Minutes of Regular Meeting December 3, 2007

Meeting
Regular meeting of the full senate, 3:15 p.m., Kendall Cram Room, Lavin-Bernick Center
Presiding: The chair, President Cowen.

Attendance
Ex Officio: Cowen (pres/chair), Langston (vice chair), Bernstein (provost), Sachs (Sr VP Health Sciences), Lorino (CFO), Poplus (proxy for Ordoyne, pres. ASB), Case (proxy for Hayes, chair, SAC), Mackin (sec), Wiese (parl)

Deans: DeNisi (Freeman), Query (Libraries), Bernhard (Arch.), Marksbury (SCS), Ponoroff (Law), G. Bernstein (SLA), Buekens (SPHTM), Altiero (SSE)

A. B. Freeman School of Business: Sujan, Cardinal

Newcomb-Tulane College:
Architecture:
Continuing Studies: Green, Schwartz

Law: Nowicki, Diamond, Davies

Liberal Arts: Dangler, Masquelier, Carroll, Desai, Pollock, Balée

Medicine: Taylor, Mushatt, Doucet, Phinney

Public Health and Tropical Medicine:

Hutchinson, Long, Rose

Science and Engineering: Schmehl, Diebold, Walker

Social Work: Pearlmutter, Lewis

Student Senators: Lowy (proxy for Edgens), Feng, Beevers

Staff Senators: Earles, Barrera

Senators at Large: Hill, Koritz, Purrington, Myers, Gaver

Invited Guests: Chaisson (chair, Benefits), Wilson (chair, Athletics), Levy (assoc sr VP, Research), Barron (CIO), Cherrey (vp, student affairs), Johnson (gen counsel), Mitchell (assoc prov), Farrow (dir, Health Ctr)

Absent Senators: Jones, MacLaren, Marks, Page, Rothenberg, Klingman, Goodwin, Diaz-Thomas, Bunnell, McSwain, Webber, Tasker, Kuczynski, Brancaforte

Introduction of New Senators and Guests
President Cowen introduced Dr. Benjamin Sachs, senior vice president for health sciences and dean of the School of Medicine.

Minutes
The minutes of the October meeting were approved without change.

Elections
Five professors were unanimously elected to the Committee for Review of Faculty Decision Impasses:
Cedric Walker
Larry Powell
John Klingman
Jeff Tasker (replacing David Mullin as nominee)
Alan Miller

President’s Report
The president said that the university was conducting a search for three major positions: dean of the School of Architecture, dean of the
School of Liberal Arts, and chief investment officer. The last position would be filled in early January by Jeremy Crigler, a Tulane graduate, who has been the number two person in the investment office at Cornell University. Prior to that Mr. Crigler had worked in the investment office at Duke. President Cowen said he was delighted to have Mr. Crigler because of his depth and experience. His being a Tulane alumnus was lagniappe.

President Cowen said that undergraduate applications for Fall 2008 exceeded the highest number of applications in Tulane history. At the time of the meeting 27,500 had applied for 1,400 openings. He expected the final number to exceed 30,000. Tulane has already accepted 5,800 students. For perspective, the highest previous number accepted at the beginning of December was 2,300. He said the quality of applicant pool was “spectacular.” The university will probably accept only 1,700 more students. Overall, he said, the incoming class looks excellent for next fall. A number of schools have eliminated early decisions, and he believed that fact affected Tulane’s applicant pool.

Senator Rose asked if Tulane ever had a problem with over-booking. The president replied that the difficult part was estimating what the yield would be. The assumption used in the past was a yield of 20 percent, which would mean accepting 7,000. But given that the credentials of applicants are so good, the yield could be lower, possibly 17-18 percent, which suggests accepting 7,500. If the university then achieved a yield of 20 percent, it would have 1,500 incoming students when it was aiming for 1,400.

