



Student Relations Advisory Committee Meeting Minutes

February 25, 2022

Present: Harish Ganesh (Chair), Michael Atzmon (SACUA Liaison), Simon Cushing, Ashley Gearhardt, Martino Harmon (VP Student Life), Charlie Koopmann, Helen Look, Laura MacLatchy, Jeannie Moody Novak, Jessica Pasquale, Amanda Peters, Monica Porter,

Absent: Xiomara Santamarina, Yaacov Ritov, Claire Liu, Peiyu Ryan Wang

Administrative: Pam Morris, Elizabeth Devlin

Guests: Erik Wessel, Director, Office of Student Conflict Resolution (OSCR)
Joe Zichi, Associate Director, Office of Student Conflict Resolution (OSCR)
Kelly Cruz, Associate General Counsel
Shelby Weiners, Associate Director of Housing Student Conduct and Conflict Resolution

11:33 Chair Ganesh called the meeting to order. The committee agreed that the meeting would be recorded to share with the SRAC student representatives as they are unable to attend this meeting.

Student Life Updates – VP Harmon

VP Harmon welcomed everyone and gave a brief overview of the recent Statement of Student Rights and Responsibilities amendment discussions. He indicated that consideration has been given to a more offline approach with input provided outside of standing meetings to ensure stakeholder time constraints are considered.

VP Martino shared with the committee that he was pleased to announce that Student Life has appointed Connie Tingson Gatuz as the new Associate Vice President for Student Development, Learning, Social Change and Education. The regents approved the appointment on February 17 and Dr. Tingson Gatuz's first day as AVP will be March 14. VP Harmon shared that she would serve on the committee in a similar role that the previous interim AVP Jennifer Schrage has served. VP Harmon indicated that AVP Tingson Gatuz will be introduced at the March meeting.

Chair Ganesh thanked VP Harmon for his update and wanted to make a small note. They have a total of nine proposals which have been moved to the consent agenda, which basically means that the committee will read and vote. Chair Ganesh understands that going through nine proposals so quickly is not ideal. He gave the context that this amendment cycle has been shortened because of COVID and other related issues and the number of proposals was high. He thanked all who participated in the offline discussions and added their comments to the Google document to help streamline the process.

Director Wessel indicated that they will be sharing a streamlined version of the shared document to vote to make changes.

Amendment Proposal 1:



Sponsor: Riley Clem, Student

Current Language: “The University, through this Statement, will not unlawfully discriminate on the basis of protected group status.”

Suggested amendment: “The University, through this Statement, will not unlawfully, unethically, or inappropriately discriminate on the basis of an individual’s protected group status.”

Committee Discussion:

Chair Ganesh indicated the committee had previously agreed to the fact that we need to add an apostrophe s to, rather than protected, it's like an individual's protected Group Status. However, the issue with the meaning, the things that they are discussing today is whether they should include unethically comma or inappropriately to the statement.

Committee member Cushing indicated that he was on the working group for this amendment, and he opposed adding ‘unethically’ or ‘inappropriate’ because it introduces notions that could be open to disagreements as there are no public standards for those words. Committee member Cushing suggested modifying the language to: “Accordingly, the University, through this Statement, will not discriminate on the basis of an individual’s protected status in a way that is unlawful or violates the above asserted right.”

SACUA Liaison Atzmon shared that his understanding of protected status is that it has a legal definition, there are groups that are not protected legally. He suggested the wording be broadened to include based on an individuals’ group or something more general that will include groups that have traditionally been discriminated against, but don’t yet have legal protection.

Director Wessel indicated that there are federally protected groups but that the university far expands that group, and they are listed in the broader section. He shared that it is a relatively comprehensive list.

Chair Ganesh agreed that providing more context on this point and updating the document so that committee members have enough information to vote would be helpful.

