

**Social Concerns Committee**  
**March 25, 2019**  
**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 reflect the views of, nor are they binding on, the senate, the administration or the Board of Regents.*

[**In these minutes:** Update on Proposed Administrative Policy: *Equity and Access: Gender Identity, Gender Expression, Names and Pronouns*; Discussion of Draft Statement on the Board of Regents Meeting on March 8, 2019; Update on Carbon Pricing Forum]

**PRESENT:** Ingrid Nuttall (chair), Jeff Bieganek, Zachary Fischer, Linda Frizzell, Zan Gao, Becca Gercken, Aleksander Holleran, Hyunjoo Im, Aseem Kaul, Tristan Kick, Mary Kurth, William Larson, Molly Schwartz, Melissa Sellev, Sarah Sexton, Nicole Smiley, Megan Sweet, Boris Volkov

**REGRETS:** Abigail Dayton, Gabriella Kraus, Jim Stemper

**ABSENT:** Leah Peterson

**GUESTS:** Saby Labor, director, Gender and Sexuality Center for Queer and Trans Life; Tina Marisam, director, Equal Opportunity and Affirmative Action

**OTHERS:** Jake Steinberg, reporter, *Minnesota Daily*

**1. Update on Proposed Administrative Policy: *Equity and Access: Gender Identity, Gender Expression, Names and Pronouns***

Chair Ingrid Nuttall called the meeting to order and welcomed Tina Marisam, director, Equal Opportunity and Affirmative Action (EOAA) and Saby Labor, director, Gender and Sexuality Center for Queer and Trans Life (GSC). Marisam and Labor were present to update the committee on the draft Administrative Policy: *Equity and Access: Gender Expression, Gender Identity, Names, and Pronouns*. Marisam explained that the committee had consulted on the draft policy in the previous academic year, and that several changes had been made since then due to feedback from various stakeholders. This feedback centered around two main themes:

- Questions about how the policy would be implemented. To respond to these questions, a detailed FAQ that answers many of these questions and provides transparency around the University's approach has been created.
- Concern that language in the prior policy draft could generate unease that certain conduct, such as unintentional misgendering, could lead to discipline that is inappropriate or contrary to free speech principles. To address this concern and set a more positive tone in the policy, the reference to disciplinary action that was included in a prior draft has been removed. This does not change the intent, clarified Marisam, as the University still prohibits harassment or discrimination on the basis of gender identity.

Currently, continued Marisam, the policy contained four provisions:

- University community members can specify their name, gender, and pronouns, and University members are expected to use them.
- Privacy: Units must take reasonable steps to maintain the privacy of the names and sexes of University members maintained in University records when they differ from the University members' specified names and gender identities.
- Data Collection: Where possible, a University unit or member who is collecting information about University members' sexes, sexes assigned at birth, and/or gender identities should explain at the time of collection the reason for collecting the information and how the information will be used.
- Programs, Activities, and Facilities: University members may access gender-specific facilities that correspond with their gender identities and may participate in University activities and programs consistent with their gender identities including, but not limited to, housing, restrooms, locker rooms, recreation services and activities, and camp programs. The University must provide facilities that are available to all gender identities.

The plan is to present information on the draft policy at the University Senate meeting in April 2019, and present the policy for a vote at the May 2019 meeting.

Jeff Bieganek wondered whether there were examples of times when the University must collect data on gender identity. Labor replied that disclosure is not required, but that students have the option in MyU to specify their name, pronoun, and gender identity if they choose. Melissa Sellew noted that many graduate programs are concerned with gender balance, and wondered if disclosure of gender was required for that reason. Molly Schwartz said she thought there was an option for applicants to choose "Prefer not to state" or something similar.

Bieganek commented that he found the FAQ useful, noting that operationalizing the policy in the classroom setting may be a challenge for some instructors. Labor said that they are working with the Center for Educational Innovation (CEI) to develop a training to post online. Bieganek suggested that such training should be required rather than optional.

Nuttall asked whether there is any guidance on the inappropriateness of directing someone to specific facilities based on their perceived gender identity. She gave the example of campers at University camps, where a camp counselor may say something to the effect of "you can't go in there, that's the girls' room" to a camper they perceive as male. Marisam said that adding a section to the FAQ on best practices around gendered facilities was a good idea.

Nuttall then asked about the communication plan around this policy. Labor said that the GSC has been asked to lead that effort, and that they are looking at different train the trainer models, creating asynchronous trainings that could be available online, and have begun training with several units and communities. She acknowledged that this a cultural shift and will require comprehensive, long-term plan.