Senator Carroll asked whether students who had already been accepted were then bound to make an early decision. President Cowen said no. Tulane, however, was bound to its offer. The university would not know about students’ acceptance until May.

Vice Chair Langston asked what the deadline was for students to apply for admission in the fall. The president said it was around January 1.

Senator Purrington asked whether the university intended to take the same kinds of actions it took last year to reach prospective students and their parents. The president’s response was that, given this applicant pool, the university would work very hard to get as many applicants as possible to come to campus with their parents. He added that the number of those who had already come to campus or attended information sessions on Tulane in other cities was also at an all-time high.

Asked about transfer students, the president replied that the university was still seeking 200 to help fill the gap of the lower class numbers in prior years.

Senator Koritz asked if the administration had any information on the diversity of those accepted. President Cowen said he did not have that information at hand. He could recall only the gender category, in which 55 percent were women.

The president then said the Board of Tulane University would be meeting in December. He previewed the major items for discussion, which included a detailed update on the status of the fund campaign, a review of the recovery of New Orleans and Tulane’s role in it, and an update on the financial condition of the university. In regard to the recovery of New Orleans, the president noted that two thirds of the board members were not from Louisiana. At this board meeting the discussion would focus on crime, health care, and public education. Subsequent board meetings would address neighborhood revitalization and other areas of recovery.

At the conclusion of his report, President Cowen asked for questions. Senator Purrington asked whether the senate had received the information on non-tenure-track hires that it had requested. Senator Carroll clarified that the request was for percentages of waivers in both tenure-track and non-tenure-track categories. Secretary Mackin answered that the information was posted as appendix 2 of the October minutes.

Senator Purrington requested information on the percentage of non-tenure-track teaching faculty by school. The president said the administration would provide that information.

Senator Carroll said she found the information in appendix 2 troubling. The percentage of
waivers given for non-tenure-track hires was 41.6 percent and for tenure-track hires, 26.5 percent. She said that when the senate approved the expansion of the category of non-tenure-track faculty, that approval was based on the assurance of at least a regional, if not a national, search.

General Counsel Johnson said that waivers were approved on the basis of necessity in mission-critical positions. Senator Carroll replied that if the positions were mission critical, that would be all the more reason to conduct a national search.

President Cowen said each individual case would have come up through the appropriate dean's office and been coordinated with the office of institutional equity. Since Senator Carroll had a motion on the topic recently added under new business, the discussion should be postponed to that portion of the meeting.

Unfinished Business

Committee on Educational Policy

Vice Chair Langston presented a second reading of the committee’s proposed change to Bylaw III, Section 2, of the senate constitution to make the dean of Newcomb-Tulane College a non-voting ex officio member of the Committee on Educational Policy. The bylaw change was approved unanimously.

Committee on Research

Associate Senior Vice President for Research Levy reported on the results of the committee's review of the Social-Behavioral Institutional Review Board. The written report had been previously distributed to the senate. She said the review was very productive and useful for both the IRB and the faculty investigators concerned, resulting in improvements to IRB procedures and education of researchers about requirements.

Committee Reports

Committee on Social Issues

Senator Koritz reviewed the responsibilities of the committee and reported that the committee had no items under its purview raised in the past year.

Committee on Budget Review

Senator Schmehl highlighted portions of the committee's extensive written interim report. He said that FY 2007 had been a pretty good year. The university's net assets grew by $247 million, mostly because of an increase in the value of the endowment. On the surface, operating expenses showed a net gain of $123 million, but this figure was distorted by insurance settlements and other sources of payment for hurricane damages. Senior Vice President Lorino had normalized the operating budget to find the actual net of revenues and expenses, and he reported a net loss of $22 million, which was less than the expected loss. Senator Schmehl said the university was doing adequately on cash balances. On the fund-raising campaign, the last numbers he had were from August 3 and showed a total of about $657 million at that time, which indicated that the campaign was on track to make its goal of $700 million.

