RIT | University Council

Meeting Minutes: October 28, 2020

The meeting was called to order at 3:02 p.m.

Approval of Minutes from October 14, 2020 Meeting
The minutes were approved by 28-0-1

President's Report

Today our COVID dashboard shows that since August 19 we've had 23 students positive and 3 employees. Those are remarkably low numbers compared to other universities and colleges of our size, but we do have some concern because in just the last two weeks we acquired 10 of those student positives and one of the employees. We have 12 in quarantine on campus and 34 off campus as well as 7 isolation. Ninety-two percent of beds remain available at 175 Jefferson Road and we hope to continue in the same vein. But, the virus is out there and if we're not careful, the train can go off the rails in almost a moment's notice. With the change of season we're facing our stiffest test yet with respect to COVID. The virus rate is climbing across the nation and even a bit within Monroe County. And so we've got to be more careful than ever and continue to practice the three W's: wear a mask, watch your distance and wash your hands. We need to avoid groups and especially for our students, to stay on campus or close to it, don't head out to the bars and that sort of thing. We'll be sending out some messaging to the entire campus in the coming days and weeks. Let's do this right and finish strong!

At the last UC meeting, I spoke about our investigations into different testing methodologies, especially saliva testing. The team headed by Ryne Raffaelle has settled on a test. Andre Hudson and others are being very helpful in equipping one or more laboratories in our School Life Sciences. So, we will be ready to process our own tests and will be able to conduct something like 40 or 50,000 of them next semester. We plan to again require every student, faculty, and staff member who will be on campus for the spring to have a negative COVID test prior to arrival. We'll announce specific dates and the window in which that test should be administered to the campus community.

We're going to have to accommodate bigger groups indoors and provide attractive indoor activities, especially to our student body. We have a number of options, but one that's being worked on the most currently is to upgrade and really decorate Ritter Arena. We've been using it as a study hall this fall but, Howard Ward is heading up a group from multiple divisions to turn that into an attractive destination.

I want to say something about the flu vaccine. We certainly have some faculty and staff who would prefer not to get the vaccine. Let me just walk us through what the rationale is for the importance of getting the flu vaccine. And then I want to talk about the exception process. We really want as many members of our community as possible to get the flu vaccine. The symptoms of the flu can be similar to those of COVID and we want any of us who might contract COVID to know that as soon as possible and not wonder for a few days, if it's the flu. So, flu vaccine will help in diagnosing COVID at an early stage. A second reason is that flu can be very serious and lead to hospitalizations and we don't want to overwhelm our local health system. The third reason is if one acquires COVID and the flu simultaneously it could be an even more dangerous thing. So there are very strong reasons for getting a flu vaccine. I myself received my flu vaccine quite, quite a while ago. So I encourage you to do that. Now, we do have an exception process. In the original message about the flu vaccine, we said we would authorize medical and religious exemptions. And in addition, we've had some faculty and staff who have gone to HR and indicated that they have a strongly held belief and that is a third category for which we can grant an exception. We have a form that needs to be submitted to your HR manager. It is located on the HR web page under policies and procedures, one can scroll down to Accommodation Policies to locate that form.

It's my understanding that some people are worried that because we're pushing so hard for the flu vaccine that we might require a COVID vaccine. I want to tell you that any talk about that is completely premature. First of all, we need a COVID vaccine that is safe and effective and we don't have one yet. But unlike the flu vaccine which has been available for many years and has a long history of safety, the COVID vaccine, or set of vaccines, will have a lot less data. I think it's probably a little less likely that we're going to require at least a specific COVID vaccine, but we want to see what develops there. And I'm especially going to be eager to see what the commission within the state of New York decides in terms in their assessment of what CDC and federal agencies have done in terms of vetting any potential vaccines. So we're going to have an independent set of eyes on this from New York State, and I want to see what our people have to say about that.

