

**THE UNIVERSITY OF ALABAMA IN HUNTSVILLE
FACULTY SENATE**

**Senate Resolution 12/13-02 : Improved Integrity for Communicable
Diseases Information**

Bill History: 10/20/11 Before FSEC, Passed at First Reading
10/27/11 Before Senate for Second Reading, Further Action Deferred until Jan. 5, 2012 Meeting
1/5/12 Before Senate again at Second Reading, action deferred until April meeting
5/10/12 Back before Senate for Second Reading (adjourned Apr meeting before consideration)
1/24/13 Passed unanimously at Second Reading
1/24/13 Senate Bill 361 → Faculty Senate Resolution 12/13-02

WHEREAS, The University solicited comment from the Senate on an updated Communicable Diseases Policy that was approved already by Campus Counsel and the Emergency Management Coordinator; and

WHEREAS, Many faculty believe that this policy needs additional revision as well as time for deliberation; and

WHEREAS, Certain terms in the policy have the potential to be interpreted in an overly broad way (for example: “diseases posing a **significant threat ... to health**”); and

WHEREAS, The Dean of Students is tasked in the policy to implement it, yet that individual has not been previously viewed as being responsible to the Faculty or directly involved with decisions directly, substantially impacting faculty life; and

WHEREAS, The policy in the long term may allow the Dean of Students and other officials not part of the faculty members' job-reporting chain to acquire information about faculty members' illnesses, including matters which some faculty view as deeply personal, and

WHEREAS, The policy allows faculty members to be excluded from work until a physician's statement is provided about treatment, and that the faculty member obtain indicated follow-up treatment by a physician (Sections G and H), without there being any exceptions for reasons of conscience

WHEREAS, The policy directs individuals have a duty to report others believed to have any disease potentially covered by the broad description of disease in the policy

NOW THEREFORE BE IT RESOLVED:

That the policy be reworked to include (1) a less broad definition of communicable disease, with that rework to include more input from faculty, including health care faculty, (2) a time limit of a very small number of years that a disease incident can remain on file, (3) a requirement that on an annual basis, each faculty member will be notified if information about the faculty member was reported in the prior year, what information was reported, which individuals came into contact with that information, and given the opportunity to add a statement to the file. Any submitted statement by a faculty member must become part of the file and be attached to the disease incident report as long as the report is maintained.

AND BE IT FURTHER RESOLVED:

That no University records maintained in keeping with this policy be stored out of the State of Alabama, to allow ready legal action (avoiding international or out-of-state courts) and to increase the capability for privacy protection to any faculty member. This restriction precludes storage of the information in a digital form, unless that digital form is strictly kept within this State.

AND BE IT FURTHER RESOLVED:

That the position Dean of Students have more accountability to the Faculty, in part by annually reporting in writing to the Faculty Senate by January 31 of: (1) the number of faculty who had communicable diseases that resulted in the collection of information, (2) a detailed explanation how that information was safeguarded in the prior year, (3) a detailed explanation of all individuals who came in contact with any identifying information about any faculty member reported to have a communicable disease, and (4) when that information will be destroyed. This reporting requirement is to be enforced by the Provost by incorporation of it into an annual list of tasks each Dean of Student is expected to perform.

AND BE IT FURTHER RESOLVED:

That no faculty member be discriminated against in his/her ongoing employment for having a communicable disease.

