrupted career advancement (27%). Finally, the report highlighted the physical and emotional toll on women who have experienced harassing behaviors.

Sexual harassment is a serious issue that damages employees and students and that reflects poorly on a university; thus, it deserves careful scrutiny and action by higher-level administrators to ensure that steps are taken to reduce its incidence.

Section 3: Review of Recent Sexual Harassment Cases at FSU

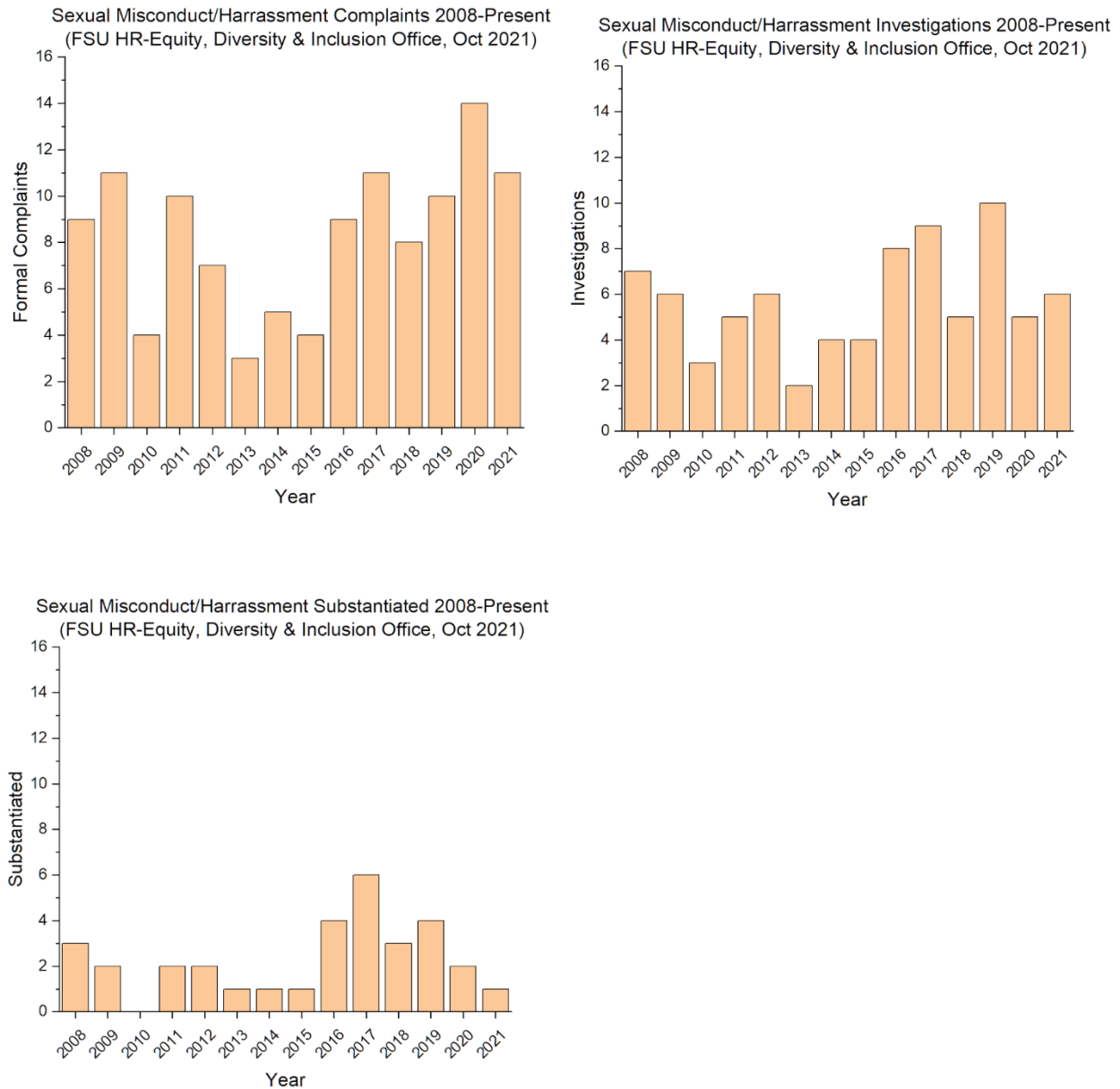
This section provides a brief review of some recent FSU cases of sexual harassment and misconduct. It begins with an overview of institutional data provided by Human Resources on cases since 2008 that involved a faculty member. The locus of investigation at FSU has shifted over the years, and Human Resources took responsibility beginning in 2008. We note that the shifting of the responsibility for investigation has led to confusion about the housing of data from earlier cases.

Following the overview of institutional data some of the highly visible cases in recent years are reviewed. The media have covered these incidents, so the information is not new, nor is the Task Force investigating or revisiting the findings of these cases; the intent is to unpack the processes set in motion once a complaint was made. The cases occurred in four colleges--Social Sciences and Public Policy, Arts and Sciences, Medicine, and Health and Human Science—and the Task Force interviewed faculty and administrators familiar with these cases. These cases are not exhaustive of all misconduct and harassment cases, but they are high visibility cases that offer useful lessons. As noted above, investigative reports on the cases can be found on the Faculty Senate website.