Diversity, Equity and Inclusion Update (*presentation file and Task Force Report available on [RIT Digital Archive](#)*)
Keith Jenkins, VP & Assoc. Provost for Diversity & Inclusion

Sharing today what we are calling the RIT Action Plan for Race and Ethnicity. I'll begin by reflecting on recent events that are the backdrop: the global pandemic, police killings of George Floyd, Brianna Taylor and then right here in Rochester, Daniel Prude and others, are the intersecting events that highlight systemic racism, racial inequity and injustice and disparities in health care, along with the countless national protest demonstrations, vigils and town hall meetings. RIT is compelled to re-examine our own history and renew and re-focus our existing commitments and expand our reach and effort by leveraging our passion to create a more diverse equitable and inclusive society.

RITs response has included: vigils, town halls, meetings with students, faculty, staff, alumni and trustees. From May-September approximately 100 recommendations were gathered and have been placed in 3 categories which led to the RIT Action Plan for Race and Ethnicity. Also, several Department, College and Division plans are underway and there is movement in Academic Senate, Staff Council and Student Government.

Today, the chance that two people chosen at random at RIT are of different race/ethnicity is 46%. For students (the most diverse of our populations) it's 49%, with 32% for staff and 39% for faculty. Very important in terms of looking at this methodology that builds upon the work by Meijer and Macintosh of 1992 is to realize this number of 46% and particularly this number of 49%, and as I mentioned 49% here, 20 years the diversity index for students at RIT was only 28%. So that means that over the 20 years there's been a tremendous amount of growth and what is exciting is that by 2021 we expect to cross an important milestone for students where that occurrence is more likely than not exceeding 50%. Now why is all of this important? This shows our growth and these various populations. But when you compare this to the United States of America on the next slide, you see that from 1950 until 2071 that U.S. diversity is increasing. In 1960, we had a 19% chance that any two people chosen in the U.S. would be have a different racial or ethnic background. In 2016, we are projected to reach a 71% chance. What's important is this number for 2010. Somewhere around between 2000 and 2010, we actually crossed the milestone of 50% and so the diversity index for the U.S in 2010 was 55%. So now we stand somewhere between 55 and 60% for the diversity index of the USA.

Now when you look at this in terms of students, faculty and staff, it's also very important to note that our student population will remain the most diverse population. So the most important question that we can ask is if there is to be a gap between faculty, staff, and students in terms of our diversity makeup, how tolerable a gap can we handle at RIT?

The approximately 100 or so recommendations received were placed into three key areas of focus: Student Recruitment and Success, Faculty and Staff Recruitment, Retention, and Advancement, and Culture, Communication, and Leadership. Three working groups were organized and charged with proposing a vision for their area and also to identify three to five broad strategies or initiatives that would substantially enhance RIT's ability to achieve this vision and then to identify potential resource needs and associated costs. And finally, to indicate timelines and

measurements. The working groups are comprised of individuals from all over the campus and include faculty, staff and students. Their names can be found on the presentation slides. Each has two Co-convenors/Co-writers.

So far, the committees have rolled out very preliminary recommendations. Given our desire to expedite the development of this action plan within the context of the previously mentioned event this document serves as a historical marker of these efforts with the understanding that it is a living document that will necessarily evolve and take new form and direction as the landscape changes and the future unfolds.

So we can take a look at some of the very preliminary recommendations that have come forth.

Student Recruitment and Success Group
- focused on initiatives to increase the proportion of AALANA students, improve AALANA graduation rates and reduce the AALANA/Non-AALANA graduation rate gap
- efforts include programmatic and curricular initiatives important for recruiting and supporting a diverse student body and create an affiliate of inclusion and belonging
- broaden the RIT brand to reflect a university with an extraordinary commitment to eliminating racism
- recommendations that stand out:
  - establish and continuously improve enrollment pathways for AALANA students that promote access, remove barriers, expand geography and other forms of diversity. For example, we had an increase in AALANA enrollment this fall which seems to be a result of partnership between Admissions, MCAS and the AALANA Collegiate Association.
  - examine the degree to which RIT's aspirations to become an elite highly selective research university could result in making the university even less accessible to low income underrepresented students and the need to increase financial aid funding.
  - examine whether it is true that low income students are at a disadvantage at nearly every element of the Higher Education pipeline process and this includes from applications to admissions to enrollment to persistence and degree completion.

