Student Relations Advisory Committee
Minutes November 6th, 2009

Present: Chair Charlie Koopmann, Simone Himbeault Taylor, Janine Maddock, Richard Nye, Lynn Marko, Leo McAfee, Susan Pritzel, Mark Tucker, Ian Margolis, Chris Armstrong, Karin Teske (Student Support)

Guests: Jennifer Schrage, Director OSCR, and Carrie Landrum, Coordinator.

The meeting was called to order at 11:59pm.

Chair Remarks:

The committee may need to appoint a subcommittee to work with students and OSCR on the SSRR revision process, or it can be done as a committee as a whole; defer decision until the end of the meeting.

Would like to see unanimous passage but will accept a majority; if extremely passionate about a specific area a minority report will be entertained if desired.

Within the packet (handed out at the meeting) there is a time table that was worked out among OSCR, Simone, Royster and Charlie as a working plan; do have a drop deadline as well for submission for the amendments to the President.

Minutes from April: approved pending no objections by the end of the meeting (none stated: Minutes Approved)

The planning that was done ahead of time for the SSRR revision will prove to be of value for the committee’s purposes.

Welcomed guests Jennifer Schrage and Carrie Landrum.

Statement of Students Rights and Responsibilities Amendment Process

Jennifer Schrage:

4th year in the unit; Carrie has worked on front lines of conflict resolution; Carrie with be primary consultant for 2nd semester.

The purposes of OSCR is to facilitate a process; the purpose is to facilitate conflict resolution, not tell students how to resolve things. OSCR will work with the SRAC as consultants: want to address the committee’s needs to complete the amendment process.

Today will address:
- What is the statement and why does it exist
- Sense of what it means to implement the statement at U of M; how we live it as a community
- OSCR’s role in implementation
- The amendment process and SRAC role
What is statement and why does it exist:
- SSRR is a campus wide policy for students authored by the community to articulate the standards and expectations of non-academic behavior on campus
- Sets forth principles to resolve conflict
- Serves as support for all students
- Also is a benchmark for institutions across the country.

OSCR’s mission: build trust, promote justice, teach peace.

3 years ago stakeholder engagement with students/staff faculty; asked how we are doing?
What are their needs, what could we improve, through those conversations, we sat down as a team and the mission was rewritten:

Build Trust:
- educationally focused shop in our messaging towards students and parents
- community owned- this is not OSCR’s agenda, it is what the community has expressed as values and how they want conflict resolved;
- as the community changes so should the documents, policies, and procedures.
- Student driven- as policies are implemented-, students are in decision making mode.
  Student interns; students play a role in staff meetings.

Promote justice
- create a safe campus climate- achieve and support through SSRR, but also through other student conflict resolution processes: compassion, integrity, fairness.

Teach peace
- we are not administering services, we are proactive in providing educational programs- workshops, mediation trainings, conflict management training. Explore appropriate resolution instead of using policy and law as a first resort- use as final resort.

OSCR’s spectrum of resolution options: adjudicating under the statement (formal conflict resolution mode)
statement gives a nod to other pathways of conflict resolution (such as mediation) but formal process articulated in the statement is adjudication formal resolution

First resort- prelude; or after formal conflict resolution process can be diverted into a less formal pathway; tail end of a case, arbitration panel can recommend to the parties that they do a restorative justice circle (alternative pathway) diversion, prelude supplements to the formal process.

The statement is related to last 2 purple pathways (adjudication informal/formal resolution as shown in handout)
Carrie Landrum (Coordinator):

What each pathway is:

begins with

→ **no conflict management** - at this point parties would not be coming to OSCR

→ **debate, dialogue, discussion** - engaging directly with each other but still no 3rd party

→ **conflict coaching** - other parties are not coming to the table, single party only - may want to learn how to improve their skills in the absence of a conflict-

→ **facilitated dialogue by a 3rd party** - large group conflicts usually, we facilitate conversation, not necessarily an outcome but increase understanding between those involved

→ **mediation** - two or multiple parties, plus a mediating party;

all of these options are voluntary; differ from options further along the spectrum because the outcome is resolved by the parties; they have control over the outcome.

Mediation may result in an agreement between the parties; mediator is not telling them what to do, mediator is not inserting their voice.