The first case considered below is that of Prof. Richard Feiock, Professor in the Askew School of Public Administration in the College of Social Sciences and Public Policy. This case is especially troubling since his pattern of harassment extended over a 30-year time horizon. The next is the case of Prof. David Gilbert in the Department of Biological Sciences in the College of Arts and Sciences. It is followed by the case of Dr. Ross May in the Family Institute in the College of Health and Human Sciences. The last set of cases are from the College of Medicine, and concern Dr. Leslie Beitsch and Dr. James Zedeker.

Institutional Data

The Task Force requested that the Equity, Diversity, and Inclusion Office in Human Resources provide recent data on the number of complaints, formal investigations, and outcomes of cases for the past 14 years. These data are presented graphically below and show an average of two instances of substantiated sexual harassment cases each year over the period 2008-2021. A substantiated determination means that the allegations, as determined through a thorough investigation, are a violation of policy.



We now turn to details of the recent cases in the four colleges mentioned above.

Incident in the Askew School of Public Administration and Policy in the College of Social Sciences and Public Policy

Numerous allegations of sexual misconduct by Professor Richard Feiock of the Askew School of Public Administration and Policy arose over a more-than-30-year timeframe. During that lengthy period, the office responsible for investigations changed, and the most serious problems with investigation and sanctions described below predate the formation in 2008 of the current HR-Equity, Diversity and Inclusion office.

Professor Feiock's inappropriate conduct was initially reported to Askew School faculty in 1988, and a report was filed in 1991 with Steve Edwards, the Dean of Faculties (today the Vice President for Faculty Development and Advancement fills a similar position) based on allegations from several students. In response to these complaints, the former Dean of the College of Social Sciences (now the College of Social Sciences and Public Policy), Chuck Cnudde, told Professor Feiock to receive counseling but imposed no further sanctions. Over the years, colleagues and students continued to observe Professor Feiock engaging in harassing behaviors toward women students at conferences and in social settings off campus. Students discussed upsetting incidents with faculty, but asked that their complaints not be formalized. Specific incidents in 2005 and 2016 generated reports of inappropriate touching and sexual propositions, but these did not result in formal sanctions. Although Dean Rasmussen was made aware of these continuing concerns, he chose to take no other action.

In fact, despite these incidents, beginning in 1991, Professor Feiock was tenured and promoted twice. Moreover, due presumably to his strong record of research funding, he was subsequently appointed to an endowed chair and another named chair. He became well known in the field of public administration because of his prolific research and publishing, and this renown attracted students to his "local governance laboratory," which operated in a somewhat secretive climate, making it difficult for faculty colleagues to monitor activities there.

The lack of administrative action may be why a "whisper network" arose within FSU and the Askew School and also among women scholars in the broader Public Administration field. This whisper network accumulated numerous alleged but unreported instances of misconduct. Some of the affected parties were female international faculty at other universities and international students in the Askew School who may have felt that their funding status or future career trajectories were dependent on Professor Feiock's research funds, supervision, and professional networks. But a number of the concerns came from domestic students, so his advances were not directed only at international women students. Askew School faculty also received informal reports from prospective international women students who chose to avoid the Askew School because of Professor Feiock's reputation.

In early January, 2020, another sexual misconduct case arose when several Askew School doctoral students received a string of text messages involving a recently departed visiting doctoral student from China who had been sponsored by Dr. Feiock. A review of these exchanges revealed messages between Professor Feiock and the woman student, several of which expressed his attraction and "love" for her. The students who received the emails shared them with Askew School faculty, and two senior professors filed separate reports about the case

to FSU's Title IX office. The EDI office acted swiftly, and based on the severity of the reports made a determination within 72 hours. Upon being advised of the results of the initial investigation, Dean Tim Chapin of the College of Social Sciences and Public Policy placed Professor Feiock on administrative leave and instructed him to have no contact with students or others involved in the case. The HR investigators learned, however, that Professor Feiock had contacted the victim to advise her about what to tell investigators, and Dean Chapin subsequently warned him again about the no-communications directive.

An investigation immediately ensued, and students and faculty were interviewed by FSU's HR compliance investigators. The Human Resources EDI office notified the National Science Foundation (NSF), Dr. Feiock's granting agency, at the start of the investigation and at its conclusion. The University also took possession of records, emails, and computer files in Professor Feiock's office, which included, among other things, what appeared to be a photo of Professor Feiock's genitals. In March, 2020, Dean Tim Chapin was directed by higher administration to approve Professor Feiock's request to resign--one day before Professor Feiock's scheduled interview with the University's investigators. The investigation was terminated at that time, without a finding of substantiated or unsubstantiated. Communication about the case was limited. HR continued to work with the Dean to provide information to those who were impacted, particularly the students who were currently enrolled in the program and had worked with Professor Feiock. A year later, in March 2021, after the Morgan newspaper articles, Dean Chapin and Renisha Gibbs, Associate VP for Human Resources, invited students, faculty and staff to attend a Town Hall meeting about combatting sexual harassment to discuss the case and its aftermath.

Askew School faculty were frustrated in their efforts to get copies of the final report. The case was not publicly disclosed, even to the faculty who had made formal complaints, until Lucy Morgan, a Pulitzer-prizewinning journalist with the online *Florida Phoenix*, published a series of four articles beginning in March, 2021, about the case and the consequences to former women students of Professor Feiock's behavior. After the first of Ms. Morgan's articles, the story was also picked up by other local and national print and broadcast media.

The University does not produce a public report on investigations, including sexual harassment investigations, due to privacy/confidentiality concerns (Blank, 2021). However, all reports and documents are subject to public records request and are accessible (with appropriate redactions) via a public records request to FSU's Office of the General Counsel.

