EQUITY, ACCESS, AND DIVERSITY COMMITTEE
September 28, 2015
Meeting Minutes

[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 notes represent the views of, nor are they binding on, the Senate, the Administration or the Board of Regents]

In these minutes: [Aurora Center process, procedures, and reporting requirements; MLK Day of Service]

PRESENT: Deena Wassenberg (chair), Solomon Gashaw, Jeremy Jenkins, Ann Burkhart, Keisha Varma, Naty Lopez, Kimberly Hewitt, Priscilla Flynn

REGRETS: Jeremy O'Hara

ABSENT: Susan Seltz, Katrice Albert, Patrick Dean, Richard Graff, Teddie Potter, Tyler Lande, Jeremy O'Hara, Shailey Prasad

GUESTS: Katie Eischele, director, Aurora Center; Amber Cameron, associate director, Public Engagement Initiative; Nina Shepherd, public and media relations coordinator, Office of Public Engagement; Gretchen Ambrosier, vice president of Engagement, Alumni Association

1. Welcome: Chair Wassenberg read the committee charge and everyone introduced themselves.

Wassenberg announced the three issues that would be the focus for the meeting; University policies regarding sexual assault on campus and what was going on in terms of how the University deals with sexual assault on campus; the interest in revisiting what the University does in celebration for Martin Luther King Jr day; and, policies regarding how parental leave is covered for people who are on soft money/research grants. There will be speakers at the next meeting to discuss the consequences of the current policies and the impact on grant money but Wassenberg wanted to begin the discussion.

2. Aurora Center process, procedures, and reporting requirements: Katie Eischele, director, Aurora Center.

There have been many changes with how campuses handle sexual assault and sex discrimination across the country. In 2011, the Department of Education sent out a letter to all colleges and universities in the country redefining the scope of Title XI to include stalking, rape and sexual harassment. Because of these policies and student advocacy work, the Obama administration put together a task force to address sexual assault on college campuses. Lawmakers on both the federal and state levels began to pay more attention to this issue to ensure both proper response and prevention was occurring.

At the Aurora Center, student staff works the front desk and all volunteers go through a 40 hour training program. Clients are informed of the confidentiality policies per both federal statute and University policy. The Aurora Center is a mandated reporter. When a student needs help, they sit with an advocate to discuss the nature of their issue/concern. The Aurora Center works with

employees and students who are victims and non-employees/students who have been hurt by someone affiliated with the University. The advocates are more than counselors; they work as communication liaisons to guide the victim through processes such as the criminal justice process, the University reporting process, and MN statutes, etc. The Aurora Center keeps track of what a victim needs and the contacts and resource information they were given. There are two full time advocates who work with the student volunteers to provide front desk and advocacy services.

Ann Burkhart asked what the typical wait time is for an appointment at the Aurora Center because she knew of a student who had been raped and had a two-week wait. Eischele said the typical wait time is within days and is at the discretion of the client. Burkhart said that the committee can work as a partner with the Aurora Center and wanted to know what the committee could do to support the Aurora Center if wait time was a frequent problem. Eischele said that having another full time advocate would be great, but that she didn't see long wait times as a problem. Burkhart's student's situation may have been a one time, situational, occurrence, she said.

Based on what the victim wants to do, they can report to law enforcement and initiate the criminal justice process or report to the University. From there, it is up to the victim to decide how far they want to go. They do have the right to stop the process at anytime. The University does have the right to pursue on their own in some cases (if the accused used a weapon, extreme violence, or shows a pattern of behavior). Most victims are looking for initial support with people they can trust. Once they are empowered they move forward with the reporting process.

Eischele discussed policies surrounding sexual assault and the reporting process. The definition of affirmative consent has been revised to clarify what consent is and what consent is not so that students can easily understand what the boundaries are. Eischele said that these new boundaries are being very well received by the student population.

Eischele explained mandated reporting and being a responsible University employee per University policy. University policy states that if there is a child or minor who an employee witnesses being abused or suspects is being abused, it is the responsibility of the employee to report this to the police or child protection. If adult students have experienced sexual violence and faculty/staff is advising them in some capacity and the person accused is somehow affiliated with the University, the employee has the responsibility to report to the Equal Opportunity and Affirmative Action Office (EOAA). Burkhart acknowledged that even though mandated reporting is federally mandated, she expressed concern that reporting such information may shake the trust of students and prevent them from coming forward in the first place. She completed and presented research which showed that, in some cases, mandated reporting had adverse affects on students.

Wassenberg asked if professors are considered mandated reporters, since the language concerning who was a mandated reporter was vague. Kim Hewitt responded that a mandated reporter is anyone perceived as having the authority to take some sort of responsive action. The language is difficult in terms of figuring out how to manage these professor/student relationships. Eischele has had many conversations with staff/faculty regarding whether they are providing support services versus actually advising. She suggests putting a general statement in the class

syllabus that the professor is available to speak to in generalities but details do have to be reported. Eischele clarified that staff/faculty are not a mandated reporters for the state, they are only mandated reporters through University policy pertaining to events on University property, at University sponsored events, and/or with individuals affiliated with the University.