Amendment Proposal 2: - False Information

Sponsor - Kelly Cruz, Office of the General Counsel

Current language: Violation O: Making, possessing, or using any falsified University document or record; altering any University document or record, including identification cards and meal cards; knowingly providing false information to a university official in connection with a university proceeding.

Proposed Language: Violation O: Making, possessing, or using any falsified University document or record; altering any University document or record, including identification cards and meal cards; knowingly providing false information to a University official or in connection to a University proceeding.

Committee Discussion:

Kelly Cruz shared with the committee that her proposal was coming from a place of promoting integrity, truth and accountability among the student population. For example, University of



Michigan, Detroit, Dearborn and University of Michigan Flint already have a provision like this. The rationale here is to normalize the university's statement of rights and responsibilities to have this false information clause included. The committee asked if university proceeding is defined elsewhere. Kelly Cruz indicated that attempting to define this may be so complicated that it no longer serves the purpose of this clause, and that there are many clauses that might not have a specific definition.

She indicated that by removing university proceeding the clause suddenly becomes quite broad. And that's not what she is advocating for. She indicated that this is fairly limited in scope. So it's connected to providing information to a university official in connection with the university proceeding.

There were no further questions about the amendment proposal and the committee agreed to move on to the next proposal.

Amendment Proposal 3: Responsibilities in Online Environments

Co-Sponsors - Kelly Cruz, Office of the General Counsel; Co-Sponsor Ricky LaFosse, Center for Academic Innovation

Current language: Student Responsibilities

"Along with rights come certain responsibilities. Students at the University are expected to act consistently with the values of the University community and to obey local, state, and federal laws."

Proposed Language: Student Responsibilities

"Along with rights come certain responsibilities. Students at the University are expected to act consistently with the values of the University community and to obey local, state, and federal laws. This expectation applies to students remotely accessing University services, activities, or programs just as it does for students located on campus."

Committee Discussion:

Kelly Cruz shared that the purpose of the proposal is to clarify and not to expand the scope of the statement. It is so students understand interpreted behavior falls under the statement to include both in person and remote behavior. The sentence is really one to confirm and clarify, especially for the students who never set foot in Ann Arbor or on U of M campus. The students that are remotely accessing UM services, activities, or programs, and they engage in behavior that violates the statement, it applies to all students regardless of if they are virtual and in person.

Chair Ganesh asked to clarify if, since the university has a large international student body, this applies only with reference to the statement of student's rights and responsibilities, not in general what the local laws are.

Kelly Cruz did clarify that this was a correct interpretation.

Committee member Cushing wanted to follow up that perhaps they exclude local, state, local laws from the policy.



Kelly Cruz clarified that her proposal was so they don't hold students accountable for violating the law and that the behavior would have to violate the statement. The policy states that there is an expectation on how they will act and that they will not violate any laws.

Kelly Cruz indicated that there is a second proposal she will be putting forth that gets to the same issue but falls under the scope section of the statement and that maybe scope is the more appropriate place for this proposed clarification.

Chair Ganesh indicated that perhaps she should bring the part of her proposal that addresses the scope.

Kelly Cruz referred to the line in amendment proposal 4 where the language states "including virtual, remote, or online behavior" that language is new. She indicated that this new proposed language was meant to get at the same concept of amendment proposal 3. The concept being that students are still held accountable for their behavior whether in person or in an online environment. This is not meant to include all virtual behavior, but virtual behavior that links to the scope that already exists.

Committee member Cushing suggested moving "including virtual and online behavior". He indicated as it currently reads "Behavior which occurs in the city of Ann Arbor, on University controlled property, or at University sponsored events/programs may violate the Statement", that moving "including virtual and online behavior" before "may violate the statement".

Chair Ganesh agreed with the proposed change by committee member Cushing. He also indicated by moving this to the scope it's a broader definition of virtual remote or online behavior. He suggested considering when combining amendment proposal 3 with amendment proposal 4 since in proposal three the definition is a bit more well defined.

