



JOHN CARROLL UNIVERSITY
Office of the President

January 27, 2010

Dr. Paul Shick
Chair, Faculty Council

Dear Paul,

Prior to and following the Faculty Council approval of the *Faculty Council Resolution for non-discrimination of persons based on sexual orientation in the workplace* (undated in the copy submitted to me last fall), I have engaged in a series of conversations and consultations with faculty, staff, JCU Board of Director members, three JCU Board committees, alumni and the JCU vice presidents. At the same time I have continued my consultation with other Catholic University presidents in Ohio and beyond.

After considerable research and review of my own, and consulting the *Study of Non-Discrimination Policies: Jesuit and NOCHE 4-year Colleges and Universities (2008)* document which accompanied the resolution, I specifically consulted with Xavier University because of its Ohio location. I shared the JCU Faculty Council Resolution and asked about the Xavier non-discrimination statement (identified in the study as a Jesuit University in Ohio which included sexual orientation in its non-discrimination statement). Our current JCU non-discrimination statement is similar to Xavier University's and other Catholic institutions in Ohio, which complies with Federal and Ohio State government statutes and is the statement mandated by the US Department of Education for institutions which receive federal student aid funds. I discovered that Xavier has not amended their non-discrimination statement to include sexual orientation but did create a strong community standards statement that specifically addresses the discrimination and inclusion concerns of the GLTB community. Based upon the conversations and consultation I have had as mentioned above, I cannot approve the Faculty resolution to expand the non-discrimination statement. At the same time, I feel strongly that the John Carroll community would benefit from establishing a community standards statement much like Xavier's.

Last week, I met with members of the Faculty Council Gender and Diversity committee and shared with them the concerns that some of our community shared with me regarding the resolution. I also took some time to put into context both my discussions and the actions I have taken over the last few years to help make John Carroll a more inclusive campus community.

In early February, I will be sharing with the campus community a draft of a John Carroll Community Standards Statement. This draft statement places discrimination toward our brothers and sisters within the context of our Catholic Jesuit history and tradition and says in part:

It must be recognized that gay, lesbian, bisexual, or transgender people and those questioning their sexual identity constitute one vulnerable population within the University Community. Hence, this University states unequivocally that gay, lesbian,

bisexual, or transgender students, faculty, staff, administrators, and alumni are welcome members of the University community, as the children of God they are.

The Catechism of the Catholic Church states:

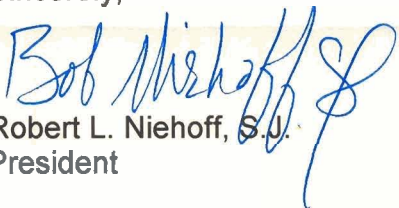
“They [gay, lesbian, bisexual, or transgender people and those questioning their sexual identity] must be accepted with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided.” (Catechism of the Catholic Church, Second Ed, 2358)

My plan is to share the draft community standards statement with the John Carroll community and to encourage discussion about it. It is important that the statement be rooted in our Catholic Jesuit tradition. I would hope to promulgate this community standards statement later this semester with the support of the campus community.

Let me take this opportunity to remind the Faculty Council that there is work to be done to ensure fairness in faculty hiring, promotion and tenure. As I noted to the Committee on Gender and Diversity, a number of concerns were raised three years ago by senior women faculty members regarding fairness in the hiring, promotion and tenure processes. As the senior women faculty requested, we invested in a consulting agreement with two well respected individuals to meet with JCU faculty, review our practices, policies and processes, and make a recommendation regarding how John Carroll Faculty could ensure that our processes treated all faculty fairly. The recommendations of the consultants are based upon practices and policies in place at most, if not all, of our peer institutions. It is certainly my hope that the John Carroll faculty will grow more diverse and inclusive in the coming years and the appropriate changes and adjustments of faculty policies will be made to assist this process and ensure fairness and equity for faculty. We owe it to one another, and to our more diverse student body, to build a more diverse faculty and staff. Our policies must reflect this desire.

I look forward to promulgating the Statement of Community Standards this semester following consideration by faculty, staff and students.

Sincerely,



Robert L. Niehoff, S.J.
President

CC: Dr. Nancy Taylor, Chair, Gender and Diversity Committee, Faculty Council
Cc: Dr. John Day, Academic Vice President