
Absent: Royster Harper, Donna Hayward, Leo McAfee, Stacy Peterson.

Guests: Debrah Webb, Senior Associate Director, Facilities; Jay Wilgus, OSCR Director.

Chair Potter convened the meeting at 12:05.

Recreational Sports Update
The committee continued discussing two remaining issues with rec sports representative Debbie Webb: faculty/staff rec sports options and student-oriented facilities.

There has been support behind establishing separate times and areas for students and faculty. It was mentioned that some faculty do not feel comfortable sharing space with students. Limiting hours and space is also problematic because faculty and staff would pay high usage fees but could not use facilities at a time that might personally suit them best. There could also be conflicts over whose area is the nicest. It was suggested that the U could subsidize faculty membership to other off-campus facilities to those who are uncomfortable sharing an exercise space with students.

There is now a critical mass on North Campus to flag further discussion, as students and faculty alike are clamoring for a more vibrant North Campus experience. If Rec Sports expands to North Campus, there will be room to create a separate space for faculty and staff, but the location might not accommodate everyone’s schedule. Pfizer’s exercise facility could be potential location; MHealthy is considering hosting classes at the location. Parking would still be an issue on North Campus.

A Senate Assembly group report on health and well-being expenditures will be released in May. There is a feeling that the U needs to “put money where their mouth is” by having some health benefits tied to healthy living, with emphasis on exercise and relaxation. It was noted that even getting to “good enough” would be a welcome change.

If facilities are increased to accommodate the growing student size and to become “good enough,” $220 million would be necessary. Activity rooms for groups are needed, as well as “mac gyms” that could be used for various activities. For that amount, the U could renovate facilities, include strength and conditioning equipment, and double activity space.

Further development depends on many contingencies. If Dance and the School of Kinesiology moved to North Campus, Rec Sports would have more space in the CCRB. It was noted that renovations sound like “band-aid” measures, no matter how intense they may be. It was suggested that the U build something on the property that is planned to be a hotel convention center.

Statement of Student Rights and Responsibility Update
On April 4th, the national Office of Civil Rights’ statement was announced in New Hampshire by Vice President Biden. The statement focused on standard of evidence and investigation requirements. The strongly worded expectation on how universities handle matters of sexual violence was largely congruent with OSCR’s expectations and the March discussion.
OCR made it clear that preponderance of evidence is the standard, which the majority of universities support. This standard carries a greater risk for the victim and confidentiality. Investigation requirements call upon institutions to follow up even if a student does not want to pursue further action. OCR has recommended that a “reluctant” victim’s request for confidentiality must be weighed against a number of factors. Universities cannot guarantee their confidentiality, especially in Michigan where the laws are very broad and an accuser’s name could likely be discovered.

The distinction between the statement and a criminal process can be confusing. There is a screening process when an incident is forwarded to a prosecutor. It was asked whether there is some middle ground where a prosecutor can take a victim’s requests into consideration. The U has remedial powers that surpass city and state power; OCR is emphasizing that universities cannot hide behind other official process and pretend that they do not have this power.

A Title IX investigation is very different from a police investigation. One way to handle the cases is for universities to determine a finding and then handing a case to the proper authority. Title IX offenses are part of a student’s educational record, as discipline and academic record are fused at universities.

In cases where a friend or roommate reports a crime on a victim’s behalf, universities are nonetheless obligated to investigate and to prevent reoccurrence. If a student confides in a professor, the professor is obligated to report to a Title IX court which would then investigate the matter. If the student does not want to discuss the incident and does not provide a name, the investigation can stop. If a student does name an accuser, the professor has to relay that information and an investigation will start. There is fear that students will feel uncomfortable speaking to professors because discussions are not privileged and confidentiality cannot be guaranteed. It was noted that forcing victims to communicate can serve as an extension of abuse.

OSCR has started some campus dialogue on this topic. OSCR’s relationship with OCR is like the U’s relationship with the state: OSCR is not bound by the OCR, but there is an expectation that it engages the community and acts a certain way.

It was emphasized that there will be future occasions for the Committee to contribute to OSCR’s handling of these issues.

Closing Remarks
The Committee finished its last meeting of the year. The Chair thanked the Committee members for their participation and wished good luck to members who will not be returning next year.

The meeting was adjourned at 1:16.

Respectfully submitted,

Paula Pawlowski
SACUA Student Support