Faculty and Staff Recruitment, Retention, and Advancement
- Create and support formal structures, broader engagement in and accountability for Diversity, Equity and Inclusion work (e.g., committees, governance involvement, dedicated staff diversity-related position, appraisals)
- Examine, revise and enhance current hiring practices with eye towards creative and opportunistic approaches and
- We may use a variety of climate and other surveys to gather information, such as COACHE, COACHE Exit Survey and Great Colleges to Work For.

Culture, Communication, and Leadership
- Add artifacts and visual displays of cultural and historical significance to RIT
- Conduct campus-wide diversity climate surveys
- Engage all RIT Leadership in diversity education sessions
- Review and make clear Public Safety and Conduct Policies and provide enriched training to enhance effectiveness with Deaf BIPOC members
- Examine RIT's history regarding racism and social justice
- Offer diverse educational approaches that include education about racism, white privilege, implicit bias, bystander awareness, etc.
- Enhance overall communication regarding transparency of Institutional data and improved diversity marketing

Next Steps
- Continue drafting the plan and gathering feedback from constituent groups
- Present plan to the Board of Trustees in November 2020
- Present the total plan for feedback and discussion at the Board Summit, February 8, 2021.

Q: Thank you Keith. I have a few questions for you. I've had the chance to work with McNair Scholars Program, which supports first generation and low income students in pursing graduate education. These students work with a professor on a research project to get a sense of what it would be like to get a Ph.D. and many do, but they seem to enroll at other universities to obtain their doctorate and then also become faculty elsewhere. Is there some way of building a lasting relationship with these students so they do return as faculty members?

A second question has to do with the Future Faculty candidates who we invite to campus to present. But if we actually like the candidate and want to hire them, typically there aren't funds available to create an opening for them. Is this being looked at?

My last point is that I have observed my AALANA colleagues get treated differently in a way that I think is meant to serve diversity and inclusion, but that actually hampers their careers. So, you get an assistant professor who is AALANA and by the end of their first year here, they've been asked to serve on 17 different committees. In each case, it's "Well, we need an AALANA person and you're the only one we can find. So we're going to have you be on this committee." This hinders their course prep and research and ultimately their chance at tenure. Is there are way to either protect them from excessive service or give them course release to make up for the time serving on committee?

A: Thank you. And you raise many different points here, some of which are already being discussed as part of this particular plan. The BIPOC Tax you bring attention to, which is calling on those who are of AALANA faculty to serve in so many different ways, but not always recognizing that particular service, has been heavily discussed and is a part of the recommendations that are going to come forth. So thank you for sharing that information. And I would also invite Ellen or Dave to also share because they are aware of these discussions.

Dr. Munson: There's the term invisible labor and this is an issue at every university and I think the responsibility for solving this problem rests at every level and we can probably do better. I wanted to ask, Ellen if she could comment on any special funds or hiring programs to try to increase the percentage of AALANA faculty at RIT.

Provost Granberg: Sure, I'd be glad to. The main major fund we have right now is a strategic hire fund that's in the Office of Faculty Affairs and we use that when Future Faculty Career Exploration Program fellows come in and a department has an interest in hiring a fellow, but they don't have an opening. That fund can provide up to three years of bridge funding to allow the department to make the hire now, rather than having to wait for an opening to occur. Right now that fund is non-recurring money. One of my goals is to get it recurring so that it's a constant revolving stream that we can plan on over a number of years. But, that's the primary fund available right now.

David Munson: Keith presented this preliminary version of the plan and the planning process with the President's Roundtable last week and we had a lengthy discussion as we will again when he presents to the trustees. If you have further thoughts, please let me, Keith, Ellen, or anyone in the Administration know. We're all working with Keith on this and we thank him for his service.

Anti-Sexual Harassment Task Force Report (*presentation file and Task Force Report available on [RIT Digital Archive](#)*)
Eileen Bushnell, Co-Chair
Jessica Ecock-Rotundo, Co-chair

Going to begin with a review of our charge and then do a high level review of our recommendations.

