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Georgia Southern University Statement on Harassing and Threatening Behavior

Submitted by: David Dudley

6/10/2003

**Motion:**

The Faculty Welfare Committee moves that the Faculty Senate adopt the attached statement on Harassing and Threatening Behavior and provide for its widest possible dissemination throughout the University community.

**Rationale:**

The Faculty Welfare Committee is acting at the request of the Faculty Senate.

**Senate Response:**

2/12/2003: A series of motions from the Faculty Welfare Committee; two of those motions were on the agenda. Two other motions having to do with physical and verbal harassment were sent back by the SEC to the Faculty Welfare Committee to come up with more specific proposals for the Senate before they come to the floor.
6/25/2003: David Dudley’s Motion to Approve Statement on Harassing and Threatening Behavior Dudley (CLASS, Chair of the Faculty Welfare Committee) said the statement’s purpose was not to define harassing or threatening behavior, but to let people on campus know that, under such distress, they have recourse via the resources listed in the statement. He noted that appended was a list of venues for the widest possible dissemination of the information. He moved that the Senate approve the statement and its wide distribution. Seconded.

Senate guest Marcia Jones of the Office of Institutional Compliance questioned the Senate’s prerogative to promulgate a policy that impacts the whole campus, including students. She also noted that the list of resources left out the Division of Human Resources.

Flynn (CLASS) asked for a definition of “harassing and threatening behavior” since the document left it as “something perceived by a potential victim.” Flynn found it “troublesome to have a policy on something that you don’t define.” Dudley replied that such definitions were available at sites listed at sites listed in the statement; he felt “perception” was appropriate so someone wouldn’t perhaps dangerously hesitate before seeking counsel, and noted that such counsel might well reveal that no threat or harassment existed.

Cyr (CLASS) noted that definitions of various kinds of harassment are extant, but not “threat,” and it was the phrase “perceived level of threat,” excluding harassment, that the statement used as the index for prompting action and for which resource a person should turn to. As an example of such perception difficulty, he noted an instance of someone in his own department complaining about his use in a memo of “violent” language; he noted his language had been a slight paraphrase of that noted avatar of violence, Jesus Christ.

Dudley noted the impetus for the charge to his committee had been a threat made against a person, something like “If I go down, I’m taking you down with me.”

Guest Jones suggested some slight modifications of definitions on the Institutional Compliance website could well obviate the perceived need for this statement. She further noted that each site on the list of potential venues for distribution already contains current harassment policies, with the exception of the Faculty/Staff Directory, and she questioned the appropriateness of that last venue for this mission. Krug (CLASS) argued the statement and its distribution were still needed to direct people to these resources. Flynn (CLASS) suggested putting institutional definitions of harassment in the preamble leading to the list of resources; without such definitions, he
felt a “can of worms” was being opened. Guest Jones offered to include a broader definition in her office’s published material, and again questioned the Senate’s purview in this arena.

President Grube noted that in this area we are dealing with federal and state statutes, and hence are on tricky ground re: institutional language. He further noted that First Amendment and Freedom of Speech issues are involved. Dudley noted his frustration that he and the Welfare Committee had worked a whole year and still didn’t know what the SEC and Senate wanted.

Cyr (CLASS) suggested that an option for a committee was to recommend, after deliberation, that no action be taken on a particular motion. Krug noted that she had initiated the charge to the Welfare Committee because the person involved in the perceived threat situation had not known what avenues were open to her. Krug also noted “threat” and “harassment” are defined already by government.

President Grube confirmed this, but noted the person in question had been directed to the proper recourse resource but wouldn’t go through the process required by that avenue. Krug had heard a different version of events, and still argued for publication of the statement and its recourse resource list.

Cordelia Douzenis Zinskie (COE), a member of the subcommittee that wrote the statement, backed up Dudley’s plea of frustration and lack of clear Senate direction. She noted the research they had done, the difficulties they ran into, and suggested the document be accepted as is or the task be taken off the committee’s back. Guest Comerford also favored the document, and suggested adding the Counseling Center to the recourse resource list. Rice (COST) also supported the document. The motion was approved.