

Report of the Gender and Diversity Committee to Faculty Council
February 19, 2010

On January 19th Fr. Niehoff met with the members of the Faculty Council's Committee on Gender and Diversity (Present were: Simran Kahai, Gwen Kinebrew, Jen McWeeny, Naveed Piracha, Jeanne Somers, Nancy Taylor, Chair). Academic Vice President John Day and Vice President Jonathan Smith were also present.

The purpose of the meeting was to discuss Fr. Niehoff's response to the October 2008 faculty resolution on non-discrimination of persons based on sexual orientation.

Fr. Niehoff indicated that the resolution was discussed by three Board Committees: Student Affairs, Academic Affairs, and the Executive Committee. He explained that the Executive Committee did not move the resolution, or any other action on the non-discrimination statement, to the full Board agenda. It was also pointed out that an attorney serving on the Board indicated there are no federal or state mandates requiring inclusion of sexual orientation in an institutional non-discrimination statement. Fr. Niehoff noted that, in addition to his consultation with the Board, he talked with the presidents of other institutions and studied recent statements of the National Conference of Catholic Bishops. All are clear that discrimination on the basis of sexual orientation is unjust.

The President recalled that, in his early days at John Carroll, he was an advocate for including sexual orientation in the university's non-discrimination statement but soon realized that an explicit statement of this kind might not be accepted in a conservative state like Ohio. He said that other AJCU institutions that have included sexual orientation in their non-discrimination statement did so in compliance with state law. He expressed concern about making this change without reference to any legal requirement, an action which could have a negative impact on our already fragile enrollment..

He expressed deep concern about the climate for John Carroll's LGBT faculty, staff, and students, especially in our residence halls. Throughout his time here, he has continually informed new faculty and the Allies group that he would not discriminate on the basis of sexual orientation. He said he had hoped the McCourt-Hagedorn report might trigger change. He noted that the Diversity Task Force's report, which he indicated would be distributed in the next few days, presents another opportunity to work toward a more inclusive campus. He highlighted the Diversity Task Force's recommendation that we do a better job of raising students' awareness of the need to establish a culture of inclusion and diversity. He expressed the opinion that students guilty of discrimination should be subjected to the disciplinary process.

He noted that he "owed the faculty a response," proposed the alternative of a community standards statement, and shared a draft based on the Xavier statement of community standards. He asked the Gender and Diversity Committee to be proactive in developing a strategy for making John Carroll and inclusive campus.