→ **restorative justice practice**; a student who has committed harm against another and wish to restore what harm they have done to the harmed individual. Can tell their story; the person causing harm can say I acknowledge that and I want to make amends; can be very powerful process; allows for healing and dialogue; does not result in disciplinary action.

→ **shuttle diplomacy** - Work back and forth between parties.

→ **informal resolution** - accepting responsibility; formal violation of the statement; student accepts responsibility for violating the statement, get sanctioned, work into an agreement which they are held accountable for - alcohol classes, writing a reflective paper;

→ **formal adjudication** - involves an arbiter - student panel or one of us; only process which can be appealed.

*When you say community, are you referring to campus community only?*

Yes.

All conflict must involve a student, but if the student is involved in a conflict with someone on the outside, we will also involve them; however most conflicts are student and university community conflicts.

*Where does the office of the ombudsman fit in?*

OSCR deals with nonacademic conflicts and conflicts where the Statement applies; if a student has a complaint with faculty or staff, we do not deal with that; if conflict with university policy, we do not address that - they goes to Bob Holmes; students also are referred to Bob Holmes if there is a challenge with OSCR.

Disciplinary record is absent up to the pathway of adjudication informal resolution; there is a record, and are recorded in annual report data, but there are no disciplinary records (sanctions). The last two pathways; if student accepts responsibility or is found responsible under formal hearing, that is a disciplinary record. Record policy is aligned with best practice.
Records are kept of the informal pathway, but minimal records of the outcome; Avoid entrapment if the mediation ends up in court, for example. We keep only what is needed for annual reports data and federal compliance and for transparency; not attached to names. Do keep record of what students may be coming back to OSCR for a 2\textsuperscript{nd} or 3\textsuperscript{rd} time, we won’t pretend we’ve never seen them before. Disciplinary records only kept if due process occurs in the resolution process.

\textit{If a conflict is brewing on campus, but no one is saying anything about it to you, what happens?}

We are complaint driven- we are not campus prosecutors, we are not reaching out, we only make ourselves available. when an incident occurs, we have information that people can obtain, can come file a complaint; get an intake without having to give out one’s name but can get the information.

\textit{Bar in town- students causing problems (hypothetical) can bar owner come to you?}

Yes.

Off campus mediation can be facilitated; under the statement, however we are less inclined to engage that. According to the statement, to file a complaint, must be a faculty member, on staff or be a student. Or information reported to them; bar could report a complaint to a faculty member who them brings it to the formal process. Otherwise formal process not accessible to unaffiliated persons.

The entire judicial process used to be only the last two pathways; now we have a conflict management process that right sizes the statement to those two on the far right(informal and formal adjudication)

The Numbers:

2008-2009 334 cases, 253 adapted resolution

59 through formal resolution pathways

22 dually resolved (Dropped out of one went to another, vice versa).

461 students served; many cases involve multiple individuals;

3 most common violation:
- illegal substance abuse, stalking and harassment, stealing and vandalism;

Only 4 cases resolved through arbitration; most accept responsibility and go into agreement
Amendment Process:

Statement is a revolving document; any community members may propose amendments to the statement; propose an amendment through MSA, SACUA, or an executive officer at the university.

Your role as the committee: review proposed amendments; forward these to office of VP; this office will forward to office of the president who makes the final decisions; all amendments proposed through these avenues, we review and recommend, and the president ultimately makes a decision before the end of the academic year;

Amendment Process (blue handout)

Phase 1:
Engagement in statement review- this phase is already complete; has been occurring since fall of 2008; By winter of 2009 (April) - VPSA announced this year is an amendment year

3 community dialogues were hosted in September, among all participants; proposals were all reviewed at all 3 of those dialogues. A lot of dialogue occurred in this phase, before it got to the SRAC – gave opportunity for refinement prior to submission.
Proposals submitted to SRAC by Nov. 2nd deadline.

Phase 2
Goal is to obtain refinement and make sure we have the most refined proposals we can get
How it has been done in the past; in consultation with Charlie, Royster, Simone
this will be for us to decide how it will look. Committee work.