For FY 2008 so far, the projected deficit is the largest deficit since Katrina, $33 million. The deficit could be less, primarily because of the capitalization of new facilities being constructed at the Primate Research Center. The university is expected to have $36 million in cash at the end of the year.

Other issues the committee dealt with included financial forecasts to anticipate when the university would be in the black again. The committee received a report from the administration on assumptions used for financial forecasting. Tuition is expected to increase at 5 percent per annum, which is typical of our peer group. With those assumptions, FY 2009 is expected to have a $26 million deficit, which would be eliminated by FY 2011. Tuition represents about 35 percent of revenues. Budget assumptions for FY 2009 include a 3 percent merit pay increase for faculty and staff. An additional dollar amount above that for certain schools has not yet been determined. Final budget assumptions will be presented to the senate in the spring for its approval.
Senator Gaver asked whether the rise in tuition of 6 percent in the FY 2009 budget assumptions was related to a change in the discount rate. Senator Schmehl said the rise reflects tuition only. The blended rate, which includes tuition, fees, and room and board, shows a net increase of 4.7 percent. President Cowen added that the numbers were also affected by a difference between undergraduate and graduate/professional programs, which have more flexibility in determining percentage increases as long as they meet a targeted amount per student.

Several senators expressed continued confusion about the percentage increases. Senior Vice President Lorino said that the tuition increases as planned were 6 percent in 2009 and 5 percent in the following years. But Senator Schmehl said those figures again did not reflect the blended rate.

Senator Purrington said that 5 percent increases in tuition result in a doubling period of 14 years. He asked whether that rate was sustainable.

President Cowen said that question goes beyond Tulane University and addresses the situation in higher education in general. He said it was a very good question how long it could continue.

Senator Carroll asked for clarification on the raise pool. Senator Schmehl said the basic rate for the university was 3 percent. On top of that an additional dollar amount would be added that had not yet been decided. The president added that the dollar amount would be used to address compensation issues for both faculty and staff. Provost Bernstein was doing an analysis of the most egregious issues of faculty compensation. That analysis would probably be focused on two or three schools in FY 2009. More schools would be addressed in future years.

Senator Dangler noted that athletics was listed as both a revenue and an expense. She asked what the relationship was between them. Senior Vice President Lorino replied that the assumptions reflected the board-approved plan for athletics, which shows changes in revenues and expenses but a continuing $2-million deficit for athletics as a whole.

Senator Rose asked whether, since the tuition increase was based on comparison with peer institutions, the 3 percent salary increase also was based on that comparison. President Cowen said that the salary increases, especially since the storm, were below Tulane’s peer institutions. Those lower rates of increase had contributed to the problem of compression in salaries and also a lower overall rate of salary increase than he would have liked to see. He said the university had lacked financial flexibility in recent years but would begin to address those problems in FY 2009, 2010, and 2011.

Senator Gaver commented that grants and contracts showed an increase of only 1 percent per year. Senator Schmehl replied that the assumptions reflected a conservative estimate of the university’s indirect cost recovery.

There were no further questions. The interim budget assumptions for FY 2009 were approved unanimously by voice vote.

**New Business**

**Committee on Faculty Tenure, Freedom, and Responsibility**

Senator Hill, committee chair, presented a committee motion that called on each school to re-examine and modify its procedures as necessary to address issues in the areas of school grievance committee status and composition, jurisdiction, and specification of formal procedures [full text of the motion is in appendix 1]. The committee was concerned that variations between the schools resulted in unequal treatment of faculty members. The current period of university reorganization seemed an appropriate time to establish equal protection to all faculty members.

Senator Purrington asked what effect passing the proposed resolution would have. Senator Hill said the schools would then have to examine their procedures and bring them into compliance with the guidelines given.

Senator Lewis said she would like to hear from the smaller schools on how they could accomplish the changes recommended. Senator Hill said the committee recognized differences

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between schools and so proposed general principles to ensure fairness. In developing specific procedures, school faculties could look at what other schools were doing.