Following publication of the first Morgan article, the Askew School faculty wrote a letter to all Public Administration students and the FSU administration in which they acknowledged their failure to protect students and asked the University to likewise acknowledge its institutional failures, which, they stated, included the following: a) failing to properly heed earlier accusations and discipline Professor Feiock, b) awarding distinguished chairs to Professor Feiock despite administrators' knowledge of earlier infractions, c) failing to retain records at the University level of any complaints or disciplinary actions and e) the University's failure to report the 2020 incident in a timely manner so as to allow victims, faculty, and others to find closure and to provide factual information to other universities where Professor Feiock was seeking employment.

The Askew faculty also presented several proposals to the FSU Faculty Senate in April 2021, where they received mixed reactions (See Minutes of the Faculty Senate for April 14, 2021). But the Senate's discussion about apparent institutional missteps over the years led Senate President Dr. Eric Chicken to appoint a task force to provide analyses and recommendations about the broader set of issues around sexual misconduct on campus.

Despite the profoundly negative impact of the Feiock case on the affected women students and on the image of the Askew School and the University, a few small steps taken by Askew School faculty, alumni, and by Tim Chapin, the Dean of the College of Social Sciences and Public Policy (COSSPP) have led to positive consequences, as follows:

- 1) Following the *Florida Phoenix* articles, Askew faculty led several group counseling sessions with current students and doctoral program alumni, and, although sometimes characterized by considerable angst, these sessions were productive in helping people begin to process their concerns and feelings.
- 2) The Askew School administered a climate survey to solicit doctoral students' perceptions of the sexual misconduct situation and then used the information to inform department-level planning for counseling sessions and department-level training.
- 3) COSSPP Dean Chapin conducted a series of townhall meetings with faculty and staff regarding the Feiock case and general issues about campus sexual misconduct, during which he affirmed the College's commitment to helping create a campus where sexual misconduct has no place.
- 4) The Askew School faculty sought and received training from FSU's Office of Equity, Diversity and Inclusion about sexual-misconduct reporting obligations. COSSPP Dean Chapin also organized a number of HR-led trainings for faculty, staff, and students in the College. These trainings were attended by roughly 75 individuals who work and study in the college.
- 5) COSSPP's Allyship Committee, led ably by Professors Deana Rohlinger and Will Butler, also met regularly about this, provided feedback to the College community, and shared feedback and advice on how to move forward.
- 6) The COSSPP Allyship Committee and leadership are working with units to institutionalize a Climate Survey, and learned that several units (Urban and Regional Planning, Sociology, and Geography) already were doing regular climate surveys.
- 7) Askew School faculty and doctoral alumni informally advised networks within the profession about the Feiock case, which precluded his ability to gain employment in some university positions, including ones in China, South Korea, Taiwan, and the Philippines.

- 8) The Askew School's presentation to the Faculty Senate precipitated a discussion that led to the formation of the Sexual Harassment Task Force.
- 9) Two doctoral program graduates published an article about the case (Young and Wiley 2021), entitled "Erased: Why Faculty Sexual Misconduct is Prevalent and How We Could Prevent It." Visibility in an important journal for professional education in Public Administration may help guide other programs dealing with similar issues. These two graduates also precipitated Lucy Morgan's interest in the case.
- 10) As a result of exposure given to the Feiock case, several professional associations within Public Administration subfields have formally undertaken open dialogue to address the problems of sexual misconduct and harassment. For example, at its annual conference in November, 2021, the Association for Research on Nonprofit Organizations and Voluntary Action sponsored a colloquium in which several Askew School graduates, in concert with other concerned scholars, formulated a set of recommendations from which the Association is building a code of professional conduct.

Thus, while many aspects of the 30-year career of Professor Feiock are very troubling, the attention it garnered has led to some positive changes in the local setting and at the national professional-association level.

Incident in the Department of Biological Science, College of Arts and Sciences

Dr. David Gilbert was a Professor in Biological Science from 2006-2021, and during most of that time was also the J. Herbert Taylor Distinguished Professor of Molecular Biology. On January 9, 2020, Dr. Gilbert sent an email to a Biology graduate student describing an erotic dream involving her. The student had had previous conversations with Dr. Gilbert in which he had made unwanted sexual comments, and he also had invited her to go on an international trip with him "in lieu of his wife," from whom he had recently separated. The student found his behavior inappropriate and discussed it with other students in the Department. From these conversations, she learned of other incidents of sexual comments made by Gilbert as well as unwanted attention bestowed on female students and employees. The student then filed a complaint with the Human Resources /EDI Office and informed mandatory reporters in the Department, who also reported the student's concerns to the Human Resources /EDI Office.

The student met with a Victim Advocate to discuss disclosure options and arranged a meeting to be held with HR-EDI. HR-EDI met with the student, her boyfriend (a fellow Biology graduate student) and her faculty-member Advocate for an information session. The three options were explained: 1) report only, no action; 2) formal complaint with a possible investigation and determination of policy applicability; and 3) informal resolution to address the behavior without a predetermination of a policy violation. The student chose option #3.