Phase 3:
Revisions go to VP and on to president
to reach that goal: our timeline:
- Have Nov. 20th meeting, Dec. 18th, and January meetings scheduled
- Begin review of proposals by meeting with proposal authors about the proposals put forward
- Dec. invite guests for consultation
- Jan; will have access to office of general counsel to do a private client consultation in regard to legality of amendment
- Jan. and Feb. go back to authors with legality issues to refine further
- Feb. make final decisions on recommendations to VP
- March: VP will forward those recommendations to the president.
- Decisions by president made by April.

Keys to Timeliness and Efficiency: willingness to dialogue with constituents and find win-win situation; consensus building; to do that, be intentional about decision making, agree in principle behind amendment, and then agreement with language; if agreement in principle a subcommittee can work on
wording- something to consider; consult with constituents- get early insight from general counsel on legalities to reconnect with authors.

**Committee role/ options** for next steps: decide today: what our agenda will be Nov. Dec. Jan Feb. offline work?

-Proposals are online; will be provided with a link to proposals on the web; also physical copy

-Come in to Nov 20th having reviewed those proposals

-Survey tool online- committee can complete before Nov. 20th that can be summarized electronically and make suggestions.

-Offline work- subcommittee work- look at survey data or meet with constituents between meetings (decide as a group)

Option to a consent agenda- majority vote

Chair Koopmann: regents have put this responsibility solely on this committee; not something we share with other committees; we bring in people if we need them from CLB, general counsel, others but it is ours to accomplish; at least to accept the document

Nov 20th: prior to; review proposals and complete survey online; what currently is on the agenda is to bring in community constituents who have author proposals- provide face time to hear the principle guiding their amendment and to answer your questions; don’t read you the amendment but rather tell you why and what about the proposal is to be amended and be available to answer questions; this will take up the meeting time; reading ahead of time will serve you well and we can be more efficient.

Three proposals lend themselves to strong consideration 1st three;

1) bring document for SSRR into alignment with actions passed by regents; be in alignment with what the regents have passed; 2; and 3; think more about; final 4; may require more thought and discussion.
Jan and Feb TBA: Karin will Doodle the group to find times when everyone is available to fill in meeting times for these extra meetings.

It was discussed how a subgroup might be organized; several subgroups or one subgroup for all of the proposals; this will be decided later.

Historical perspective- subcommittee in past years more essential because there were 15-20 proposals coming forth; because of the advanced work this time around, things have tidied up to 7 proposals; what requires substantive discussion could be achieved in one or two total SRAC meetings; may not need subcommittees.

About the proposals:

Title page packet: table of contents; including statement proposals and page; includes principle behind it, authors of it, whose proposing it contributing author, whose supporting it, rationale behind it, and wording.

(see handout)
Left column: current reading statement:

Middle: track changes version:

Third column: if the amendment is approved as proposed, this is what the statement would look like

Proposals

1st: Update language to ally with nondiscrimination policy; change what is referenced inside the statement

2nd: realign statement language to be gender neutral; remove him/her; he/she

3rd: realign statement language with educational mission of university and practice of what the U has said about how they want to resolve conflicts (sanctions = educational measures for example-working choices) remove legalistic terms

4th- adaptable conflict resolution spectrum; mostly talks about formal conflict resolution but does not explain how to access informal mediation for example

5th- standard of evident- clear and convincing to a preponderance

6th; intimate partner violation to be include in list of violations

7th; proposal to amend the amendment process; to change language of amendment process.
Want to make sure grammatically correct; may say yes, we like it, but it has to be written grammatically appropriately, we can work with others in the English department to fix it for us. We don’t have to take our time to do that. See what they’ve done with it.

Chair Koopman complimented the preparation that has been done so far towards the amendment process.

Suggestion:

When filling out online document- weigh in on whether or not could be consent agenda or not.
Survey tool- want a question in regard to “go to consent agenda” this item should be on consent agenda

Future Agenda:

January: non smoking campus initiative and follow up with student parents;

February: in State tuition issue

Criteria and process of in state tuition- look at both

CSP

Rec sports

In the interim- be thinking about what issues about these topics to look at

Thank you to the OSCR team for coming.

Meeting closed at 1:20pm

Respectfully submitted by: Karin Teske 11/8/2009