President Cowen asked whether the proposal included any deadline by which time the schools would have to provide an answer. Senator Hill said the committee would like to have an answer by the end of the academic year, but didn’t feel comfortable imposing a specific date for compliance.

The committee motion was approved unanimously by voice vote.

Committee on Student Affairs

Senator Pearlmutter, chair of the Committee on Student Affairs, said the proposed tobacco-free campus policy was jointly sponsored by the committee and the Student Health Center [the proposed policy is in appendix 2]. She asked Dr. Farrow, the director of the Student Health Center, to speak on the issue. Dr. Farrow said the proposal was an extension of current policy, previously approved by the senate to enforce state law. The proposal was the result of a year-long process of deliberation by representatives of the committee and the center and also the president’s office and the Health Sciences Center. It is based on a template from the American Cancer Society. The proposal addressed issues of areas of application on campus, sale of tobacco products, accepting money or gifts from tobacco companies, tobacco advertisements, cessation assistance, and enforcement of the policy.

Senator Walker observed that, as written, the policy could prohibit any gifts from a large conglomerate that includes tobacco companies and that contributes to university or student projects. Dr. Farrow said that the intent was to prevent the use of money or gifts to promote tobacco use. Senator Walker replied that the qualifying phrase should be clearly stated.

Senator Balée pointed out that the policy would prevent an individual on campus from giving another individual a cigarette and so seemed an excessive intrusion into individual rights. President Cowen asked whether Senator Balee intended to propose an amendment to the policy. Senator Balée said he moved to amend the proposal to insert the phrase "by tobacco companies" into the first sentence of section 3 of the proposal. The sentence would then read, "The free distribution of tobacco products by tobacco companies on campus is prohibited." His motion to amend was seconded, and the amendment was adopted unanimously.

Senator Walker then proposed an amendment to the first sentence under the second bullet point in section 3 of the proposal to insert the phrase "to promote tobacco products" after the words "money or gifts." That sentence would then read, "University organizations are prohibited from accepting money or gifts to promote tobacco products from tobacco companies." His motion to amend was seconded.

Dean Ponoroff said most companies selling tobacco are diversified, so he was not sure what a "tobacco company" was. But, he asked, if R.J. Reynolds were to make a large gift to an endowment to support a program at the university and to receive a naming right in connection with that endowment, would that be prohibited because it could be viewed as promoting use of tobacco? Senator Walker replied that it would be promoting use of tobacco only if it were the "RJR Smoking Encouragement Endowment." If his amendment passed, it would allow other kinds of endowments.

Dean Buekens asked how one would distinguish whether the company was or was not promoting smoking indirectly. In public health, he said, the requirement is generally not to accept any gift from a tobacco company, so he opposed the amendment.

Senator Desai agreed that promotion of the company would be an indirect form of advertising the tobacco product.

Senator Purrington added that he thought the issue was about accepting ill-gotten gains.

The amendment was then approved by majority vote.

Dean Ponoroff moved to recommit the entire proposal back to the Student Affairs Committee to come up with a definition of "tobacco company" in a way that is determinable based on a percentage of revenues or some such criteria to
resolve the ambiguity in the term that would create later problems of interpretation. Before the motion was seconded, Secretary Mackin suggested that the Committee on Social Issues would be more appropriate to consider this proposal, which affected more than students. Dean Ponoroff agreed and moved to refer the motion to the Committee on Social Issues to determine a definition of "tobacco company." That motion was seconded.

President Cowen then presented the motion to refer with the instructions to define the term "tobacco company" and to consider other suggestions from the whole campus.

Some senators suggested that the senate itself could come up with a satisfactory definition. President Cowen pointed out that if the motion to refer were defeated, that could be the next step. The motion to refer the policy to the Committee on Social Issues then passed by a majority voice vote.