The student later explained to another faculty member that she had found the information about how to initiate an investigation confusing. She explained to her faculty advocate that she found the verbal explanation unclear in regard to the procedural steps taken in an "informal

investigation” relative to those taken in a “formal investigation.” (And the Task Force notes that the Sexual Misconduct Policy does not use the word “informal.”) It turns out that she hadn’t gone through the steps to file a formal investigation. The faculty advocate who assisted her in communicating with the HR-EDI similarly found the process of initiating a formal investigation confusing. After further interaction with HR-EDI, which clarified the steps that would follow from each of the three choices, the student chose option 2, formal complaint. The practice of communicating procedures verbally during a meeting promotes positive interactions that are important to affected parties, but receiving the information at the same time in written form, as well, might lessen the chance of confusion for affected parties who are understandably upset.

In the course of the investigation, the HR-EDI interviewed an undergraduate student, several graduate students, several faculty, and Dr. Gilbert. The interview notes include appendices with email chains and text threads supplied by the interviewees, and Dr. Gilbert confirmed several incidents. The Human Resources EDI office notified the National Institutes of Health, Dr. Gilberts’ granting agency, at the start of the investigation and at its conclusion.

The investigation concluded on April 17, 2020, with a report finding that it was more likely than not that Dr. Gilbert had engaged in behavior of a sexual nature that was both severe and pervasive and that had created a hostile environment, in violation of the University’s Sex Discrimination and Sexual Misconduct Policy. Substantiated allegations that contributed to the findings included the email about the erotic dream and several other comments to the initial reporting party, inviting an undergraduate student to canoe with him near his home; inviting a female student to accompany him on a trip to Japan unrelated to any academic purpose, kissing an undergraduate student on the neck at a laboratory party, and multiple sexual comments to female students.

Per protocol, the EDI finding was referred to the Human Resources Faculty Relations office, which works with college administrators (Provost, Dean, Chair) to determine the appropriate discipline. Dr. Gilbert was suspended without pay for 10 days and lost the title of J. Herbert Taylor Distinguished Professor of Molecular Biology. In the summer of 2021, Dr. Gilbert voluntarily left FSU to take a position at the San Diego Biomedical Research Institute.

Incident in the Family Institute and the Department of Family and Child Sciences in the College of Health and Human Sciences

Dr. Ross May was hired as a post-doctoral fellow at the Family Institute, where he worked from 2012-2014 and was supervised by the Director of the Family Institute. In 2014, he was appointed as the Associate Director of the Family Institute, and in 2016 he was appointed as a Research Assistant Professor in the Department of Human Development and Family Science. A formal complaint was made in February of 2020 alleging that at a going-away party for a student during the Fall, 2019, semester, Dr. May had pressured a student to get drunk, hugged her “in a forceful way” (as visible in a photograph), and bet another student \$50 he could have sex with her by the end of the semester.

An investigation was undertaken by staff from the Human Resources Equity, Diversity, and Inclusion Office. The investigator interviewed Dr. May and a number of faculty and graduate

students who were witnesses to these events. The investigation was completed in May, 2020, and determined that the claims were substantiated and that “Dr. May has engaged in a pervasive pattern of inappropriate and unprofessional behavior over the past four years with both undergraduate and graduate students over whom he has held a position of authority.” Moreover, the investigative report substantiated the allegation of a Hostile Academic Environment Based on Sexual Misconduct (Sexual Harassment).

Accordingly, a termination letter was sent by Dean Michael Delp, notifying Dr. May of his termination and giving him approximately two months to continue working with Dr. Fincham to transfer data-collection methodologies that were critical to the completion of this grant-funded research. Upon separation from FSU, he was removed from the OPS system. However, unbeknownst to many, he continued to work with Dr. Fincham on the data and manuscripts, and he invoiced FSU for the time he worked as an independent contractor. Upon learning of Dr. Fincham’s actions in retaining Dr. May, FSU HR determined that payment was due, since he had already completed the invoiced work.

The original termination letter included a proviso specifying that Dr. May not come to campus or have any interaction with students, and this was agreed to by all parties. Upon learning that Dr. May had been included on several emails between an FSU researcher and students working on that project, in violation of the proviso, the Dean intervened to halt such communications and to discipline the FSU researcher who had initiated them.

A faculty member told the Task Force that the faculty and graduate students were never appraised of the circumstances of Dr. May’s termination and were upset about this silence. When Task Force members interviewed Dean Delp and asked about this, he said that after reviewing the FSU policy on sexual harassment reporting, he felt that it was improper and likely illegal for him to distribute a letter containing the details of Dr. May’s termination. He consulted with HR and Provost Sally McCrorie and requested that the General Counsel approve such a notification. He was informed that the Provost would send a letter informing faculty of the incident and Dr. May’s termination. In discussion with six faculty in that department, however, the Task Force noted that none could find a record of an email announcing this termination, although HR provided the Task Force with a copy of an email to the department’s faculty from Provost McCrorie dated April 30, 2021.

Since then, Dr. May has found alternative employment. A newspaper article in the *Pensacola News Journal* reported that Dr. Ross May was teaching two online classes at the University of West Florida, and continued: “The university was unaware of this investigation when Ross May was hired as an adjunct instructor,” said UWF Provost George Ellenberg. “The extensive background checks the university routinely conducts do not show incidents such as this; however, we are currently analyzing the process that was used to hire May” (Wood, PNJ November 16, 2021). A Google search indicates that Dr. May was subsequently employed by Tallahassee Memorial Hospital for a period of time. Once again, it is unclear if the employer was aware of the reason for his FSU termination.

Incidents in the College of Medicine

Incident 1

Dr. Leslie Beitsch has a JD from Harvard University and an MD from Georgetown University. He was on the faculty at Florida State University from 2003-2021 and served as Chair of the Department of Behavioral Sciences and Social Medicine in the College of Medicine.