Charge
The University Council charges a task force of faculty, staff, and students to review and evaluate current anti-sexual-harassment efforts at RIT, identify best practices that have been shown to be effective at peer institutions, and recommend improved practices for implementation at RIT. The Task Force will focus primarily on substantial cultural change to complement existing compliance efforts. It is anticipated that the recommendations of the Task Force will be made public and discussed by the RIT community, leading to a set of initiatives to be adopted.

I want to share a quote just to reinforce how important it is for us to look at our campus climate and culture more broadly on campus.

> "Organizational climate is, by far, the greatest predictor of the occurrence of sexual harassment, and ameliorating it can prevent people from sexually harassing others."
> National Academies on Sciences, Engineering and Medicine (NASEM), 2018, p. 171.

Our Task Force wanted to be open minded and we all came to the table feeling that RIT is doing a really great job about sexual harassment and Title IX, issues but also wanting to see how we can improve.

Goals
- Open-mined philosophy: believe we are doing well and want to be better
- Review existing efforts and gaps: expertise of various professionals on campus | Data from climate survey | Title IX report, outcomes from students and employees
- Identify best practices: read various materials | focused on National Academy of Science, Engineering and Medicine (NASEM)

So, we looked at our current efforts, campus policies, the Student Campus Climate Survey that the Title IX Office does bi-annually, Title IX Office Annual Reports, outcomes from discipline hearings from students and employees and talking to people on campus who would have some information or already work in this field. Dr. Margaret Bailey from AdvanceRIT came to our meeting to talk to us about their efforts and Kelly Kamish from the Center for Women and Gender gave us an overview of what already exists, and also their opinion about the gaps on campus. And then we thought we needed to identify some best practices, so that we weren't just making up recommendations or thinking about ideas in a vacuum and the one of the main pieces of information and groups that we look to was NASEM because they are a group that Academic Senate is familiar with through AdvanceRIT and because Dr. Margaret Bailey discusses them in her presentations on campus and they understand our campus culture, they understand what it looks like for women in underrepresented majors for faculty and students. They had a good understanding of what campuses similar to RIT are going through.

Our first recommendation, and Dr. Munson mentioned that it is unique for University Council to even charge a task force, so we know that this is a unique recommendation and we know these are only recommendations. But, we thought that a Standing Committee within University Council would be a great recommendation to continue this momentum and really allow for a collaborative and comprehensive group to keep this going as a long term initiative, as well as keeping it a priority. Reducing sexual harassment and changing culture is a huge task, so it needs to be in the forefront of what we do. And the governance groups is how we enact change on our campus. We thought that there could be constituents from the different governance group sitting on this committee as well as possibly someone from AdvanceRIT, and from the Title IX Office, so there could be connections throughout

campus and we could maintain an overview and have a more comprehensive picture of what is going on, on campus. This group could then support different initiatives. Specifically thinking about the Title IX Office and the Compliance and Ethics division. They use a framework with four different pillars to address Title IX issues on campus. And this group could help support the Awareness, Prevention and Campus Culture pillar.

Our next recommendation is actually something that the group could help engage with and that is a comprehensive campus climate assessment. Currently, we are required by NYS to evaluate the student experience every two years, but we think that we need a fuller picture. We need to understand what our staff and faculty are going through. There is some research for faculty, but we need a broader picture so that we could help address the specific issues that exists on our campus. We think a survey is the best way to get this information, because it could be far reaching if many employees respond. There could be other evaluative efforts, maybe focus groups or interviews to follow up on the survey results. We think if there's an external organization distributing the survey, people might be more interested and honest in their responses. To really have a full picture of what's going on campus, an externally sourced survey is very important.

The next recommendation is sort of big picture. We know this would be a huge investment financially and with resources, but we think that this would be an opportunity to show that this really is a priority on our campus, that we care about addressing and reducing sexual harassment on campus. With the knowledge that RIT aspires to be a research one institution really increase those efforts, we thought that this would be a great opportunity to show that research is a priority, sexual harassment reduction as a priority, understanding gender and gender equity would be a priority and there could be collaboration with other institutions. So this was a pie in the sky recommendation that people felt pretty passionately about because we think that this could really change how people view RIT and its priorities and what kind of research it's interested in completing.