Committee on Educational Policy

Vice Chair Langston, in his role as chair of the committee, presented the committee's proposal to transfer the Payson Center's graduate programs to the Tulane Law School. He explained that after Hurricane Katrina, the Payson Center's doctoral program had been placed in the School of Public Health, while its master of science program was housed in the School of Liberal Arts. This system did not work well for the Payson Center. The center believed that both programs should be in the same school and that its students desired a program distinct from public health. The Payson Center and the law school developed a memorandum of understanding to transfer the graduate programs to the law school. This memorandum was included in the background information provided to the senators before the meeting. He said that the deans of the schools of Public Health and of Liberal Arts both supported the proposal. Vice Chair Langston then invited questions and comments.

Dean Bernstein pointed out that on page 7 of the information provided by the committee, the memo to the law school faculty states that the law school would receive undergraduate tuition from courses taught to undergraduates by the Payson Center. It further states that the fact that the School of Liberal Arts manages the undergraduate program would not have an impact on the undergraduate tuition the law school receives. Dean Bernstein said that the new decentralized model for budgeting has not yet been developed, but the precedent has been that the tuition follows the major, not the credits. So as long as the undergraduate major remains in the School of Liberal Arts, the blanket statements about tuition seem incorrect.

Dean Ponoroff responded that these provisions needed to be understood within the context of the discussions that had taken place. Originally, the proposal had been to move all the center's programs, including the undergraduate major, into the law school. In the process of deliberation, the parties involved decided the structure would be better if the undergraduate program were in the School of Liberal Arts. The effects of that decision had to be explained to the law faculty. As he understood the allocation of resources under the current system, the first portion went to the costs of instruction, and the remainder was allocated 50 percent by credit hour and 50 percent by major. Coordinate majors were not treated as asset-receiving majors because the tuition was allocated under the primary major, so leaving the center's coordinate major under the School of Liberal Arts would not affect tuition allocated to the law school. The law school would receive credit for instructional costs and tuition allocated by credit hours. Of course, he said, the allocation of resources could change with changes in administration budgeting policy. The statement in the memo, however, addressed the policy as it stood at the time, pending development of a new budgeting model. Leaving the undergraduate major in the School of Liberal Arts would not have immediate financial consequences for the law school.

Vice Chair Langston added that even if some of the statements in the supporting documents were not precisely accurate, those statements were not reproduced in the memorandum of understanding, which was the basis for his
committee's recommendation for approval of the transfer.

Senator Carroll noted that page 6 of the document referred to the Payson Center's use of adjunct faculty. She asked what the percentage of adjunct faculty was. Vice Chair Langston replied that he did not know the percentage in relation to hours taught, but he could give information about the faculty composition of the center. The center had five full-time senior faculty members, who were all tenure track before the storm. Two were now full-time visitors, soon, perhaps, to become full-time research faculty. The center also had four junior members who were full-time research faculty. These nine constituted the core faculty of the center. In addition, some 40 affiliated faculty from various schools had expressed an interest in working with the center, of whom 12 to date had either taught for the center or supervised dissertations and theses. If the transfer were approved, one additional tenure-track faculty member would be appointed in the law school with expertise in a legal area related to international development.

Senator Carroll pointed out that, because research faculty positions are not tenure track, the majority of the faculty in the center would not be tenured. She then asked why the steering committee described in the memorandum of understanding did not specify a representative from the School of Liberal Arts as a non-voting member, given that the school managed the undergraduate major. Dean Ponoroff replied that the memorandum did not specify, but he expected the two non-voting members to be from the schools of Public Health and Liberal Arts. Senator Carroll noted that the result could be that the School of Liberal Arts had no representation on the steering committee.

Vice Chair Langston concurred with her observation that, as the memorandum was currently written, the result she feared could occur. In response to her earlier point on the lack of tenurable faculty, he said that Dr. Eamon Kelly, who had agreed to continue as director of the center, intended to find tenure-track appointments in other schools for some members of his research faculty.