A current female employee working in the FSU College of Medicine filed a formal complaint regarding an incident of unwelcome sexual advances from Dr. Beitsch. In the course of the investigation, two additional former female employees were identified and interviewed. These events occurred between 2014 and 2019. Each woman alleged that Dr. Beitsch touched her thigh while seated at various events. According to the investigation, there was no "collusion" among the women, meaning that their accounts were independent and not the product of conversations among themselves. The University found the allegations substantiated and determined that they constituted a conflict of interest due to Dr. Beitsch's institutional authority in the College and the women's subordinate work positions.

The finding was referred to Human Resources Faculty Relations who worked with the Dean of the College of Medicine, Dr. John Fogarty, in determining the appropriate discipline. Dr. Beitsch received an official reprimand in October 2019, was directed to take sexual misconduct training (which he did), and was informed that a recurrence would result in further disciplinary action. Dr. Beitsch was in the state's Deferred Retirement Option Program (DROP) and had made it clear for several years that he planned to retire in 2021. He stepped down from his Chair role in December 2020 to allow a smooth transition for his replacement in January 2021. Dr. Beitsch retired as planned in July 2021; his stepping down as Chair and his retirement were unrelated to any investigation.

Incident 2:

Dr. James Zedaker was an Associate Dean in the College of Medicine and was a faculty member in the FSU School of Physician Assistant Practice from 2016-2022. He also served as Director of University Special Projects for the Health and Emergency Operations/COVID 19 Clinic from 2020-2022.

Two female staff who worked at the Covid testing/vaccination site but were not students or faculty in the Physician Assistant program alleged that Dr. Zedaker made discomfiting comments, sent sexually-oriented texts, and bought them unsolicited gifts. Human Resources - EDI responded quickly and initiated a formal investigation. Text exchanges confirmed by investigators include Dr. Zedaker having asked one of the women, a subordinate, to dinner on Valentine's Day, inviting her on trips that he would cover financially where they would share a hotel room, and offering to come over to her house. The other woman reported having received a \$5,000 bonus and was subjected, either in person or by text, to comments about her appearance and requests for hugs.

The HR-EDI office interviewed the women, along with Dr. Zedaker, who denied many of the allegations but admitted others. The investigation found that objectively, based on a reasonable

person standard, his actions were romantic and/or sexual in nature, could be interpreted as romantic and/or sexual advances, were unwelcome, and were potentially grooming in nature. On December 21, 2021, Dr. Zedaker submitted his resignation, with an effective date of January 14, 2022. The Dean wrote to the College's faculty/staff/and students that same day informing them of his resignation and the reason.

Section 4: Recommendations

In this section, the Committee offers 21 recommendations, drawing on findings from the cases described in Section 3.

1. We recommend that the Administration produce a flow chart of the investigative process, with hyperlinks to various sections of the Sexual Misconduct Policy.

The KnowMore website is quite strong on resources for getting help and support but less strong when it comes to sending complainants directly to information about their particular concern. The complainant needs to realize the need to click on "Title IX" and from there has to move down five places before arriving at FSU's Anti-Sexual Misconduct Policy, the document that describes the process used to investigate complaints about students, about employees, and about FSU-School personnel. (The policy can be found [here](#).) The document is 50 pages long and describes the general policy, followed by long appendices about each of the three groups (students, employees, FSU School employees). Even readers experienced with complex policies can become confused, thinking they are reading material that applies to all three parties, when in fact it applies to only complaints about a student respondent, for example.

The Task Force envisions a flow chart that starts by directing the reader to the three types of complaint. The flow chart would then itemize each step of the complaint, investigation, and resolution, with hyperlinks for each item. The Task Force members believe such a system would make the process much more understandable.

Another possibility is to create a document that contains much of the information in the Policy but is more accessible to the average user, and create hyperlinks from the flow chart link to this new document. We envision a document that is not as legalistic as the Policy and yet contains more information on the process than does the University's Sexual Harassment Training video.

2. The Office of Equity, Diversity, and Inclusion webpage should be updated to include sexual harassment as an area falling under its purview.

Neither sexual harassment nor sexual misconduct appears on the EDI homepage, even though this office is the main body for reporting and investigating these behaviors. This omission minimizes the importance of the issue and should be corrected.

3. We recommend that response and communication practices be clearly specified so that affected parties know exactly how the process plays out and approximately how long each phase lasts.

The Task Force heard a great many complaints from affected parties about having felt completely “in the dark” during the course of the investigation. The EDI office should respond to an initial complaint within 2 or 3 business days, if possible, and should keep the affected party informed as each step is undertaken.

4. We recommend that IT review the public-facing security settings on the “report.fsu.edu” website and that it provide a link to the Sexual Misconduct Policy.

The “report.fsu.edu” site is a main way to report an incident. But several members of the task force, some of whom used a Google search rather than going directly to the report (as might a complainant), saw a “not secure” identifier, which could potentially lessen a person’s willingness to file a report. The reporting form itself is a secure site, but it is important that the method for arriving there is, as well, since it might increase the report rate. Another modification is to add a link to the Sexual Misconduct Policy in the introductory paragraph of the reporting form, as potential reporters may be uncertain about what constitutes harassment, which might reduce willingness to report.

5. We recommend that when a complainant or someone with a question is interviewed by personnel in one of the offices associated with sexual harassment, they be given a written document that describes the reporting options. Ideally the options would be components in the flow chart referenced above.

