Student Relations Advisory Committee

Friday, February 2, 2007
Bates Room - Michigan Union
12:00 - 1:30 p.m.

Present: C. Benamou (Acting Chair), K. Federhofer, A. Haines, L. McAfee, B. Orandi, D. Potter, Z. Yost; B. Dorn, L. Carr

Absent: S. Eklund, Y. Eliav, B. Fauman, J. Himle, C. Koopman (Chair), J. Paul, M. Ward

Guests: Simone Himbeault-Taylor (OVPSA); Jennifer Schrage, Director, Office of Student Conflict Resolution; Donica Varner, Assistant General Counsel, Office of the Vice President.

Materials Distributed:

1. E-mail sent to Charlie Koopman from Linda Carr regarding proposed responses to Proposals 9-13, discussed in the meeting of 1/26/07.

Chair Benamou called the meeting to order at 11:50 p.m.

Discussion of Proposed Amendments to Statement of Student Rights and Responsibilities

Catherine Benamou reviewed the e-mail mentioned in “Materials Distributed”. Committee agreed with content.


   Committee supports. For: 6; Opposed: 0.

Proposed Amendment #15. Alcohol Offenses.

   No vote needed.

Proposed Amendment #16. Monetary Compensation.

   After discussion about whether compensation is unreasonable or compensation should not be limited to money or concern about possible servitude, votes were taken.
To support the amendment as proposed: For: 0; Opposed: 6.

To suggest wording: “C. Restitution. Reasonable compensation for loss, damage, or injury to the appropriate party in the form of community service or service learning, money, or material replacement.” For: 6; Opposed: 0.

Proposed Amendment #17. Notice to Students when Record is Shared.

Per Donica Varner, the language of this amendment is not consistent with FERPA. FERPA may inhibit disclosure, i.e. FBI requests.

Student Orandi suggested the addition of the phrase, “except when legally unallowable”.

Vote was taken to accept the proposed sentence: For: 0; Opposed: 6.

Recommendation: Strike bolded sentence and include website for FERPA info.

Vote on recommendation: For: 5; Opposed: 1.

Recommendation: Accept the bolded sentence, but add “except as prohibited by law”.

Vote on recommendation: For: 4; Opposed: 1; Abstain: 1.

The amendment was not accepted, but the two recommendations will be forwarded to the MSA via Mitch.

Proposed Amendment #18. Limits of Sanctions.

OSCR agrees with part about “… no sanction will automatically impose other sanctions…”, but disagrees with listing specific sanctions. Listing specific sanctions eliminates “creative” sanctions, such as a behavior contract that is currently being used.

Vote on proposed amendment as written: For: 0; Opposed: 6.

Recommendation: Remove first part of bolded sentence “No sanction will be imposed which is not listed here, and”. Only include section part.

Vote on recommendation: For: 6; Opposed: 0.

Recommendation: Remove spelling error.

Vote on recommendation: For: 6; Opposed: 0.
The amendment was not accepted, but the two recommendations will be forwarded to MSA.

Proposed Amendment #19. Declaration of Intent to Suspend or Expel.

No voted needed.

Proposed Amendment #20. Finality of Fact-Finder’s Decision.

There are already checks and balances in place. Discussion regarding the inclusion of the statement will not be accepted by Provost as shown in new grievance procedures proposed by SACUA. Currently differences in codes of conduct for each school in the University, but the codes provide different punishments for the same offense. Per OSCR, currently the Dean or VPSA cannot move decision up to a more severe punishment.

Vote on proposed amendment: For: 0; Opposed: 5; Abstain: 1.


OSCR recommends no changes. Student Orandi pointed out that while the process should be educational, some offenses require punishment. In the case of severe sanctions, such as expulsion, student may need an advisor, meaning advocate. Ms. Varner stated that there is a difference between advisor (currently used and unable to speak during the hearing) and advocate (proposed to speak for the student). OSCR stated that every case could possibly end in suspension or expulsion, so at what stage is the advocate added?

Per Ms. Varner, advisors, i.e. lawyers, etc., are currently allowed. The current proposed amendment is a solution looking for a problem. In the hearing room, if an advocate is used, the dynamics would change. Student should participate in the process, not use someone else to do his/her work. Someone else speaking for the student reduces the student’s responsibility. The proposed amendment would allow advocate to participate while advisor cannot. It also undermines the confidence of the system.

Professor Potter believes that the current structure works well.

Vote on proposed amendment: For: 1; Opposed: 5.

There are several concerns that will be forwarded to MSA per a vote taken below:

1. By requesting an advocate in a minor offense, the hearing will be overloaded.
2. The student will need an advocate if the penalty is severe.
3. How does a student choose an advocate and what are the qualifications needed for an advocate?
4. Will the advocate be specifically trained for sexual-assault or harassment hearings?

The committee voted on whether or not it is open to future discussions. Vote was: For: 1; Opposed: 1; Abstain: 3.

Vote on forwarding individual concerns listed above: For: 4; Opposed: 0; Abstain: 1.

Proposed Amendment #22. Resolution Coordinators.

The committee decided that this amendment involved three parts which would be voted on separately.

Part 1: For: 0; Opposed: 5; Abstain: 0.
Part 2: For: 0; Opposed: 5; Abstain: 0.
Part 3: For: 1; Opposed: 4; Abstain: 0.

For part one, OSCR explained that even in sensitive cases, such as sexual assault, there need to be ways of obtaining declarations directly from the victim (without compromising their safety) and that this amendment would impede such direct communication. Part 2 is tied to part 1, and poses problems for the same reasons stated above. Introducing a third party at this stage of the complaint process is problematic.

Adjournment

The meeting adjourned at 1:15 p.m.


Respectfully Submitted,

Brennan Dorn and Linda Carr
SACUA Support Staff