Senator Carroll then moved to amend the committee's recommendation of the transfer with a stipulation that a non-voting member of the steering committee be from the School of Liberal Arts. Her motion was seconded.

Dean Ponoroff said he was willing to accede to the amendment because he believed that was the intention all along, but he would probably abstain because he thought that level of micro management of a program just getting off the ground was inappropriate. Senator Carroll replied that the position was non-voting and the School of Liberal Arts was providing considerable support to the program. She suggested that both the graduate and undergraduate programs would gain from the exchange of information.

Provost Bernstein asked why the senate would want to tie the requirement to a specific school when the memorandum already includes the key phrase that specifies expertise in international development as a qualification for the non-voting members. Although unlikely and certainly undesirable, the possibility existed that at some time in the future the School of Liberal Arts would have no one available to fill that position. In response, Senator Carroll said she could not foresee a case in which a school has a major but no faculty members with expertise in that area.

Vice President Barron, who was involved in developing the agreement as a representative of the law faculty, said that he thought it very likely that a liberal arts representative would be on the steering committee, but that the structure of the committee could change within a few years. As a suggestion, including a liberal arts representative was not a problem. But by making it a stipulation, the senate would be dictating to a school how to run its own program. Senator Carroll said that the senate was already mandating the composition of the voting members of the committee.

Vice Chair Langston interjected that the committee recommendation for transfer was based in part upon the strong degree of accountability to the faculty of the law school contained in the memorandum of understanding. The memorandum indicated that the law school was eager to have the Payson Center and was willing
to fulfill its responsibility to oversee the center.

Senator Koritz said she saw the issue as not being about the School of Liberal Arts, per se, but about the fact that the law school does not have an undergraduate program and so could benefit from having an undergraduate representative on the steering committee.

Dean Ponoroff said that the point Senator Koritz raised was the reason the decision was made to leave the undergraduate major in the School of Liberal Arts. The law school had some experience with undergraduates but not commensurable to the experience of the schools of Liberal Arts or Science and Engineering. If the concern were about the undergraduate major, it should be laid to rest by the fact that the major will continue to exist in the School of Liberal Arts. For the graduate program, the criteria should be related to expertise, as the provost had said, not to school affiliation.

After this discussion, the amendment was approved by a majority voice vote. The amended committee motion then read, "that the senate approve the transfer of the Payson Center's graduate program to the School of Law, with the stipulation that one non-voting member of the steering committee be from the School of Liberal Arts."

Senator Landry asked whether the Payson Center's graduate program would be overseen by the Graduate Council. Vice Chair Langston said it would and added that the Committee on Educational Policy included in its report the understanding that the provost would conduct periodic reviews of the center's graduate program.

The committee's motion as amended was then put to a voice vote and passed unanimously.

Undergraduate Student Government

Senator Edgens presented a resolution from the USG that called for adding the category "gender identity/expression" to the university's anti-discrimination policies. Secretary Mackin explained that, at the last senate meeting in the spring of 2005, the Committee on Equal Opportunity reported that it would be considering this same issue in a committee meeting a few weeks after the senate meeting and would report its recommendation to the senate that fall. That fall was the Katrina semester, so the issue disappeared from view.

Senator Myers said the Equal Opportunity Committee had met the week prior to this senate meeting and endorsed the proposal of the USG. The senate then approved the USG proposal unanimously by voice vote.

Senator Carroll then offered a motion to refer the report on waivers in the faculty hiring process to the Committee on Equal Opportunity and the Committee on Faculty Tenure, Freedom, and Responsibility to review and report their findings back to the senate.

Vice Chair Langston said that the Committee on Equal Opportunity was already in the process of reviewing the information in the report and other matters related to hiring. He recommended the senate wait for the results of that review. Secretary Mackin added that when the committee made its report, Senator Carroll could move to refer the report to FTFR if she thought the issues warranted that committee's consideration. Senator Carroll then withdrew her motion without objection.

