

## **Senate Committee on Student Affairs (SCSA)**

**April 5, 2017**

### **Minutes of the Meeting**

*These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes reflects the views of, nor are they binding on, the senate, the administration, or the Board of Regents.*

**[In these minutes:** Office of Equal Opportunity and Affirmative Action; The Aurora Center; Student Conflict Resolution Center; Discussion and Vote on SCSA System Campus Student Mental Health Letter]

**PRESENT:** Bri Keeney (chair), Megan Sweet, Kendre Turonie, Thomas Bilder, Susan Mantell, David Blank, Cody Mikl, Michael Stebleton, Prashasti Bhatnagar, Michelle Jesse, Jethro Land, Runsheng Ma, Emma Olson

**REGRETS:** Chuddy Emukah, Emily Lekah

**ABSENT:** None.

**GUESTS:** Tina Marisam, director and Title IX coordinator, Office of Equal Opportunity and Affirmative Action (EOAA); Katie Eichele, director, The Aurora Center; Michael Huyen, assistant director, Student Conflict Resolution Center (SCRC)

**OTHERS:** Julie Christensen, deputy chief of staff, Office of the President; Lyle Peterson, policy coordinator, Office of the President; Lisa Erwin, vice chancellor for student life, University of Minnesota Duluth (UMD)

Chair Bri Keeney welcomed the committee and members introduced themselves.

**1. Office of Equal Opportunity and Affirmative Action -** Keeney welcomed Tina Marisam, director and Title IX coordinator, Office of Equal Opportunity and Affirmative Action (EOAA), to discuss the Title IX process and resources available. Marisam began by noting that when there is a report of an incident involving sexual assault, harassment, stalking, or relationship violence, EOAA reaches out to the impacted person, offers them resources and accommodations, and informs them that EOAA is available to investigate the incident. At this point, some students choose not to move forward in the process; in these cases, Marisam said, EOAA respects the wishes of the impacted student unless there is a threat to campus safety. If the student wants an investigation, EOAA will contact those involved, identify witnesses, and conduct interviews. Both parties are encouraged to have an advisor, noted Marisam, either from the Aurora Center or the Student Conflict Resolution Center. EOAA's role is to determine if there was a University policy violation, using a "more likely than not" standard, as prescribed by the federal government. All those who conduct investigations are attorneys, noted Marisam, and once the initial report is completed, it is then analyzed by EOAA, and often more investigating will be done. Once completed, the final report is sent to the Office of Student Conduct and Academic

Integrity, who assigns sanctions; if students elect to have a hearing rather than accept the sanctions, one takes place. The final decision of the hearing can be appealed to the provost, and then to the State Court of Appeals if necessary. Marisam reported that the University of Minnesota offers more due process than any other institution in the Big 10, though the institution is always working to improve processes.

Susan Mantell asked if EOAA assigned sanctions. Marisam responded that the Office of Student Conduct and Academic Integrity assigns sanctions, not EOAA, as they have the expertise in this area.

Marisam noted that if an incident is reported to both the University and to the police, separate investigations with different burdens of proof may then take place; the University, in following federal guidelines surrounding Title IX, has a “more likely than not” burden of proof, while the police must prove “beyond a reasonable doubt.” For this reason, a University investigation may go forward even if a police investigation does not.

Keeney asked what Marisam thought may change regarding Title IX requirements with the new federal administration. Marisam responded that the federal guidance that is in place for Title IX may be pulled back by the new administration, or there may be a new evidentiary standard. Title IX coordinators need to explain and justify the current process, she said; many are waiting to see what changes, if any, will take place.

**2. The Aurora Center** - Keeney introduced Katie Eichele, director, The Aurora Center, to discuss resources available for victims of sexual assault, harassment, stalking, and/or relationship violence. Eichele reported that The Aurora Center is nationally recognized, and currently serves the Twin Cities Campus and Augsburg College. The Aurora Center offers a 24-hour help line, medical advocacy, help filing orders of protection, attending criminal or civil court with clients, and support groups. The center focuses on positive prevention as well, noted Eichele, including empowerment, masculinity, consent, and bystander prevention programming. This fall, she said, The Aurora Center launched a campaign called the Power of Respect, which sent the message that sexual violence comes from a place of power and control. The Aurora Center helps to develop student leaders, training over 100 student volunteers, reported Eichele. Cases the center deals with are usually student-on-student, though they may occasionally receive cases that involve others (family members, for example).

