

Memo

To: Joan Heminway

From: Conrad Plaut

Date: 1/18/2011

Re: Civility and Community Task Force Report

The Faculty Senate Budget and Planning Committee has completed its report concerning the Civility and Community Task Force recommendations, as requested by the Executive Council (attached). During deliberations concerning the Task Force Report, some Committee members expressed concern and even shock that the current UT Student Code of Conduct does not explicitly prohibit acts of non-physical harassment, especially including sexual, racial, or homophobic harassment of the sort that has been reported recently on campus. Moreover, in the Code of Conduct section about physical abuse there is an explicit statement: "In no event shall this rule be construed to prevent speech protected by the First Amendment to the United States Constitution." Other universities appear to have no such constitutional concerns when it comes to harassment (see below).

However, making recommendations concerning changes to the Code of Conduct and associated sanctions falls outside the charge of the Budget and Planning Committee. Therefore, I would like to request on behalf of several committee members that you find an appropriate route to bring this issue before the Faculty Senate. These members would support a resolution asking that the Chancellor initiate a dialogue within the campus community to determine appropriate policies and sanctions for acts of bias, which would be enforced by the Office of Judicial Affairs. Firm sanctions, including dismissal from the university for egregious acts such as sexual harassment, would serve to demonstrate our seriousness of purpose, promote healing in victims, and prevent the victimization of others on campus. Should such sanctions be made explicit, this information could be included in the proposed parts of Freshman Orientation that would be devoted to civility.

From the University of Delaware Student Code of Conduct:

"Other unlawful harassment includes any verbal or physical conduct toward another that is based on the other's race, color, sex, religion, national origin, disability, veteran status or any other characteristic protected by law, and that (1) unlawfully creates an intimidating, hostile, or offensive learning and/or working environment or (2) unlawfully interferes with an individual's work or academic performance."

**Budget and Planning Committee Report:
Civility and Community Task Force Recommendations
January 17, 2011**

Submitted, Faculty Senate Executive Committee Meeting, January 24, 2011.

Incivility, especially in its most virulent forms of racism, religious intolerance, and homophobia, damages our institution. We applaud Chancellor Jimmy Cheek for creating the Task Force on Civility and Community “after a series of incidents that reflect bias on campus,” in March 2010. However, the Task Force was given little data on the extent and nature of incivility on campus, and a survey that would provide such data is currently ongoing. While the Chancellor’s charge included recommending “activities, programs, declarations or processes” for promoting civility, his request did not include plans to assess effectiveness of those programs—which in any event would have been difficult given the lack of current data. Therefore the Task Force did not address issues of effectiveness, and simply offered numerous recommendations.

Questions concerning effectiveness and assessment of non-academic programs have been under consideration by the Budget and Planning Committee for several months, and the Committee will issue a more complete report later in the year. In the meantime, the Task Force report has given the Committee an opportunity to view the proposed creation of new programs, initiatives, and administration, all in light of our developing recommendations for assessment. The Committee met on November 29, 2010 with Mike Wirth, Co-Chair of the Task Force, as part of our process in developing a response to the Task Force report.

All university programs are aimed at educational aspects that are, in one way or another, important to us. Yet strategies that are not cost effective—or worse, ineffective—have an impact that goes beyond waste. Inasmuch as such programs give the impression that something is being done, attention and resources are diverted and problems remain unsolved. Effective programs will clearly define and measure the extent of issues to be addressed, establish definite, measurable goals to be met, and have a plan to regularly assess progress towards those goals.

The Budget and Planning Committee regards the list of recommendations from the Task Force as a good starting point to foster civility and community on campus. Many of the recommendations involve changes to existing programs or one-time activities with little budgetary impact, and we commend the Task Force for its work in identifying such strategies. We recommend that the university strive to implement recommended changes concerning existing programs such as Orientation, Life of the Mind, and the Cultural Affairs Board. The Committee also felt that the recommendations pertaining to existing policy documents such as Hilltopics and the Faculty Handbook should be swiftly applied.

Other recommendations of the Task Force, however, involve entire new programs and the appointment of a new Vice-Chancellor. The Budget and Planning Committee believes that the degree to which these additional recommendations are implemented is related to the following issues:

1. The current climate on campus needs to be more fully understood in order to find problem areas to target, set specific goals, and plan for future assessment.
2. The new Bias Protocol and other tools should be utilized in order to implement a data driven response.
3. A better effort needs to be made to learn about effective measures being used on other campuses, especially those that have been more successful in attracting a diverse student body.
4. The definition of “civility” used by the task force may be too broad and result in a diluted effort.
5. The sources that contribute to our university’s poor image among certain groups need to be identified in order to improve that image.

Finally, while we appreciate the efforts of the Task Force on Civility and Community to be proactive in fostering greater civility, we believe that no programmatic effort can completely eliminate all expressions of bias and hate on our campus. But in the future we should be guided by the past, which holds many examples of acts of hatred that have ultimately inspired progress towards greater civility and appreciation of diversity. Therefore, when such incidents take place on our campus, it is important that administrators, faculty, staff and students all be involved in processes that turn these unfortunate events into experiences from which we can learn and grow as a community.