Finally, Nuttall reflected that the last line of the policy statement, which specified that the policy was not intended to interfere with free speech or academic freedom, seemed out of place, like its

intended audience different from the rest of the policy. Marisam agreed and suggested reframing the sentence to the effect of “This policy is intended to uphold the freedom of speech of all members of the University community.” Labor stated that she had heard from members of the trans and gender nonconfirming community that it was difficult to watch the policy development effort unfold, as it tended to focus around making cisgender people comfortable, rather than centering the experience of the main impact audience of the policy.

Nuttall asked whether a statement of support prior to the vote at the University Senate meeting in May 2019 would be appreciated; Labor and Marisam said it would. Nuttall thanked them for their time, and they departed.

## **2. Discussion of Draft Statement on the Board of Regents Meeting on March 8, 2019**

Nuttall then turned the committee’s attention to a draft statement regarding the reception of the report of the Task Force on Building Names and Institutional History at the Board of Regents meeting on March 8, 2019. Nuttall summarized the events of the Board of Regents meeting, noting that President Eric Kaler had presented his recommendation, based on the recommendations of the Task Force, to change the names of Coffman Memorial Union, Coffey Hall, Middlebrook Hall, and Nicholson Hall. She said she felt that the statement should focus on ensuring that future conversations around the recommendations take place, and that they are in good faith. She added that the statement would be a joint statement from the Social Concerns Committee and the Equity, Access, and Diversity Committee (EAD), and that EAD would discuss the statement at its meeting later that afternoon. Finally, she said that the Faculty Consultative Committee (FCC) and the Minnesota Student Association had also issued official responses to the events of the meeting.

Melissa Sellew said that she had read the FCC’s letter and followed the story in the news, and that she was very disappointed that some of the regents showed disrespect for the scholarship of the Task Force. She also expressed alarm that some regents were more focused on preserving the reputations of people from the 1930s than on acknowledging the experience of the current University community. Aseem Kaul agreed, and added that statement should include something to that effect; it’s not about judging people from the past, he said, but about the values of the current University community. He also suggested adding something about the standard of evidence. Some regents had implied that the standard of evidence for racism is membership in the Ku Klux Klan, and that is not reasonable, he said. Finally, Kaul pointed out that the names represent the actions of the individuals, whether the decisions they made were their individual choices or not. Tristan Kick added that even if the administrators in question were acting in accordance with the attitudes of the time, the actions were still inappropriate and harmful.

Members discussed the perspective of the families of the individuals in question, and agreed that it was important to consider their perspective, but that it was not the *only* perspective that should be taken into account.

Nuttall thanked members for their feedback. She said she would incorporate their feedback into the statement, and once EAD’s feedback was incorporated as well, it would be sent out for an electronic vote.

### **3. Update on Carbon Pricing Forum**

Nuttall turned the floor over to Nicole Smiley, who updated the committee on the progress of the working group on the Carbon Pricing Forum. She said that the working group (herself, Jim Stemper, and Jeff Bieganek) had met with Ellen Anderson and Heidi Reis of the Energy Transition Lab, as well as Professor Scot Adams. The group determined that the last week of September or first of October 2019 would be the best time to hold this form, as it would coincide with the start of the semester, as well as the beginning of a series of events that the Energy Transition Lab will hold. The forum will consist of 3-4 panelists talking about different options available for carbon pricing, and the target audience will be the University community. Adams take lead on planning it and identifying panelists, and Social Concerns and the Energy Transition Lab will endorse it. The other events in the Energy Transition Lab's series will be an event in McNamara in June 2019 which will be aimed at legislators, and another in early 2020 that would focus on carbon and what the University can do about it.

Nuttall suggested trying to partner with an administrative office, such as University Services, who could assist in the communication efforts. Smiley said that having someone from Facilities Management or University Services speak about what the University already does in terms of its carbon footprint would be good, so University Services would be a natural partner.

Smiley said that the next step would be to identify a space and a date so that panelists can be engaged. She asked if there was support available from the Senate Office. Amber Bathke, senate associate, said she thought there was, and asked Smiley to submit a proposal. Members asked how many attendees the group was envisioning. Bieganek estimated 150-200 people, and that the event would last about 1.5 hours. There will be not cost to attendees. Other suggestions included inviting student groups to table outside of the event and live streaming and recording the event, said Bieganek.

Smiley encouraged members to contact her with any suggestions for space or speakers, and said that the working group would meet again before the next Social Concerns Committee meeting on April 29, 2019.

### **4. Announcement of Next Year's Chair**

Nuttall announced that the next meeting was the last of the academic year, and that Kaul would chair it, as she would be unable to attend. She then announced that Kaul will assume the chairship next year, and thanked him for agreeing to do so, and to start one meeting early. Sellev thanked Nuttall for her great work as chair, and members gave a round of applause. Nuttall thanked members and adjourned the meeting.

Amber Bathke  
University Senate Office