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# The University Senate

FACULTY · STUDENT · P&A · CIVIL SERVICE

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UNIVERSITY OF MINNESOTA

## Senate Consultative Committee (SCC)

October 25, 2021

### 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:** Resolution Concerning Caste-Based Discrimination; Committee Discussion: Relations Between the Senates; Approval of the November 4 University and Faculty Senate Dockets; Administrative Response to the Resolution on Classroom Health and Safety under COVID-19]

**PRESENT:** Ned Patterson (chair), Colleen Flaherty Manchester (vice chair), Mark Bee, Phil Buhlmann, Carol Chomsky, Karen Coenen, Scott Creer, Adolfo Carrillo Cabello, Tom Chase, Lester Drewes, Carl Flink, Tony Fussy, Jenn Goodnough, Zenzele Isoke, Missy Juliette, Michael Kyba, Sarani Millican, Tania Mitchell, Tracy Twine, Nicholas Wallenhorst

**REGRETS:** Tatianna Enget, Jayne Fulkerson, Daksha Gummadi, Brendan King, Monica Luciana, Keith Mayes, Dylan Young

**GUESTS:** Executive Vice President and Provost Rachel Croson

**OTHERS ATTENDING:** Amber Bathke, Teri Caraway, Vickie Courtney, Bill Haldeman, Colleen Hennen-Clements, Cherrene Horazuk, Cynthia Lee, Bri Keeney, Chris Kwapick, Tina Marisam, Ellen Messer-Davidow, Michael Minta, Jessica Paulsen, Geanette Poole, Kate Stuckert, Megan Sweet, Ann Waltner

### 1. Resolution Concerning Caste-Based Discrimination

Sarani Millican, Student Senate Consultative Committee (SSCC) chair, introduced the [Resolution Concerning Caste-Based Discrimination](#) for discussion, which she authored with Mattea Allert, ranking student senator, Student Senate. Millican explained that India's caste system has been integrated in the United States through immigration, and there has been recent litigation in California related to caste-based discrimination. The resolution, she said, requests that caste-based discrimination be added to the list of 16 types of discrimination currently prohibited in the [Board of Regents Policy: Equity, Diversity, Equal Opportunity, and Affirmative Action](#). If this policy can be changed, she added, then the new [Administrative Policy: Discrimination](#) can also be updated to include prohibition of caste-based discrimination.

Millican told members that she is also scheduled to meet with the Equity, Access, and Diversity Committee, the Social Concerns Committee, the P&A Consultative Committee, and the Civil Service Consultative Committee to collect feedback. Following these consultations, she will then request that the resolution be added to the December 2, 2021, University Senate meeting for a discussion and vote. If endorsed, Millican said, she would request an off-cycle update to the Board of Regents policy.

Scott Creer, PACC chair, asked Tina Marisam, director, Equal Opportunity and Affirmative Action (EOAA), and policy owner of the new Administrative Policy: *Discrimination*, if she saw any negative outcomes of implementing the policy change requested in the resolution. Marisam explained that, from her perspective, caste-based discrimination, if reported, would currently be investigated by the EOAA office, despite it not being listed in policy. She also told Creer that she believes it is reasonable to add caste-based discrimination to the policy, as requested in the resolution. She also added that the State of Minnesota, and the University of Minnesota have been a leader in past discrimination efforts, and would continue to be a vanguard in this area if this change was implemented, as there are only two other universities ([Brandeis University](#) and [Colby College](#)) that have directly prohibited caste-based discrimination.

One potential obstacle, Marisam added, would be that caste-based discrimination is not required by law to be added to the policy, so if the University did decide to include it, then a coordinated policy review would need to take place to ensure all relevant policies were updated and in line with one another. The other possible issue with adding characteristics that are not required by law is the potential debate about what else should or could be added to the list of types of discrimination, and where the line should be drawn. Marisam added, however, that she is not particularly concerned about these potential obstacles.