Kelly Cruz indicated that amendment proposal 4 would be the appropriate place in the scope section and is a little broader it supersedes the need for specifying what types of remote activity would be in scope.

Committee members asked for clarification if these policies apply to all three campuses. Kelly Cruz indicated that Flint and Dearborn have their own Statement of Student Rights and Responsibilities.

Kelly Cruz will withdraw proposal three as it's been combined with the subsequent proposal, and they will remove it from the entirety of the voting process that will occur after the meeting.

Amendment Proposal 4: Scope - 3 parts

Co-Sponsors - Kelly Cruz, Office of the General Counsel; Co-Sponsor Ricky LaFosse, Center for Academic Innovation

Current Language: Section V. Scope of the Violations:

Behavior which occurs in the city of Ann Arbor, on University controlled property, or at University sponsored events/programs may violate the Statement. Behavior which occurs outside the city of Ann Arbor or outside University controlled property may violate the Statement only if the behavior poses an obvious and serious threat of harm to any member(s) of the University community. Behavior will be addressed under the Statement in effect at the time the behavior allegedly occurred, not at the time the complaint was filed.



Proposed Language: Section V. Scope of Violations: The Statement applies to currently enrolled students at the University of Michigan-Ann Arbor. Behavior which occurs in the City of Ann Arbor, on University controlled property, or in connection with a University sponsored event/program may violate the Statement, including virtual, remote, or online behavior. Behavior which occurs outside the city of Ann Arbor or outside of University controlled property may violate the Statement only if the behavior poses an obvious and serious threat of harm to another individual. The Statement governs behavior that occurs in person and online. Behavior will be addressed under the Statement in effect at the time the behavior allegedly occurred, not at the time the complaint was filed.

Kelly Cruz indicated there were a few more proposals, and one that was already discussed. She shared her second proposal in the scope section in the first sentence “The Statement applies to currently enrolled students at the University of Michigan-Ann Arbor”. She shared that this has always been interpreted to be the case but has never been in writing. There have been some instances of holding students that have just graduated or have applied, but in those instances the statement would not apply because they are not currently enrolled students. This would serve to clarify the interpretation. Therefore, she is proposing the inclusion.

SACUA Liaison Atzmon indicated that the way it currently reads it could be interpreted as currently enrolled students who are physically present at the University of Michigan Ann Arbor. He asked if it would intend to express if you said “students currently enrolled at the University of Michigan, Ann Arbor. He suggested just switching the placement of the word currently.

Kelly Cruz said she would be fine with changing the language to “students currently enrolled” instead of “currently enrolled students”.

The final amendment to the language in Amendment proposal 3 expands the scope of the statement. Previously they would have said if a student demonstrated behavior that was an obvious and serious sort of harm to another member of the University Committee community than they were under the scope of the statement, instead, the proposal here is to expand that.

It would not be limited to just university community members that may be experiencing the threat of harm, but rather any individual. This would mean that if behavior occurs outside of Ann Arbor or outside of U of M controlled property, and it is an obvious and serious threat of harm to another person, then it is within the scope of the violations.

She stated that reason why this is being proposed today was because of a recent situation where a student was threatening the life of one of their family members. They had proceeded to warn the family member and involved law enforcement. The student had also demonstrated other behaviors on campus and in the campus community, but none that quite met the threshold of the serious sort of harm to one of the community members.

They had to wait until the student did threaten harm to a university community member before moving forward. There were those that felt this was not the best outcome. There were those that felt that if someone is seriously threatening the harm of another individual, like their family member, or like, in a surrounding community, that university should be able to act. The proposal is not meant to cover property damage but obvious and serious harm to another individual. She stated that it was understood that this does open the scope beyond its original intention.

Committee member Pasquale indicated she was part of the working group for this proposal and she shared that their concern was from a risk management standpoint. She indicated that the



working group had questioned if this was opening the university to liability for being responsible for not taking actions when an incident like this occurs regardless of their status in connection to the university. She shared that was their concern about making the scope so broad.