In the Biological Sciences case, the affected party had thought she had filed a formal complaint, when, in fact, she had chosen an informal one. The options were verbally laid out at a meeting with EDI, but it seems that a verbal explanation conveyed at a meeting where the affected party is understandably upset was not enough. The affected party did not fully understand the implications of the choice she made, nor did the faculty member who accompanied her. This does not mean the information wasn’t conveyed; it means that it wasn’t conveyed effectively, which could perhaps be remedied by including a written explanation of the options. Finally, such information needs to be easily accessible, perhaps in a document that is more user-friendly than the official Policy, as noted in Recommendation 1.

6. We recommend, to the extent possible, that identifying information about an affected party be redacted.

The Task Force heard from interviews with students that some hesitate to file a complaint because of concerns about retaliation and other possible negative consequences, and thus HR never hears of some complaints. While the names of affected parties do not appear in investigative reports, other identifying information, for example, about the nationality or year in school of an affected party, should be redacted, to the extent permitted by law.

7. We recommend that in order to mitigate any perception of bias that an outside investigator be hired in cases where a conflict of interest exists between a respondent and an administrator assigned a role in the investigation or resolution and in cases where the respondent brings in large amounts of grant funding.

It is important that the University community have confidence in the impartiality of an investigation. The Task Force is not implying that any investigations have lacked integrity but instead that perceptions matter. Thus, in cases where a relative of a respondent is in the office of a member of the investigation team or when a respondent brings in large amounts of grant funding or is otherwise in a powerful position, the investigation should be conducted by an impartial third party. Doing so would allay any perception that relationships, institutional power, or grant-getting might have influenced the process.

8. We recommend better communication when an investigation is completed and the charges substantiated.

Section 3 reports a wide range of experiences on the dimension of communication and transparency after an investigation is completed. At one end was the Dean of the Medical School who emailed employees about the most recent investigation immediately after it was concluded. At the other end was the lack of notification in regard to the Feiock investigation, which faculty only became aware of when the *Tampa Bay Times* article appeared, despite their requests for information. In the College of Health and Human Sciences case, it seems no notification was apparently received by faculty, leaving them to rely on a newspaper article for information.

9. We recommend that the University create guidelines indicating who—whether HR, Department Chairs, or Deans—is responsible for notifying faculty, staff, and students of the results of an investigation in which the claims were substantiated.

As it stands, there appears to be confusion about whom, if anyone, informs the campus community about the results of an investigation. In some cases it has been the Dean, in others the Chair, and in others no one. Guidelines indicating the roles of these groups in information-dissemination are in order, keeping in mind restrictions about campus-wide announcements per the Robyn Blank Memorandum (Blank 2021).

10. We recommend that a secure home in a specified office be designated for the personnel files of faculty for whom claims were substantiated.

Currently, these files have a secure home. But Universities, like all organizations, reorganize from time to time, and if the home were to move to a different office, having an established mechanism to preserve the security and integrity of the reports is essential. In the past, these kinds of changes have led to problems. In the Feiock case, the University could find no record of complaints, perhaps because the responsibility for investigations changed offices. Regardless of the reason, a secure home in a specified central office and in each College should be established so that reports are kept secure long term.

11. We recommend mitigating students' concern about possible retaliation for reporting sexual misconduct by ensuring that a student's funding and advisement will continue uninterrupted despite a report. We further recommend that this policy be advertised on the website and that the Provost contribute any funding needed to ensure students' funding continuation.

Students in good academic standing who depend on financial aid and advising from responding parties should be held harmless. Affected graduate students should be reassigned to other supervisors or office spaces immediately rather than awaiting a finding before remediating action is taken. Currently, this is the practice, and is what happened in the Biology and Askew School cases. The University takes “interim measures” in which HR-EDI office works with departments to ensure that impacted parties remain “whole” during and after an investigation. The Task Force recommends that this policy be widely advertised in order to assuage any student fears about stepping forward. We further recommend that a dedicated source of funding be identified to support impacted students who might otherwise lose their funding; continued funding should not be contingent on the availability of College funds. By making this policy known, it should encourage more students to come forward.

12. We recommend greater transparency about the criteria used in a determination of responsibility and about the penalties associated with a violation.

The Committee notes that better access to basic information about the types of information the investigative team considers in making a determination would go a long way towards inspiring confidence in the outcome. The criteria clearly appear in an appendix in the 50-page policy (see page 28 in the [Policy](#)), but finding them requires more searching than is desirable. Similarly, the sanctions listed in the Policy (page 28) should be more readily accessible. One possibility is for the flow chart described in Recommendation 1 to include a link to these spots.

13. We recommend that Administrators refrain from using the term “zero tolerance” to describe their orientation to sexual harassment and misconduct.

This expression is often taken to mean that policy violation will result in termination. In the case of sexual misconduct and harassment at FSU, however, it means that each case will be pursued vigorously and thoroughly. To avoid misunderstanding, it is better to simply eschew the expression. If it is used, an explanation should be made about what is meant by it.

14. We recommend that when a respondent is not interviewed, either because of leaving FSU employment or any other reason, the Investigative Team should nevertheless reach a conclusion based on available evidence.

In the Public Administration case, because the respondent left employment without having been formally interviewed, a formal finding in the case was never made. The Committee believes that when a responding party refuses to testify on their own behalf (perhaps because they have left the institution) that does not constitute a reason to stymie an investigation. Instead, the report could note that an attempt was made to gather the respondent’s perspective, the respondent declined, and so a finding was reached without that information.