Hewitt discussed a one-hour training developed by EOAA called "Responding to Sexual Misconduct and Sexual Assault." It discusses the parameters of reporting. EOAA gives resources to people who have been victimized by people outside the University. The University cannot take action against accused individuals with no connection to the University, even if the victim is affiliated with the University. The only option is to provide resources to the victims.

Hewitt discussed the affirmative consent policy. The undergraduate student organization was interested in the adoption of an affirmative consent policy. EOAA owns the policy. The Office for Student Conduct thought it would be a good idea to implement the policy. Hewitt did a survey of three other institutions to look at their policies and then the survey was evaluated. Hewitt put the affirmative consent policy through the Policy Advisory Committee and the chairs of the Faculty Consultative Committee. The President's Policy Committee approved it. The policy did hit the news and the Board of Regents (BOR) asked for a memo explaining the process the policy went through. The BOR questioned whether this policy was within their governance role and President Kaler agreed to revisit the issue in September. The student organizations wanted the policy in the fall materials that incoming students would receive. The BOR agreed to let the EOAA implement the policy and it was ratified September 15th. The BOR wanted clarifying language regarding what it meant to give both verbal and nonverbal consent so the sentence, "Clear and unambiguous words or actions are those that are freely or actively given by informed individuals that a reasonable person in the circumstances would believe communicate a willingness to communicate to participate in a mutually agreed upon sexual activity," was added.

This policy does not take away due process for the accused. The burden is still on the University to supply proof. Students are provided with the same process that came with the previous policy, which was less specific than the current policy but had the same intent. Burkhart reminded the community that false accusations can still be an issue and a less formal reporting method may be needed.

Wassenberg asked the members to consider action items for this issue and that they would revisit it at the next meeting.

2. MLK Day of Service: Wassenberg gave a history of MLK Day of Service. Because the University is closed on the MLK day, there is a limit of what can happen on campus. There was an effort by the EAD committee to begin a volunteer drive where, in celebration of MLK day, people would pledge a number of volunteer hours over the course of the year. Her understanding was that participation and awareness was very low. At the end of last year a member suggested that this topic be revisited. One of the ideas was regarding a way that the University could encourage people to give a day of service on MLK day in honor of the day. In a discussion with Katrice Albert, vice president, Equity and Diversity, Albert mentioned the University of Minnesota Alumni Association (UMAA) was planning a day of service. Wassenberg wanted to team up with the UMAA in this effort in honor of MLK day.

Amber Cameron, associate director, Public Engagement Initiative, has been doing the legwork on this project since the beginning and Nina Shepherd, public and media relations coordinator, Office of Public Engagement, is in charge of marketing the event. Shepherd said that they have promoted this event through University Relations, mass emails to all faculty/staff/students, tweets, and website announcements. Shepherd said there is a lot of promotion with not a lot of response.

Gretchen Ambrosier, vice president of engagement, UMAA, shared information about the Day of Service the UMAA put on this month. Alumnus was asked to donate their time on a designated day based around homecoming. UMAA took best practices from other Universities to create their own Day of Service. This year was an expansion from last year. There were 22 locations across the US where alumnus could participate. The event was the Saturday before Homecoming to kick off Homecoming Week. UMAA was trying to offer opportunities to feel like part of the University even when far away. There were 271 alumni volunteers across the country and one in Nicaragua. Of these, 142 of the volunteers were in Twin Cities at 10 locations. The number of volunteers tripled from last year.

The Day of Service was added to a concert put on by the College of Liberal Arts in celebration of MLK. EAD felt that more needed to be done in celebration of the day. A Day of Service was chosen in the spirit of what MLK stood for.

Wassenberg's assumption is that the pledge drive approach will continue unless someone says to stop and the numbers of participation aren't huge, so there may be something else the committee can do. Wassenberg asked the committee to consider if they wanted to continue with the Day of Service.

Keisha Varma said that campus wants to be involved but is a strong enough connection being made between honoring MLK day and the Day of Service? Ambrosier said that people might be more willing to participate if they can pick their own location to volunteer at and such and option is being considered by UMAA. The website, http://mlkservicedrive.umn.edu/opportunities has information as to where and how to participate.

Cameron explained a site visit she made to UNC, Chapel Hill. She found that employees were offered two or so days of "community service leave," a paid day off to volunteer at a nonprofit or government agency, offered through their benefits package. She said that because of the position of the EAD and it's desire to boost volunteers, they could consider recommending a similar program be implemented at the University and branded as created in honor of MLK's legacy. Wassenberg said that her appointment, for example, does not give vacation so this option might not be as meaningful to some as it might be to others depending on their job duties.

Wassenberg asked the committee to consider whether or not this is something they want to pursue. Should the status quo continue or should changes be made and what should those changes be? Priscilla Flynn mentioned giving the event to the UMAA for a year to see if they can increase participation in the MLK Day of Service. Ambrosier said they would be open to opening their Day of Service to faculty and staff.

Varma asked if there was a central hub with information with all the events happening across campus in celebration of MLK day. This will be investigated and committee members will ask around their respective offices to see if they can gather event information as well.

Hearing no new business, the meeting adjourned.

Avonna Starck
University Senate