Our next recommendation is probably our most specific recommendation. It's about equity and employee outcomes for discipline cases. This came up pretty quickly in our review of current practices on campus and also was a concern from various presenters. We want this recommendation to be considered so that there could be consistency in employee outcomes. Our understanding is that there's a discipline issue where the HR Manager makes a decision about a finding of responsible or not responsible for violating a campus policy and then they make a recommendation for a sanction or an outcome. That recommendation then goes to a dean or vice president. The concern is that there could be inconsistency with how the dean or vice president responds, possibly just because they may only see one case a year or every other year and yet might be changing what the HR manager (who likely sees more cases) recommendation and this could provide opportunity for inconsistency. We think it would be helpful for the HR Managers make decisions and those are possibly the final decisions. We also want to think about training and casework shopping for decision makers, to control consistency. People are feeling that they're treated unfairly. We also recommend publicizing or increasing the publication of the outcomes of the employee cases, and all cases of Title IX or sexual harassment discipline issues. We know that the Title IX Office and Stacy DeRooy works hard specifically through the Councils to provide information and the website, but we think that transparency could be also be increased.

Our next recommendation is advocacy and support resources specifically for employees. Students have lots of resources, including confidential resources to report any Title IX or sexual harassment issues, but there seems to be some missing pieces for employee. There is the Ombudsman office, but those employees aren't specifically trained on sexual harassment issues. If victims don't want to or can't repeat their story because it's traumatic, being able to go to a confidential resource who already has the training on sexual harassment issues would be very beneficial. Another idea is to create an Advocacy Program for employees similar to the Student Conduct Advocate Program. Maybe one professor or staff member from each college or division is a trained advocate so staff can go to them to report an incident or to get help on conflict and conflict coaching or restorative justice.

And then our last recommendation is thinking more broadly about language and inclusivity and about how we can take this as an opportunity for more inclusive language. Language is very powerful. An audit processes on information on websites, policies, marketing or just within offices would be really helpful because then people could see for example, we have binary language here for genders. Because otherwise we're making some people invisible.

We also thought about the Honor Code or just the language that we want to share that this community is free of sexual harassment, we will not tolerate it. What aspirational language are we using to really inspire people so that they understand that they could feel comfortable here, feel safe here, welcomed here and if there is sexual harassment that there will be consequences because that's not acceptable in our community.

Q: I just want to say it looks like a lot of good work been done here and I'd like to express support for moving forward with the recommendations of the committee.

David Munson: Well, I certainly want to publicly thank the task force for your hard work under difficult circumstances. You really came through for us. And what I'd like to do now is entertain a conversation on how we move forward. To some extent, the Task Force views this as delivering recommendations to me. But this is not my own personal task force. It didn't even have its origins in my office. And so one question I have is, whether the different governance groups would desire to have a similar report in front of your governance group and discussion there. Or whether you just prefer to turn it over to my office. And I know you know what I would do is I would be convening with my vice presidents and saying okay what do you think, what can we do, where maybe we were using that maybe we can't quite pull off the recommendation and the way it was formulated. And then some of that might be coming down further, for example in Academic Affairs, if we're talking about a particular center that involves research and scholarship. I'm sure, Ellen Granberg will be talking with the relevant Dean and maybe a set of deans.

But do people have a thought on how you'd like to proceed from here on out. I'm very conscious of the fact that a lot of this discussion started in the Academic Senate. So, we do need to have some discussion on this because you asked for this Task Force and this report. We've got it. What would you like us to do?

Lindsay Vallone – Staff Council Chair: I think that because it is such an overarching issue that does reach through faculty, staff, and students, that it would be very helpful to have it come from the President's Office. It also would carry much more weight coming from the President's Office and I think the reach would be far greater. So that would be where I would be inclined to keep it.