Chair Ganesh followed up with asking about situations that would occur outside the University of Michigan campus. He asked how the statement would apply, would it apply without a trial and who would moderate the process.

Kelly Cruz acknowledged the committee's concerns, and she suggested another option. She indicated there was a possible middle ground available in the amendment proposal 5 emergency suspension.

Amendment Proposal 5: Emergency Suspension Scope

Sponsor - Kelly Cruz, Office of the General Counsel

Current Language: "Emergency Suspension. If a student's actions pose an immediate danger to any member of the University of Michigan - Ann Arbor (the University) community, the Vice President for Student Life (VPSL) or a designee may immediately suspend the student pending a meeting. Except in extraordinary circumstances that meeting will be scheduled within two academic calendar days. At this meeting, the student will be informed of the nature of the alleged violation, presented with available evidence, and given the opportunity to make a statement and present evidence. If the emergency suspension is continued, the student will be offered a hearing option within ten academic calendar days."

Proposed Language: "Emergency Suspension. If a student's actions pose an immediate danger to another individual the Vice President for Student Life (VPSL) or a designee may immediately suspend the student pending a meeting. Except in extraordinary circumstances that meeting will be scheduled within two academic calendar days. At this meeting, the student will be informed of the nature of the alleged violation, presented with available evidence, and given the opportunity to make a statement and present evidence. If the emergency suspension is continued, the student will be offered a hearing option within ten academic calendar days."

Committee Discussion:

Kelly Cruz shared that in this statement that the VP for Student Life will be able to suspend a student on an emergency basis if the situations is deemed dangerous and an immediate danger to a member of the U of M community. She indicated that the difference between the emergency suspension section and the prior section discussed is that the emergency suspension section is defined to act in anticipation of a harmful event. The previously discussed section could happen after the threat of harm. She indicated that she understands if the committee does not want to accept the previous proposal, but she would still strongly encourage inclusion in the emergency suspension section because that has the potential to be helpful in these situations, but it is much more limited.

The committee discussed if one was forwarding looking or backward looking in these particular scenarios.

Kelly Cruz indicated that the emergency suspension could be used either way, but more likely if a situation is created where there is a threat of harm to an individual is likely looking forward.



Chair Harish shared that he is not in favor of opening the scope of the previous proposal, but he does support the emergency suspension amendment.

VP Harmon shared that it is important to act in these instances and that it would be unfortunate to be unable to prevent an incident because of the language in the policy.

Committee member Koopmann and Cushing both gave their support for both amendments.

Erik Wessel indicated that there could be a potential imbalance created when there are changes in one section and not another. This could be problematic for arbitration procedures in the future. He suggested that if you are going to make the change in one place it should be internally consistent within the document policy language.

Kelly Cruz proposed for those not inclined to accept both changes as is to mirror the language to include “immediate danger”. This will align with making it forward looking.

She proposed removing “obvious and serious threat of harm” to “behavior which occurs outside of the City of Ann Arbor, outside of U of M controlled property, may violate the statement if the behavior poses an immediate danger to another individual.’

Committee member Koopmann suggested adding potential to the language since ‘immediate’ is interpreted as occurring with potential is a possibility.

Kelly Cruz gave her final proposal of mirror the language in both amendment proposals.

The committee agreed and Kelly Cruz will send the amendments to Chair Ganesh for final discussion with the SRAC student representatives.

Amendment Proposal 6: Virtual Accessibility of Procedure

Sponsor - Ricky LaFosse

Amendment was not reviewed during this meeting but offline as the sponsor was not available to attend the meeting.

Amendment Proposal 7: Sanction Modification by Dean/VPSL

Sponsor: Shelby Wieners, Associate Director of Housing Student Conduct and Conflict Resolution

Current Language: “The Dean may not modify sanctions/interventions to include suspension or expulsion. However, when expulsion is recommended, the Dean may instead suspend the student.