Michael Kyba wondered if another potential negative affect could be a perception that the University is assuming an identity flaw with Indian culture, particularly if there is a policy change, which is a significant undertaking, based on only one known instance of this type of discrimination on campus.

Zenzele Isoke thanked Millican for bringing the issue forward and expressed some concern that there may not be sufficient education about how the caste system works, particularly in American culture, to address the prevention of caste-based discrimination. She also pointed to a lack of understanding about how the University's admissions policies may reinforce certain types of caste privileges. Isoke suggested that departments be educated on how the caste system works in the U.S. and how policies may play into the caste system itself.

Carol Chomsky requested that Millican consult with the other groups scheduled to provide feedback on the resolution, and then bring that information back to the SCC for further discussion.

Millican agreed that education, as Isoke mentioned, is a very important component of making this policy change, and she agreed to bring the resolution back to the SCC after further consultation with other senate committees.

## **2. Committee Discussion: Relations Between the Senates**

Patterson told SCC members that efforts have been made to better collaborate on issues with the different consultative committees, but that more work needs to be done. He reminded members that the consultative committee leaders now meet in advance of each SCC meeting to discuss common themes between the groups, and suggested that one topic that needs more discussion is how to handle calling special meetings. Particularly when a time-sensitive resolution is drafted for Faculty Senate action, but it impacts other constituencies. Patterson then asked for feedback on how to address these issues, and members provided the following comments:

- Consideration must be given to how best to move forward with resolutions that impact multiple constituencies, and who should be part of decisions on who else might need to be consulted and when and where a vote should take place.
- A consultation path should be determined for resolutions that impact multiple constituencies (e.g., should the resolution go to the consultative committees and then the University Senate, or should it be the other way around?)

Members agreed that it would be best to have the consultative committee leaders meet to draft a few proposals on how to handle urgent action in the senates, and then set aside time in a future SCC meeting to discuss the proposals.

### **3. Approval of the November 4 University and Faculty Senate Dockets**

Members approved the November 4 University and Faculty Senate dockets.

### **4. Administrative Response to the Resolution on Classroom Health and Safety under COVID-19**

Executive Vice President and Provost Rachel Croson joined the committee to discuss the draft administrative response to the [Resolution on Classroom Health and Safety under COVID-19](#), which was approved by the Faculty and University Senates on October 5, 2021. Croson provided the following information:

- As [communicated by the Office of the President on Friday, October 22, 2021](#), the University will be implementing a vaccine requirement for faculty and staff, which will require a proof of vaccination or a notarized exemption. Given that students were previously required to report their vaccination dates and vaccine received, the current plan is to audit the information previously submitted by students rather than request them to submit a second time.
- There will be a presentation at the November 4, 2021, University Senate meeting about the steps taken by the University to ensure classroom safety. The presentation will be led by Jay Denny, principal commissioning engineer, Energy Management, Facilities Management, and Neil Carlson, industrial hygienist, University Health and Safety, and will allow time for senators to ask questions and voice concerns about personal protective equipment (PPE) availability and safety in classrooms.
- Regarding the following clause in the resolution:  
Whereas the University administration has arrogated to itself the authority that arguably resides with the faculty of a unit or department to make decisions about course modality and has imposed stringent requirements in favor of in-person meetings that pose unnecessary dilemmas for instructors who also have to care for immuno-compromised family members and unvaccinated young children.

The administration agrees that colleges and schools should be making modality decisions, and for the fall semester they did, with provostial oversight. Similar guidelines will be used for the 2022 spring semester.

FCC members then provided the following feedback:

- It would be helpful if the administrative response included information about the appeals process available for faculty that are denied their teaching modality requests. Also, information about how modality requests are being examined across units would be helpful to assure faculty that the process is consistent between schools and colleges.
- Consideration should be given to whether there should be baseline COVID-19 testing for the spring semester.
- It would be helpful if there was an mobile app or flow chart published that help faculty, staff, and students navigate their individual issues related to COVID-19 safety and exposure.

Patterson thanked members and guests for attending, and closed the meeting.

Bobbie Erichsen  
University Senate Office