Amendment to the Tulane Senate Bylaws: Committee on Faculty Tenure Freedom and Responsibility

Rationale:

Equal opportunity and anti-discrimination violations against a faculty member can be made by a faculty member, a staff member, a student (undergraduate, graduate, and professional), or others with standing. Given the current Bylaws, the Committee on Faculty Tenure Freedom and Responsibility (FTFR) can only hear appeals by faculty members. The proposed new “Policies for the Committee on Equal Opportunity and Anti-Discrimination Grievances against Faculty” would allow for any of the parties to appeal their case to FTFR. Currently, for example, if a graduate student brings a case forward against a faculty member and is dissatisfied/believes there were procedural problems with the EO grievance hearing process, there is no obvious forum in which that individual may appeal. This change allows for an appeal process for all parties. For this to be workable, we need to expand FTFR’s mandate to include hearing appeals by any party in an Equal Opportunity/Anti-Discrimination grievance.

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<th>EXISTING</th>
<th>Proposed Changes</th>
<th>Final</th>
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<td>Executive charge, 1.e</td>
<td>(e) proceedings with respect to a student allegation of sexual harassment that the faculty member alleges affects that faculty member’s academic freedom or responsibilities (in accordance with Section 7 of the Procedures in Cases of alleged Sexual Harassment of Students by Teachers.)</td>
<td>[Section e eliminated and substituted with #2 below]</td>
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<td>2) To entertain an appeal to an Equal Opportunity and Anti-Discrimination violation against faculty by any party to the grievance as specified in the Faculty Handbook, Chapter 8 section 8.5, and Chapter 6, Section XX, “Policies for the Committee on Equal Opportunity and Anti-Discrimination Grievances Against Faculty.” FTFR has the sole discretion to determine whether an appellant has standing before the committee.</td>
<td>2) To entertain an appeal to an Equal Opportunity and Anti-Discrimination violation against faculty by any party to the grievance as specified in the Faculty Handbook, Chapter 8 section 8.5, and Chapter 6, Section XX, “Policies for the Committee on Equal Opportunity and Anti-Discrimination Grievances Against Faculty.” FTFR has the sole discretion to determine whether an appellant has standing before the committee.</td>
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2) to conduct, upon written request of a faculty member, a hearing and prepare findings, conclusions, and statement of reasons on that faculty member’s dismissal for cause (in accordance with Article VI of the Statement on Academic Freedom, Tenure, and Responsibilities) and

3) to be consulted by the President.

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May 1, 2019