The senate then adjourned to executive session to consider the report of the Committee on University Honors.

Respectfully submitted,
Jim Mackin, Secretary

Secretary's Note: All written reports mentioned in the minutes will be available on the senate Web site, http://www.tulane.edu/~usenate/.
Appendix 1, FTFR Committee Report on Grievance Procedures

As reported to the Senate at its February 2007 meeting, FTFR has noticed that a wide range of grievance procedures currently exists among the various Schools of Tulane University. While some Schools have excellent procedures, others have practically none at all. There is also variation in terms of the kinds of grievances that may be heard at the School level. The net effect of this variation is unequal treatment of faculty in the different Schools which also can result in differential access to FTFR. At a time of University re-organization it seems appropriate to establish a basic uniformity of grievance procedures across the component Schools.

As per the Senate resolution of February 5, 2007, FTFR has reviewed the current grievance procedures for the different Schools and submits the following recommendations that, if adopted by the Schools, will provide much more uniformity of practices, thereby affording more equal protection to their respective faculties.

FTFR recognizes that there must inevitably be some variation across Schools. Accordingly, many of the recommendations state only that some topics must be specified in grievance procedures, without FTFR making recommendations as to content. In other cases, FTFR does make specific recommendations, based on what appear to the Committee as best practices already in place among some Schools.

FTFR also notes that some Schools already have grievance procedures that deal with most of the issues addressed below. Thus, there already exist models to which Schools wishing to modify their existing procedures may refer.

Resolved: Each School shall re-examine and, where necessary, modify existing grievance procedures with an eye to the following issues:

I. Grievance Committee status and composition

- Specify as a standing committee of the School.
- Eligibility – specify who may serve. FTFR recommends tenured faculty only, excluding Deans, Assistant Deans, and Associate Deans.
- Size – specify how many members.
- Selection – FTFR recommends an elected body.
- Selection of chairperson – FTFR recommends election by Committee members.
- Representation – specify how component departments or other divisions of the School faculty will be represented on the Committee?
- Recusal clause – FTFR recommends that any Committee member who is a party to a grievance, a member of the School's P&T Committee, and any other member of the Committee who feels that he/she cannot be impartial recuse him/herself.
- Alternates – specify method for providing replacements to constitute a quorum in the event of a recusal.
II. Grievance Committee jurisdiction

- Jurisdiction **CANNOT** be denied based on a Committee's inability to provide specific relief. Rather, a Grievance Committee's function is to receive complaints, conduct hearings, make findings of fact, and make recommendations.

- Specify the types of grievances to be heard – FTFR recommends at a minimum any grievances arising from the tenure process, academic freedom, and academic responsibility.

III. Specification of formal procedure

- Specify procedure for attempt at informal resolution prior to registering a formal grievance.
- Specify eligibility to register a grievance – FTFR recommends any faculty or instructor
- Initial registration of complaint – FTFR recommends written registration with sufficient detail for the Committee to proceed.
- Specify all communications, hearings, deliberations as confidential.
- Committee determination of jurisdiction in accordance with School Constitution (where applicable).
- Hearings and Deliberations within specified time period.
- Notification of principals as to hearing date in writing within specified time period.
- Legal representation – FTFR advises against it.
- Faculty advisor – FTFR recommends it, especially for junior faculty. Though such advisors should not address the Committee directly.
- Specify records kept and medium.
- Specify minority report mechanism.
- Report of findings and recommendations to principals and dean within specified time period.
- Specify right of appeal to FTFR.