The VPSL may accept or modify the recommendation(s). The VPSL may not modify sanctions/interventions to include suspension or expulsion. However, when expulsion is recommended, the VPSL may instead suspend the student.”

Proposed Language: The Dean may modify sanctions/interventions to include suspension, but not expulsion. However, when expulsion is recommended, the Dean may instead suspend the student.



The VPSL may accept or modify the recommendation(s). The VPSL may modify sanctions/interventions to include suspension, but not expulsion. However, when expulsion is recommended, the VPSL may instead suspend the student.

Shelby Wieners shared that she submitted a proposal that would slightly expand the scope of the DEAN or VPSL in the appeal or arbitration defending to make an outcome decision that centers on student and community safety via their professional judgment. She tried to limit single administrator power by differentiating between the temporary suspension piece and the expulsion, permanent peace of expulsion. She added this for instances that may rise to the level of severe concern for the campus or student safety.

She addressed the working groups concerns about whether adding the ability for suspension undermines the authority of the Resolution Officer of Panel of Student Arbiters and if there is a concern that they have not been applying suspensions when the Dean or VPSL would have wanted those options.

Shelby Wieners indicated that she doesn't necessarily have a concern that these individuals have not been applying these outcomes appropriately and she acknowledged and expressed appreciation for the training as well as the authority of the resolution officer and panel of student arbiters. She did see this as a potential gap as they are navigating higher level multifaceted concerns. This proposal came out of working with a situation where the concern was incredibly layered, multifaceted and connected. There were quite a few campus partners as well as off campus partners. She shared that the reason she submitted the proposal was because it is wise to have checks and balances for those extremely involved and high level cases, and to close a potential gap before they see that concern rise.

Committee member Cushing asked whether this would allow the dean to lessen the punishment and not increase it, and asked why the dean would not follow the recommendations.

Erik Wessel gave the historical position of previous drafters of that document that the dean and VPSL had some choice to make in their review, they could either affirm the decisions, or the recommendations made by the student panel or the resolution officer, or they could modify the common procedure within policies such as this. Now, the previous drafters of this document wanted to give the authority to the dean and the Vice President for Student Life, to make a judgment that that should be contracted or modified in one direction, but had previously determined that they didn't want the dean and the Vice President for Student Life to be able to increase to suspension or expulsion, where that hadn't been previously recommended.

VP Harmon shared that the language restrained as at other institutions can modify the sanctions where here you cannot, which he believes is wise. Ultimately it is the hearing panel's decision, which carries a lot of weight to the VSPL. He stated that the administrators are essentially held responsible for the decision, but without their ability to modify there is nothing they can do.

Committee member Cushing indicated this concern was that possibly a dean could modify a sanction that was recommended like expulsion to suspension and that not being viewed as taking the threat from that student seriously.

VP Harmon shared that ultimately any decision made, even by the student panel, ultimately falls under the administrators (his) responsibility.



Erik Wessel also encouraged the committee to recognize that the language where it says the Dean may instead suspend the student really isn't a part of the proposal. The intention of the proposal isn't to consider whether that language is right. He encouraged the committee to reconnect with the proposal as written, which is whether or not it makes sense to modify the word 'not'. So where it says the "Dean may not modify sanctions, to include suspension, or expulsion," and pivot to that they may ostensibly "modify those sanctions to include suspension, but not expulsion".

Chair Ganesh asked if there was an example where this was needed.

Shelby Wieners shared she submitted this proposal because she felt there was a gap. In her previous experience at other institutions where she has worked, this is the most unusual statement she has read in regards to student behavior. She doesn't have an example specific to U of M, but she has had experience in a recent case that was high profile work. The dean and the VSPL had to make decisions, and while they were in line with the recommendations, she viewed this as a potential gap. She brought the proposal forth in order to have checks and balances, should the dean or VPSL need to make that higher level decision because of safety and security to the individual or to the campus as a whole.