Dr. Munson: And I just want to make sure that if I start moving forward in my office that none of the governance groups feel like, wait a minute. We didn't have a chance to weigh in on the recommendations. We really wanted you to consider x, y, and z, and that's not in the report. So this is one of those times where it's sort of speak now or forever hold your peace. Because if you want to have input from the governance groups, we need to arrange for that to happen.

Shine DeHarder – Student Government President: I feel Student Government had a pretty strong hand in the Task Force as there was a rotating crew of students that were on it from the spring over the summer and into the fall. So it's been reported on at SG. But if other governance groups decided that they wanted to have them come to their respective meetings, I'm sure that sure that SG would be more than willing and happy to be able to have this presentation again in front of our Senate.

Clyde Hull – Academic Senate Chair: First, I'm going to comment that when Senate was first asking for this. It was shortly after you had taken office and the way that it was seen at the time was you came in and you looked at the course scheduled said no, that's nuts, we'll change it and like a week later it was changed. So that was sort of our sense of, this is a president who gets things done. So if you're saying if I take this into my office, I'm going to get it done, we believe you. If you wanted to check in with the governance groups from time to time, maybe just with

ASEC, I think would be happy to hear from you as things are in the works and give you feedback if you wanted it, but I think overall would be happy to see it go to the President's Office and see what you do with it.

David Munson: Okay, thank you all and I take that as an endorsement of the recommendations. So, at least from your point of view, does anybody else have an opinion on this? Well, hearing none, then we, at this point, won't plan any formal presentations on this subject at this point in time in front of the governance groups. I will discuss it with the campus administration and we'll let you know what is happening next. But I once again do want to thank Jessica and Eileen and the entire Task Force for what was a lot of hard work. I see a lot that we can do in these recommendations and so stay tuned and we will keep you informed.

C27.0 Policy on Title IX Sexual Harassment for Faculty, Staff and Students – REVISIONS (*presentation file available on* [RIT Digital Archive](#)***)***
Stacy DeRooy, Director of Title IX & Cleary Compliance

On May 6, 2020, we received new regulations from the Department of Education which had to be put in place by August 14th. Our team met and decided quickly to create a standalone Title IX policy, which is C27.0. Previously, we had C6.0, which was essentially the employee Title IX policy and we have D19.0 which was always referred to as the student Title IX policy. Because of the compliance components and the new regulations, the group thought that the best plan of action was to have a standalone Title IX policy so that we can ensure we met all of the compliance requirements and have consistency across the student and the employee processes because there really is no difference in the expectations with the law for how we handle the student and the employee cases that come in.

Probably the biggest change from the C6.0 and D19.0 policies is the new definition of Sexual Harassment under Title IX. Quid pro quo is still a component of sexual harassment. The second bullet, "so severe and pervasive and objectively offensive" is quite a distinction from the definitions that we put into C6.0 last year when the NY state employment law changed. C6.0 speaks to conduct that is more than petty slights or trivial inconveniences. So now the bar for sexual harassment is much different. Another difference is the new regulation specifically calls out that sexual assault, dating violence, domestic violence, and stalking, are part of Title IX. As a university from 2011 forward, we took these categories as part of the Title IX umbrella and then certainly after 2015 when "Enough is Enough" the New York State education law passed those categories were considered Title IX. Now they are separated out. These categories still will be handled and addressed under D19.0 or C6.0, but more when geography comes into play. And I'll talk about that in just one moment. First, I want to mention that the definitions of sexual assault, dating violence, domestic violence, and stalking in the law come directly from the FBI Uniform Crime report. They are the same definitions that are used for our crime statistics in our Annual Safety and Security report under the Clery Act.

Another different and very specific new component of Title IX is about behaviors that specifically happen in education programs or activities, including locations specifically in the United States. So, prior to August 14th if a student filed a sexual assault claim and it happened at Park Point as an example, we would consider it in our Title IX policy which was D19.0. Now, if an incident happens at Park Point and a student comes in and talks to us about it, we will still handle it under the D19.0, not under C27.0 because it did not happen on the campus or in an educational program or activity. So this geography component is really what breaks out C27.0 from the other policies.