For the FTFR Committee,
Robert M. Hill II
Chair
Appendix 2, Tulane Tobacco-Free Campus Policy

Tulane University has a responsibility to its employees and students to provide a safe and healthful environment. Research findings show that tobacco use in general, including smoking and breathing second-hand smoke, constitutes a significant health hazard. Second-hand smoke, also known as environmental tobacco smoke, is a Class A carcinogen. Its many detrimental effects on health are well established and include triggering asthma attacks, causing lung cancer, and causing cardiovascular and lung diseases. In addition to causing direct health hazards, smoking contributes to institutional costs in other ways, including fire damage, cleaning and maintenance costs, and costs associated with employee absenteeism, healthcare, and medical insurance.

For the purposes of this policy, smoking is defined as burning any type of tobacco product, including, but not limited to, cigarettes, cigars, cigarillos, pipes, bidis and hookahs. Smokeless tobacco products are also prohibited in all circumstances where smoking is prohibited.

Tulane University therefore has set the following policy regarding tobacco on its campuses:

1. University Properties

- Smoking is prohibited in all campus buildings and outside in areas of the campus where non-smokers cannot avoid exposure to smoke. Specifically, smoking is prohibited in all campus buildings, including classrooms, lecture halls, laboratories, offices, work areas, study areas, reception areas, meeting rooms, lobbies, stairwells, eating areas, lounges, and restrooms. Furthermore, smoking is prohibited in all partially enclosed areas such as covered walkways, breezeways, and walkways between sections of buildings, parking garages, and bus stop shelters; areas immediately adjacent to building entrances; and exterior stairways and landings.

- Smoking is prohibited in all Tulane University residential facilities, residence halls, and apartments.

- Smoking is prohibited up to 20 feet outside any enclosed area where smoking is prohibited to ensure that 2nd hand smoke does not enter the area through entrances, windows, ventilation systems, or any other means.

- Organizers and attendees at public events, such as conferences, meetings, public lectures, social events and cultural events, using Tulane facilities will be required to abide by the University tobacco policy. Organizers of such events are responsible for communicating this policy to attendees and for enforcing this policy.

- Smoking is prohibited in all Tulane University vehicles.
• Smoking is permitted on campus in designated areas only.

2. Sale of Tobacco Products

• The sale of any type of tobacco on campus is prohibited. This includes the delivery of tobacco products to campus by means of delivery services of any kind.

3. Accepting Money or Gifts from Tobacco Companies

• The free distribution of tobacco products on campus is prohibited.

• University organizations are prohibited from accepting money or gifts from tobacco companies. This includes parties sponsored by tobacco companies and allowing them to distribute free, reduced-price, or fully priced tobacco products or paraphernalia (t-shirts, hats, etc) on campus.

4. Tobacco Advertisements

• Advertisements for tobacco products or ads paid for by tobacco companies are prohibited in all of Tulane University-run publications, including newspapers and magazines.

• All tobacco advertising in public spaces, such as billboards and signs in sports stadiums is prohibited. Accepting revenue for advertising tobacco products is prohibited.

5. Tobacco Use Cessation Assistance

• The Student Health Center will provide smoking cessation clinical interventions for students and publicize and promote on-line, Internet, and telephone hotline smoking cessation programs for faculty and staff.

• Tulane University will provide access to tobacco cessation aides at a discount to all faculty, staff and students at the Student Health Center pharmacy.
Enforcement

Effective implementation of this tobacco policy depends upon the courtesy, respect, and cooperation of all members of the Tulane University community. Complaints or disputes should be brought to the attention of the University employee who has immediate responsibility for the workplace, event, or residents, or to his/her supervisor. If satisfactory resolution is not reached, the Director of Environmental Health & Safety should be consulted. Infractions of this policy may result in a warning or a citation.

- The Office of Housing and Residence Life is responsible for enforcing and implementing sanctions in residence halls and other student residential facilities such as apartments.

- The Tulane University Office of Public Safety will work with the Deans and Provost's Office and Human Resources to enforce and implement sanctions on the remainder of the campus, but are not excluded from enforcing the policy in student residences. Those found in violation of the policy shall receive a citation and may be fined.