Erik Wessel added that the dean may or may not modify sanctions or interventions. Suspension itself is a sanction. The dean or Vice President for Student Life, may modify suspension where that is recommended and may instead for example, not suspend the student and apply disciplinary probation for a period of time. So there is that ability with suspension as well to modify that down.

He also clarified the intention of the proposal is to add what can be done working towards increasing the language to suspension.

Amendment Proposal 8: Housing Sanction - Add "restriction"

Sponsor: Shelby Wieners, Associate Director of Housing Student Conduct and Conflict Resolution

Current Language: Sanctions Section

University Housing Transfer or Removal:

Placement in another room or housing unit or removal from University housing.

Proposed Language: Sanctions Section

University Housing Transfer, Removal, or Restriction; Placement in another room or housing unit, removal from University housing, or restriction from specified University Housing facilities.

Shelby Wieners proposed to add the phrasing 'or restriction' to the currently written outcome of university housing transfer and removal. This is more of a clarification outcome in that it allows for more flexibility and outcomes, more flexibility and individuality in regards to outcomes.

She addressed some questions that were posed by the working group. The first question asked under what types of circumstances would a restriction be needed, but an interpersonal no contact order not warranted. She shared that they have seen instances where students who have caused harm in dining areas or buildings in which they do not live, and even sometimes nonresidential students causing an impact in a residential or a university housing or facility. This expansion of the outcome clarification of the outcome, allows for more tailored outcomes to that student to make it more clear. She shared by adding 'or restriction' allows for specific



clarification of the outcome for students so that it is directly related to the university housing piece, versus perhaps having a no contact outcome added to their file.

She shared that there are dining guests and programming events that are held in residential or university housing facilities that this could potentially cover as well. She gave a few examples such as non residential students, creating impact or having impact in residential or university housing spaces, but then also University residential students creating concerns or having impact in residential spaces as well. This proposed language would be in alignment with language that is used in housing, specifically for their outcomes because they have a housing transfer removal or restriction outcome as well. This proposal would provide clarity for students if this is the outcome that is applied.

Chair Ganesh asked Shelby Wieners to clarify the meaning of no contact.

Shelby Wieners gave a summary of no contact that it is an official order between two individuals. The no contact outcome 'is restriction from entering specific university areas and or all forms of contact with certain persons.'

Committee member Cushing asked for clarification that they would like to add restrictions other list of sanctions available.

Shelby Wieners indicated they would like to add restriction to this specific housing piece language.

Committee member Cushing indicated that removal or transfer restrictions could widely vary and suggested specifying exactly what restrictions, such as restrictions to access to certain area or jurisdiction to resources.

Shelby Wieners shared that she did not specifically have a list of restrictions because it is multifaceted and encompasses a lot of pieces. In conversations of restoring harm and restoring impact, that is where the individual tailored outcome would be most appropriate. She gave an example of a student not being able to access a specific dining hall due to behavior but perhaps can go to other dining areas. The outcomes are tailored to the specific harm that was created which is in line with restorative practices.

Chair Ganesh asked if there was a precedent for something like this or if the restriction pieces was due to Covid.

Shelby Wieners indicated that they have had students restricted from certain areas due to the harm that they have caused. Instead of saying to a student, you can't live in housing, or you have to move to another area, they try to find a way to restore or find a way to engage in that without it being a larger outcome.

The committee discussed the meaning of restriction and impact on students.

Committee member Look suggested 'moving restriction' to 'University Housing transfer, restriction or removal'. She suggested that removal seemed to be extreme.

The committee members agreed with this change in the language.



Chair Ganesh shared with the committee that he and Erik Wessel will be meeting with the SRAC student representatives to get their feedback on the amendment proposals. He will then circulate a finalized version of the amendments for a vote.

Erik Wessel thanked the committee for their engagement, insight, and hard work through this SSRR process.

1:24pm Meeting adjourned

Respectfully submitted,

Elizabeth Devlin
Faculty Governance Coordinator, Faculty Senate Office