Student Relations Advisory Committee (SRAC)
Meeting Minutes 1/22/2010

Present: Chair Koopmann, Susan Pritzel, Lisa Low, Gina Poe, Leo McAfee, Simone Himbeault-Taylor, Royster Harper, Donna Hayward, Janine Maddock, Jim Brusstar (MSA alternate), Ian Margolis (MSA Rep), Donica Varner (office of general counsel), Karin Teske (student support).

The meeting was called to begin at 12:04pm

Chair Remarks

Jim Brusster present as an alternate MSA representative.

Just a reminder that proposal 5 was pulled after MSA retracted proposal.

If no changes by end of the meeting, assume December 2009 minutes are approved (none made; minutes approved).

SSRR proposals

Proposal 1: Align the Statement with the current nondiscrimination policy

Discussion: Non discrimination language: instead of tracking language directly, the statement complies with university policy, so that reworking the language is not necessary- it coincides with the university. In the event that the U language changes, this statement will always be consistent.

What is the reason for listing height and weight as physical characteristics, but not other physical characteristics such as nose size, lip size, etc? Shouldn’t the language of the SSRR reflect a nondiscrimination policy against all “physical characteristics” and not just height and weight?

-Michigan law protects against height and weight. That is why we list in our policy. The university policy which the proposed language tracks, represents state and federal law. This is the language used by the regents.

Why can’t we go beyond the law?

-We do, for example with sexual orientation and gender expression. That is a university policy decision-a regental decision- to which the university is bound. I don’t think this body (SRAC) has the authority to do that.

The regents can consider a language change at any time but there are metrics and criteria for this to occur. A community voice or community swelling is needed around what should be protected. It is not enough for this committee to want the change.
There is a legal responsibility of the university. Arguably creating a contractual obligation on our part; if you wanted to expand this beyond this group, I would advise against it (D. Varner, General Counsel).

In terms of the language of this document, say that within 2 years the regents adopt another definition, SRAC could change it at that point. So to allow for such changes, put in a clause that says we follow regents changes.

Rather than be specific to change the wording, the statement should reflect any regental changes as they occur to the nondiscrimination wording.

At the end of the sentence of nondiscrimination in the SSRR:
pg 5 paragraph 2 add: “and as updated by the nondiscrimination policy” to reflect the characteristics that should be protected under the nondiscrimination policy set by the regents.

What will work well with the recommendation put forth, is that if the SSRR supports university nondiscrimination policy, then every time this SSRR is published, the regents and nondiscrimination policy needs to be printed on any university publication in full. It would be right on the document.

Movement to accept this revision. Seconded. (Accepted).

All in favor of moving proposal 1 to consent calendar. (Approved).

Proposal 1 was moved to the consent calendar with these changes.

Proposal 2: Realignment of Statement language to be gender neutral: consent calendar.

Proposal 3: Realign of statement with educational mission

6C p. 10 2\textsuperscript{nd} paragraph 2\textsuperscript{nd} line:
“Each participant in the process…”
\textit{(change to “These participants in the process…”)}

Discussion: OSCR does not like to use terms legal in nature like “testimony”

6C p. 10 2\textsuperscript{nd} paragraph 7\textsuperscript{th} line:
“The respondent and the complaintant may call any witness with information that is relevant to the case, but the RO may exclude if testimony is redundant.”
\textit{(change to “…the RO may exclude if the information is redundant.”)}

6C p 10 4\textsuperscript{th} paragraph 3\textsuperscript{rd} line:
“To ensure fairness and consistency, and to maximize the educational potential of the process, panelists must have access to relevant testimony.”
\textit{(Change to “…panelists must have access to information relevant to the case.”)}
Discussion: The last sentence of 6C was questioned: If have clear and convincing evidence, the assumption is that the respondent is not responsible until evidence is presented. This is where the clear and convincing standard is. Maybe highlight this with a header. “Standard of review: is clear and convincing” We’re assuming it’s been stated, but this is where you see it in the document. Suggestion made to underline or put this sentence as its own header because of its importance. The following is the suggested change:

6A at the end of the paragraph following the word “Hearing” add the following standard of evidence as its own heading (moved from 6C page 10, 4th paragraph, 5th line):

“Standard of Evidence: The respondent is presumed not responsible unless clear and convincing evidence is presented that a violation of the Statement has occurred.”

6C page 10 2nd paragraph, 4th line:
“Silence by the respondent may not be interpreted as evidence of responsibility for a violation”
(Change to and underline: “Silence by the respondent will not be interpreted as evidence of responsibility for a violation”)

-There was discussion about the use of the word “investigation” and the role OSCR plays in compiling data. OSCR tries to avoid evaluating the quality of the information- this is left for a hearing. Debate over the use of the word “investigation” on p. 8 paragraph 1.

-Discussion about the use of the word “interventions” rather than using “sanctions.” Is the word “interventions” strong enough to make a point? Somewhere there needs to be a recognition of legal responsibility- somewhere need to include “sanctions.”

-Discussion to use asterisk to define intervention: ” Intervention*“
(*intervention may include sanctions, educational measures)

-Discussion to use: “interventions/sanctions”

Suggested changes:

Page 12 section VII: keep the word “sanctions” rather than changing to “interventions”

Page 12 section VII 7th line:
“ Some behavior is so harmful to the University community or so deleterious to the educational process that it may require more serious interventions: removal from housing...”
(Change to “Some behavior is so harmful to the University community or so deleterious to the educational process that it may require sanctions: removal from housing...”
Use sanctions here but keeping the term “interventions” elsewhere in this amendment.

Proposal 3 will be reviewed further with these revisions.

Proposal 4: Inclusion of adaptable conflict resolution
movement to move proposal 4 to consent agenda. (Seconded) (Approved)

Proposal 4 moved to consent agenda.

(Proposal 5 has been withdrawn) no action required

Proposal 6: Inclusion of intimate partner violence as a violation
Proposal 6 remains on consent agenda.

Proposal 7: Amending the amendment process

Discussion about whether to include, within the statement, information regarding the review process/timeline of every three years.

- want to keep review at the discretion of the committee.
- however, information about the review process should be accessible and cited within the statement
  - from the website, it is difficult to figure out how and when the review process occurs.

Provide a web address within the statement that provides this information.
“Information regarding the amendment process is available online.”
Have a website listed - that is where the timing info regarding amendment process should be presented.

Wording change suggested:
pg 16 paragraph 2:
“Amendments may be proposed by the Michigan Student Assembly, the Senate Assembly, or the Executive Officers of the University”
(Change to: “Amendments may be proposed by the Michigan Student Assembly, the Senate Assembly, or any Executive Officer of the University.”)

Motion to keep proposal 7 on consent calendar provided these changes are made. (Seconded) (Approved)

A note about the link to the info to be provided for the amendment process:
- note that MSA, faculty senate, or EEO, may establish own process for reviewing and proposal. In
website may want to include process for each body to bring proposal- each body is free to establish own procedure to bring amendment.

On website- encourage a process for each group.

Simone: on behalf of OSCR, I would suggest that separate from this process, a couple SRAC members volunteer to work with OSCR staff to review current website for gaps, provide guidance to OSCR for bringing clarity to process. An appropriate time when this info can be linked to SRAC website. This should also be made clear.

**VPSA Remarks**

Future agenda:
Rec sports; smoke free campus; strategic planning process- what the division is imagining it will focus on in next 3-5 years.

Before we meet again: Need a clean copy of proposal 3 to look at changes. Everything else has moved to consent agenda.

Meeting adjourned at 1:28pm.

Respectfully Submitted by:
Karin Teske

SACUA Student Support

1/23/2010