15. We recommend that the University appoint a Task Force to consider ways to post a public-facing report about substantiated cases.

We recommend that a University Task Force be established to examine ways to make the findings of substantiated cases more readily available without having to submit a public-records request, and this should be done while keeping within the constraints outlined in Robyn Blank’s

memorandum. There are several arguments in favor of such a site. Posting this information would allow the University to “get out in front” of a situation rather than having to respond to media reports. Providing the information from a centralized office also would have the advantage of relieving individual deans/chairs/HR of the burden of informing units, an area where communications have broken down in the past. Such a site also ensures that colleagues and students who might work with respondent are aware of the situation. Finally, doing so would reduce the need for interested parties to file public records requests in order to gather information about the cases.

16. We recommend that the University create a website, updated annually, indicating the number of complaints received, number of investigations completed, and number of investigations found substantiated and unsubstantiated.

Presenting such data would reassure the University community and others that action is taken on all complaints. It would also give some sense of the prevalence of harassment.

17. We recommend that public records requests for case reports be responded to more promptly.

The Committee encountered significant time lags in obtaining some reports. Requests filed for two different reports took 2.5 and 4.5 months to be fulfilled. The two most recent requests from the Task Force were responded to in 1-2 days.

18. We recommend taking whatever action is possible to apprise future employers about the harassing behavior of a respondent once they have left FSU.

Committee members appreciate that FSU alerts all federal funding agencies with which the respondent has dealings of accusations of harassment and outcomes of investigations. The Committee also recognizes that it is difficult to alert potential employers other than via a “whisper network,” since potential employers number in the thousands.

We note, however, that all employees are required to be evaluated annually for the preceding calendar year’s activity. These reports become part of the employee’s permanent file, which potential employers can request as they go about due diligence. Thus, even in the event of separation from the University, the annual evaluation could explain the reasons for a negative evaluation.

19. We recommend that an academic authority, either the Provost or the Vice President for Faculty Development and Advancement, be more clearly identified as the “go to person” in cases where an affected party believes that their claims have not been heard.

While current practice identifies these role incumbents as serving this function, the Task Force recommends making their commitment more explicit. The former Dean of the College of Social Sciences, David Rasmussen, failed to act for many years on reports, including from the Chair, regarding Dr. Feiock’s harassing behavior. The Committee believes that the KnowMore website should make it clear that in cases where an affected party feels the case is being blocked at a

lower level that they are welcome to approach the Provost or the Vice President of Faculty Development and Advancement for redress.

20. We recommend that the University's mandatory sexual harassment training be readily available for those who want a refresher course.

The KnowMore website link to training goes to a SUNY presentation geared to students, (<https://system.suny.edu/sci/postedtraining/>). Finding the Sexual Harassment Training module designed for employees turns out to be a daunting task. After going to my.fsu.edu, one clicks the "HR" icon, selects "Learning and Development," selects "Request Training Enrollment" from the menu. Then the employee selects "Search by Course Name" and types in a term likely to work, in this case "Sexual," and hits "Search." In the table that appears, in the row labelled "NonDiscrimin/Sexual Misconduct," they would click on "View Available Sessions," and from there click on the session named "3000." A person can then enroll and wait up to two hours for Omni and Canvas to synch. A direct link to the training module from a website devoted to sexual harassment would be an improvement.

21. We recommend that the University devote resources to training principles aligned with those put forth by the National Academy of Sciences, Engineering, and Math.

The NASEM report (2018) concludes that positive effects were mostly likely when training included the following elements:

- lasted more than 4 hours
- was conducted face-to-face
- included active participation with other trainees on interdependent tasks
- was customized for the audience, and
- was conducted by a supervisor or external expert.

We would add that the training also should be culturally competent and sensitive to differences in various cultural and linguistic contexts and to the experiences of people with diverse sexual and gender identities.

The University's existing Green Dot bystander-intervention program incorporates many of these elements and might serve as a model for meeting these NASEM suggestions. The program is available to faculty, staff, and students. A task force member attended a three-hour workshop and believed that some of the principles—which align with those endorsed by the NASEM—would apply to faculty trainings, as well. He was impressed with the quality of the training, particularly with how well small groups worked together to respond to the scenarios presented. The session was participatory. Trainees gathered in groups of six or eight and heard live presentations of cases, after which the groups brainstormed interventions. The Task Force member found the training effective for several reasons: a) it was participatory, b) group dialogue uncovered aspects of cases that individuals might have overlooked, c) the cases presented were nuanced, which generated thoughtful dialogue, and d) it was sensitive to varied cultural contexts, such as faculty and students coming from international settings and those

communicating in English as a second language (although it did not address the experiences of people with diverse sexual and gender identities).

At the present time, FSU requires employees to complete an online training course, and units may also request training presentations, which in non-pandemic times are delivered face-to-face. We note that online training, while efficient, is generally less effective than live training (NASEM 2018). And we also note that the Task Force has heard reports that HR's live presentations tend to be generic and not particularly geared to the situations confronted by faculty and students.

The Task Force recognizes the considerable resources that adopting the NASEM recommendations would require. Nevertheless, on an issue that is so vitally important, where the lives of vulnerable populations on the line, such resource allocation is appropriate.

