

# FACULTY SENATE MEETING

TUESDAY, September 28, 2021

3:00-4:15 p.m.

Join Zoom Meeting

<https://odu.zoom.us/j/96365504403?pwd=SU13TFM3SkRIQnJUdkx6TFNPWENXUT09>

Meeting ID: 963 6550 4403

Passcode: 600740

## MINUTES

### 1. Call to order

- The meeting was called to order at 3:03 pm

### 2. Roll taken.

- The roll was taken via Zoom participants list (N =34 including Jennifer Moody, Nina Gonser, Kate Hawkins)

Present	Senator Name	Present	Senator Name	Present	Senator Name	Present	Senator Name
-	Michael Allen	x	Dennis Gregory	x	Andrew Lopenzina	x	△ John Sokolowski
-	Sharan Asundi	x	James Hall	-	Jamela Martin	x	Yonhee Suh
x	Elizabeth Black	-	Zhi Hao	-	Suzanne Morrow	-	Lynn Tolle
x	Nina Brown	x	Fran Hassencahl	x	Matthew Nerem	-	Ingrid Whitaker
x	Larisa Bulysheva	x	Leslie Hoglund	x	Jennifer Poutsma	x	Nicole Willock
x	David Burdige	x	Steve Hsiung	x	Gene "Hill" Price	x	Shu Xiao
x	◇Michael Carhart	x	Mia Joe	x	James Rhoades	x	Wie Yusuf
-	Charlie Daniels	-	Mickey Kosloski	x	Patrick Sachs	-	Doug Ziegenfuss
-	Kyle Davis	x	Lee Land	-	Gary Schafran	-	Michael Zugelder
x	Kenneth Fitzgerald	x	Soo-Hoon Lee	-	Eric Schussler	x	Tony Perez
x	*Corrin Gillis	x	Tatyana Lobova	x	David Selover	X	Laura

△ Chair ◇Assistant Chair \*Secretary

### 3. Action Items

#### • Covid-19 Faculty Sanction Policy (Chairman Sokolowski)

##### ○ *Opposition expressed*

- The precedent that will be created
- Violates due process
- Proposal as written could result in sanctions by the AAUP
  - The AAUP policy allows for extraordinary circumstances
    - Highly likely that the pandemic would be in the “extraordinary circumstances” category
- Needs to be completely reworked and resubmitted
- Existing policy actually covers this crisis
  - There is no reason why execution of the current policy cannot be expedited
- Concern expressed around voting for a resolution where the “procedures for enforcement” are not well-defined
- Suspending the faculty handbook is an extreme and unnecessary step to take
- Additional verbiage was proposed adding the following under the third section that begins with “AND BE IT FURTHER RESOLVED THAT”:
  - AND BE IT RESOLVED the appropriate due process shall include a hearing before an unbiased fact finder and that the accused faculty member may be represented by counsel since termination of employment may result

Respectfully submitted by Corrin Gillis – Secretary, Faculty Senate

- Friendly amendment made to change the wording to:
  - ∫ AND BE IT RESOLVED the appropriate **due process as per the faculty sanctions policy of the faculty handbook** shall include a hearing before an unbiased fact finder and that the accused faculty member may be represented by counsel since termination of employment may result
  - ∫ **Amendment approved – 58% in favor, 31% not in favor, 12% abstain**
- *Proponent comments*
  - This is a very specific policy that does not set precedent for all issues
  - The COVID-19 pandemic is a very specific and hopefully time-limited
  - Due process and hearings will not be eliminated
  - COVID-19 is a public health issue
    - Unvaccinated and non-compliant faculty are a public health risk
      - ∫ They should not be rewarded with leave with pay
- *Questions*
  - Would this policy apply to people who have already had COVID and may not be getting vaccinated?
    - The university will follow CDC guidelines for individuals who are in this situation
  - Was questioned whether the use of adjudication leave was considered– a paid leave that is instituted until the sanction process is completed?
    - Unclear whether it has or not
  - What happens if a faculty member is close to retirement and loses their job due to sanctions under this specific policy?
    - Would have to be sorted through with HR
- Chairman Sokolowski will report these major concerns to Provost Agho
  - Need to have an actionable document as this is a significant health issue
  - The current policies are sufficient
    - The process can be expedited
  - Will communicate the outcome of the meeting either via email or by calling for an emergency meeting

#### 4. Adjournment

- **Meeting adjourned at 4:16 pm**