Thomas Bilder asked if The Aurora Center provided system-wide support to students. Eichele responded that direct services were offered to Twin Cities students only, but that the center consults nationally.

Cody Mikl noticed that on The Aurora Center website, it stated that 23.5% of students were victims of some sort of sexual violence, and he asked how the University could work to lower that number. Eichele replied that prevention and response work together, and that the campus has worked hard to improve policies and resources for students, constantly moving toward a stronger response. Equity and accountability can feel to some like oppression, said Eichele. Prevention of

these incidents is becoming a national focus. Examples of ways that The Aurora Center has worked to increase its prevention efforts includes working with the School of Public Health to offer a one credit online human sexuality course, and developing an online required training module for students. Eichele noted that students want help to build conflict resolution skills, resulting in peer-to-peer accountability; it is helpful to encourage early intervention with supervisors, undergraduates, and graduates.

Michelle Jesse asked where the majority of The Aurora Center's cases come from. Eichele responded that most are undergraduate students, who find the center via the Haven online module, from partnerships with International Student and Scholar Services (ISSS) or Housing and Residential Life, word of mouth, or through student volunteers.

**3. Student Conflict Resolution Center** - Keeney introduced Michael Huyen, assistant director, Student Conflict Resolution Center (SCRC), to discuss the process and resources available for students accused of sexual assault, harassment, stalking, or relationship violence. Huyen reported that within its peers, the University has the best process nationally for accused students. When a student is accused of a policy violation, like sexual misconduct, they are sent a letter, directing them to contact SCRC for assistance. Approximately 15% of the cases SCRC deals with are sexual misconduct cases, said Huyen.

SCRC can help students navigate through this process and provide support through student advocates, of which the office employs three. Student advocates are law students who work an average of eight to ten hours per week on an on-call basis as need arises, reported Huyen; the average tenure of a student advocate is 12-14 months, resulting in a loss of institutional knowledge, which can be challenging. Training for student advocates consists of on-the-job training and shadowing more experienced advocates. The advocate's role is consultative and discussions confidential; after learning about the issue from the accused, the advocate educates the student on procedures, including the timeline of any hearings or appeals, or what will happen if the student accepts sanctions. Many students are only involved in this process once, said Huyen, and the role that advocates play is important in helping students to prepare. Advocates will prepare the case for the accused student if they request a hearing, and present for them at that hearing, reported Huyen. They set expectations, give context, and advise students on what precedent is.

Why are advocates important, Huyen asked?

- To safeguard the due process rights of the accused;
- To make the process sustainable and get better results;
- To help keep attorneys out of the process and keep the case with those invested in student development and safety;
- To make the process easier on all parties.

Mikl asked if SCRC coordinated with EOAA on these cases. Huyen said that yes, the offices regularly communicate.

Susan Mantell asked if three advocates was a sufficient number to offer adequate support to accused students. Huyen responded that most times, yes, this is a good number of advocates, though the limited number does mean that advocates don't have time to go to committee meetings like this one and have a seat at the table. Having one FTE or even a part time position would be helpful, he said; currently, advocates are funded from student service fees, and advocates are paid hourly.

Mikl asked why a decision might be overturned after a hearing. Huyen replied that SCRC pursues appeals based on the the Student Sexual Misconduct Subcommittee (SSMS) decisions.. Any breakdowns in procedure or new information may cause SSMS decisions to be overturned.

Mikl asked why this process was inaccurately described in the press during the recent Gopher Football player hearings. Huyen responded that the University should continue to do all it can to highlight the parallel processes of the city and state and of the University.

**4. Discussion and Vote on SCSA System Campus Student Mental Health Letter** - Keeney asked members to comment on the [draft letter](#) to the Budget 5 calling for increased resources to be allocated to system campuses to support student mental health offerings, and to University Services requesting evaluation of the Washington Avenue Bridge to provide barriers for suicide prevention. Keeney noted that it was very clear from conversations with administrators that there is good work happening on all of the campuses, though resources are a concern.

Emma Olson said she was supportive of adding a full time counselor at the University of Minnesota Duluth (UMD), as requested in the letter. Michelle Jesse asked why requests for FTE positions were only noted in the section for UMD. Keeney replied that the committee became aware that UMD had requested these positions in their compact budget request, and that the committee wanted to support that specific request.

The committee voted unanimously to approve the draft letter.

Hearing no further business, the meeting was adjourned.

Barbara Irish  
University Senate Office