I like to incorporate all of our relevant policies and they are noted in C27.0 because, if a person files a discrimination complaint, we do the assessment and determine first did the behavior happen after August 14, 2020 because it's one of the components. Next, is the behavior severe and pervasive and objectively offensive or does it fit in one of the other categories of quid pro quo or the violent crimes, and if so, or if not, we will be looking at these other policies. So if it doesn't fit in those categories - we might still be able to address it under C6.0 or D19.0, but sometimes we do get some behaviors or concerns that are brought to our attention that we might be looking at C23.0 investigating to make sure that somebody disclosed their relationship and properly mitigated that.

Another change that diverts from D19.0 and even C6.0, is the implementation of non-punitive, non-disciplinary supportive measures until the formal resolution has been reached. Prior to the new Title IX regulations, we would in some circumstances put the onus on the accused. If an allegation was severe and if their presence was negatively impacting the complainant, we would take measures to potentially, temporarily remove or relocate a person. Title IX is very specific that we do not have quite that latitude. We need to make sure that the measures that are taken prior to the formal resolution is complete, are equitable, and supportive in nature. We can still issue mutual no contact orders, so long as they're not punitive and one party doesn't suffer greater than the other does. We will do that and have done that.

We do have the opportunity, however, to have emergency removal put into place for both students and employees. Those are reserved for extremely limited circumstances when there are physical threats to the individual's health or safety and I have to stress the physical threats part. Because in years past, we often hear about emotional duress or emotional threats and intimidation that people feel while not having received any sort of physical threat. We cannot talk about removing or placing any sort of punitive measures on an individual until they've gone through the formal due process. If there is a situation where there's a physical threat to health or safety we engage Public Safety right away and the other appropriate supporting office, Student Conduct for a student respondent or Human Resources for an employee respondent. So, it's a three way conversation. Public Safety conducts a threat assessment, we talk about the severity of the threat, and then we make that decision accordingly.

The three person live hearing panel is spelled out in C27.0. This is not so different from the process for students, but this is quite significantly different from how we have treated employee cases in the past. The access to evidence and investigative reports, pretty much didn't change a whole lot from D19.0, but we did incorporate some very specific timelines. One is a 10 day review period for the parties to review all material that might be considered in the case. Even if it doesn't end up going to the decision makers, the parties have a right to see what has been presented to date. Then when the investigation report is complete, the parties get another 10 day window at least, to review the material before a hearing.

The grounds for appeal are indicated and there are appeal committees for these cases. Dr. Jenkins is the committee chair for employee cases and the University Appeal Board will hear appeals for student cases. There's the informal resolution process for certain cases it very much models, the student D19.0 policy and offers up some different options for the parties. There are components within that informal resolution where both parties will need to agree to going in that direction. If one or the other does not agree, it would have to proceed formally. The new regulations also include enhanced training requirements, specifically, the personnel that need to be trained and the requirement for annual training.

D19.0 Student Gender-Based and Sexual Misconduct Policy – Title IX - REVISIONS (_presentation file and policy available on_ [RIT Digital Archive](#)_)_
Stacy DeRooy, Director of Title IX & Cleary Compliance

This policy has been around since 2015 and was created as a result of the "Enough is Enough" NYS 129-B law. It has been the student Title IX policy. Since creating C27.0, we pulled all reference to what I call true Title IX, (severe and pervasive and objectively offensive and on campus) into C27.0 for students and employees. Everything else is D19.0. So, the Park Point example with students involved would fall under this policy. We won't stop addressing the issue just because of the limitations of the new Title IX. In fact, Title IX gives us complete latitude to keep our other policies. The changes proposed for D19.0 are slight and correlated with C27.0.