Conclusions

The sexual harassment investigation and determination process should place the health and well-being of the people involved first and foremost. The reputation of the institution should be a secondary consideration. Protecting victims and reducing their number is key, while keeping in mind that the accused party is not guilty until an investigatory process determines that a claim is substantiated. We believe that FSU is committed to the protection of all members of the FSU community, and we hope that the Task Force's findings about what does and does not work and the recommendations for improvements are useful in attaining that goal.

We begin with the observation that the investigation, treatment of affected parties, and responsiveness to requests for information have improved dramatically over the past 30 years. A task facing the University now is to assure faculty, staff and students—and affected parties, in particular—that present-day complaints will be handled in a way that encourages confidence in the process.

The purpose of the Task Force was to look into recent sexual harassment cases with an eye to understanding what went wrong and how FSU could improve existing processes. The Faculty Senate President asked the Task Force to pay special attention to possible problems in reporting up the chain, openness and transparency, the timeliness of administrative action and the reporting of findings. Longer term specific goals include determining ways to reduce the number of incidents, reduce victims' suffering, suggest improvements to the complaint-reporting process, clarifying how to ensure community members understand what constitutes unacceptable behavior, and set up a system for ascertaining the frequency of complaints and their resolution. The Task Force gathered information from national reports regarding the pervasiveness of the problem, the groups most likely to be affected by it and the groups most likely to engage in it, and the consequences for individuals.

We then gathered data on several recent cases at FSU. In doing so, we turned to investigative reports gained via public-records requests, newspaper coverage, examination of FSU policies and websites, and extensive interviews with administrators, faculty, and students. Based on

these data, we arrived at a set of recommendations that we believe will make FSU a safer haven for faculty, staff, and students. They can be summarized as follows.

We believe that communication can be improved on a number of dimensions. The 50-page Sexual Misconduct Policy is the sole document laying out procedures. It is comprehensive but difficult for a layperson to follow, since it covers separate procedures for three different groups (students, faculty, FSU-School faculty) and because it is, understandably, written legalistically. We suggest adding a flow chart describing the investigative process, with hyperlinks to various sections of the Sexual Misconduct Policy. The flow chart could also be used when counseling affected parties face-to-face about their options, as hearing options is complemented by seeing them written out. Other communication improvements entail advertising actions the University already engages in, for example, the practice of guaranteeing continued funding and immediate remedies for a student complainant and the practice of having the right to turn to the Provost or the VP of Faculty Development and Advancement if an affected party believes a complaint is not being followed through on at lower levels. It is one thing to have procedures in place and another to ensure that people are aware of them. This matters, as it is likely to increase reporting rates.

Effective training is key to any organizational change, and at the most minimal level, the existing online training module could be more easily accessible, and at the maximal level, training could be revamped in accordance with the NASEM guidelines that recommend that training last several hours, be conducted face-to-face, include active participation, be customized for the audience, and be conducted by a supervisor or external expert.

The Task Force would like to see greater transparency when an investigation concludes that charges were substantiated, although we acknowledge the difficulty in doing so, as laid out in Robyn Blank's (2021) memorandum. Our investigation showed that results are unattainable except by public-records requests and that communication about a case to faculty, staff, and students in a unit was not always forthcoming. Many involved parties expressed frustration at having to turn to newspaper accounts to gain information. To the extent possible, efforts should be undertaken to not leave the University community in the dark about substantiated complaints.

The Task Force is concerned that responding parties found to have violated the Sexual Misconduct Policy can seemingly find other employment with an employer unaware of their misconduct, and we would like to see steps taken—most obviously including substantiated claims in personnel records—so that such information is readily available when an employer vets a potential hire. Including such information in a personnel file might entail changing the current practice wherein a finding is simply not reached if the responding party leaves FSU. A finding, with caveats about how the responding party did not respond, could be reached in such cases, making it more likely that a potential employer will see the information.

Finally, the creation of a website regularly updated with the number of complaints received, number of investigations completed, and number of investigations found substantiated and unsubstantiated would reassure the University community and others that action is taken on all complaints. Besides offering some sense of the prevalence of harassment, such a site would also reassure members of the University community that action is taken on all complaints.

In sum, the Task Force concludes that the process has greatly improved in recent years, and we look forward to further improvements in the future.

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Faculty Senate Resolution on Sexual Harassment

The FSU Faculty Senate is pleased to receive the Final Report of the Faculty Senate Task Force on Sexual Harassment. The Senate endorses the conclusion that the investigation and determination process should place the health and well-being of the people involved first and foremost. Protecting victims and reducing their number is key, while keeping in mind that an accused party is not guilty until an investigatory process determines that a claim is substantiated. We believe that FSU is committed to the protection of all members of the FSU community, and we hope that the Faculty Senate Task Force findings and recommendations for improvements are useful in attaining that goal.

Therefore, the Senate urges President McCullough to appoint a University-wide Task Force that includes faculty and student members to consider implementing the Senate Task Force recommendations, which are intended to make FSU a safer haven for faculty, staff, and students. This Task Force would make specific implementation recommendations to the President.

FSU Faculty Senate Resolution on war in Ukraine

On February 24, 2022, the authoritarian Putin's regime of Russian Federation launched an attack on Ukraine and invaded a sovereign nation, forcing millions of people to flee their homes and to seek refuge.

We condemn Russia's war in Ukraine, and we stand with the Ukrainian people, with the local community, and with people all around the world calling for an end to Putin's war.

Recognizing the humanitarian crisis caused by the war and its impacts on academics and education worldwide, we call for policies that would welcome displaced students and academics at FSU.