

**Faculty Senate
Rights and Responsibilities Committee
Agenda**

November 14, 2016

Weiling Zhuang, Debbie Whalen, John Fitch (Co-chair), Nicola Mason (Co-chair)
(Absent: Norman Powell and Nancy McKenney)

1. Approval of Minutes from October 20, 2016 Meeting

Unanimous approval

2. Ombud Search Update

Discussion of policy for ombud. Committee strongly approves the creation of a policy that includes the definition and expectation of the position.

3. University "All Faiths" Calendar?

Discussion of the intent to be more inclusive but may also send a wrong signal

Need to talk to religious leaders on campus

Could serve as a resource for faculty

Weiling: investigate how many students from different countries

Givens: if your faith is not included please contact this office

Deb: chapel meditation and diversity officer, Tim Forde

Present suggestion to XC committee

4. Ruling on Faculty Senate Regent "no confidence" vote: suppression of 1st Amendments rights?

Several colleagues reviewed case law (a vote of no confidence is a constitutionally protected element of free speech)

Free speech rights of the faculty senate

Discussion on possible actions R&R could take: send a letter to Dana Fohl (university council) for clarification

Whalen: are we objecting to senate ruling? Don't like the dialog of striking things from the minutes. Striking it from the records doesn't mean it disappears - you just strike out the words.

Fitch: requested the ruling in writing (minutes have still not been approved)

Committee agreed to draft a letter - then call a special meeting

Motion to draft left (Whalen 1st, Mason -2nd)

Adjourn: 13:56 Mason/Fitch



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EKU Faculty Senate
Rights & Responsibilities Committee
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MEMORANDUM

TO: Dana Fohl, Office of University Counsel and Compliance

FROM: Faculty Senate Rights & Responsibilities Committee
John Fitch (Co-Chair), Nicola Mason (Co-Chair), Deborah Whalen, Weiling Zhuang

SUBJECT: Request for clarification on Faculty Regent no confidence ruling at Faculty Senate, November 7, 2016

DATE: November 14, 2016

The Faculty Senate Rights and Responsibilities Committee would like to express our concern that the Faculty Senate's first amendment right of free speech has been impinged by the ruling of the Faculty Senate chair on the vote of no confidence at Faculty Senate, November 7, 2016. The chair ruled that the motion of no confidence in Faculty Regent Richard Day was a violation of state law based on the opinion of University Counsel.

It is our understanding that a vote of no confidence is constitutionally-protected free speech. Please supply the opinion referenced by Chair Shirley O'Brien to the Rights and Responsibilities Committee.

