SRAC Report
Senate Assembly
May 17, 2010

Charles F. Koopmann, Jr., MD, MHSA-Chair

Meetings:
- First: Nov. 6, 2009
- Last: April 16, 2010

Main issue for the year—Statement of Student Rights and Responsibilities Amendments
- OSCR-Office of Conflict Resolution
- Why important: # of cases
  - 2008-09: 253 adapted resolution
  - 59 formal resolution pathways
  - 22 resolved by changing pathways
  - 461 students served
  - 3 most common violations: illegal substance abuse, stalking and harassment, stealing and vandalism
  - 4 cases resolved through arbitration

Amendment Process
- Amendments may be brought forth by students through MSA, by faculty and staff, and/or by the administration.
- SRAC is has been given authority by the Regents to evaluate the proposals, suggest amending them, and then voting to accept or reject each proposal. This is done in consultation with OSCR, MSA representatives, proponents and opponents of the amendments, General Counsel, office of the Vice-President for Student Affairs
- When the document is finalized (after months of deliberation) the proposal is put forth to the President for approval, modification, or rejection.
- Timeline was set:
  - Nov, 20, Dec. 18 and Jan. meetings scheduled for discussion and possible modifications
  - General Counsel to advise toward the end
  - Feb. meeting: Final proposals approved and forwarded to Office of the Vice-President for Student Affairs
  - March: Vice President for Student Affairs forwards proposal to the President

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.

Result President Coleman’s response:

According to Vice President Royster Harper's summary, under the guidance of the SRAC, the 2009-2010 amendment process relied on dialogue within the community and incorporated multiple opportunities for communication between proposers and the SRAC which resulted in a refined set of six proposals which were unanimously approved by the SRAC. I am pleased to report that I support all of the SRAC's recommendations, with two important modifications. I accept the rationales provided by the SRAC for all accepted amendments, Proposals 1, 2, 3, 4, 6 and 7, and concur with the Vice President for Student Affairs' recommendations and rationales for modifications to Proposals 3 and 4 as clarified below. I additionally accept the administrative update proposed by the Vice President for Student Affairs based on the Office of General Counsel's recommendation.

Proposal 3: Realignment of Statement Language with Educational Mission

The SRAC voted to support this amendment. The Office of General Counsel advised that the component of this proposal that replaces the term "sanction" with "intervention" unintentionally undermines the University's significant legal obligations to hold students accountable for serious misconduct proscribed by federal and state civil rights laws and higher education laws, and furthermore, as investigative agencies are familiar with terms such as "sanctions" rather than "interventions," it is to the University's benefit to have formal policies align with the expectations of regulatory authorities when possible. I therefore accept Proposal 3 with the Vice President for Student Affairs' suggested modification that "sanction/intervention" be used instead of all instances of the term "intervention,"

MSA Proposal 4: Inclusion of Adaptable Conflict Resolution

The SRAC voted to support this amendment. The Office of General Counsel advised that the sentence "These [ACR] pathways may be available for a wide variety of conflicts, including roommate disputes and/or incidents related to alcohol or drug use" codifies OSCR's process and commits the University to a particular approach by listing examples of how Adaptable Conflict
Resolution (ACR) is currently being used in the *Statement*. Pursuant to General Counsel's legal review and recommendation, I accept this proposal with the removal of the sentence indicated above.

- Other work
  - March: No Smoking policy: Dean Warner
  - April: Presentation on Recreational Sports