Since D19.0 was created, we have visited the governance groups with changes regularly and I see that continuing. We changed the sanctions definition to be same as C27.0 for consistency and clarity. Title IX, VAWA and Clery all require specific language in terms of possible outcomes for students. Also guided to make sure that list of sanctions includes

the possibility of transcript notations. Sexual Assault definition isn't essentially changed but language is included at the top of the definition to refer back to FBI crime definition. So, our two pronged definition of sexual assault in D19.0 which talks about non-consensual intercourse and non-consensual contact relates directly to the FBI crime definition. Stalking, we incorporated on the basis of sex. We have had at times stalking that is not based on romantic attraction– so want to be clear that if we are looking at a case through D19.0 lens, it is due to some sort of sexual related stalking. We changed the title of the online reporting form to avoid confusing users. They don't need to know which policy applies to their situation. There is just one reporting mechanism and our office will sort out what the relevant policy is for their situation.

New Business
- None

Meeting adjourned at 4:42 p.m.

Attendance – see next page.

Attendance October 28, 2020

Name	Relationship to UC	Attended		Name	Relationship to UC	Attended
Aguilar, Christian	Member-SG			Lindsay, Susan	Member-SC	
Buckley, Gerard alt. B. Hurwitz	Member-Dean	x		Liu, Manlu	Member-AS	
Castillo, Jaime	Member-SC	x		Loffredo, Joe	Non-Voting Member	
Castleberry, Phil	Non-Voting Member			Lutzer, Carl	Member-AS	x
Clarke, Cathy	Member-SC	x		Maggelakis, Sophia alt. Larry Buckley	Member-Dean	x
Cohen, Lindsay	Member-SC Alt.			McQuiller, Laverne	Member-Dean	x
Cuculick, Jessica	Member-AS	x		Miller, Heidi	Member-AS	x
Cummings, Twyla	Member-Dean	x		Mortimer, Ian	Non-Voting Member	
Custer, Jacob	Member-SG			Mozrall, Jacqueline	Member-Dean	
DeHarder, Shine	Member-SG	x		Munson, David	Non-Voting Member & EC	x
DeMay, Patrick	Member-SC	x		Nasr, Nabil	Member-Dean Alt	
Doolittle, Dick	Member-Dean	x		Nickisher, Heidi	Member-AS	x
Durand, Joline	Member-SG	x		Ortega, Jared	Member-SG	x
Edwards, Doreen	Member-Dean			Pinkham, Jo Ellen	Non-Voting Member	x
Edwards, Patrick	Member-SG	x		Prescott, Joanna	Member-SC	x
Ellis, Jacob	Member-SG	x		Provenzano, Susan	Non-Voting Member	
Engström, Tim	Member-AS			Raffaelle, Ryne	Non-Voting Member	x
Esterman, Marcos	Member-AS	x		Ramkumar, S. Manian	Member-Dean	x
Fagenbaum, Barb	Member-SC Alt.			Reeder, Gina	Member-SC	x
Ferrari, Christopher	Member-SG	x		Rutenber, Daniel	Member-SC Alt.	
Finnerty, Bob	Non-Voting Member	x		Simpson, Emi	Member-SG	
Granberg, Ellen	Member & EC	x		Sood, Harshita	Member-SC	x
Haake, Anne	Member-Dean	x		Stendardi, Deborah	Non-Voting Member	
Hall, James	Member-Dean Alt			Stiner, Holly	Member-SC	x
Heyman, Emily	Member-SC	x		Teal, Michelle	Member-SC	x
Hull, Clyde	Member-AS	x		Thomas, Shawn	Member-SC Alt.	x
Jenkins, Keith	Non-Voting Member	x		Trierweiler, John	Non-Voting Member	
Johnson, Sandra	Non-Voting Member	x		Vallone, Lindsay	Member-SC	x
Jokl, Todd	Member-Dean	x		Velamuri, Sri Chartitha	Member-SG	x
Juergens, Alyssa	Member-SG			Watters, James	Non-Voting Member	
Kiely, Becky	Member-SC Alt.			Zion, George	Member-AS	
Krutz, Daniel	Member-AS	x				

Key: EC=Executive Committee; AS=Academic Senate; SC=Staff Council; SG=Student Government

Interpreters: Catherine Kiwitt and Jeneca Saeva