Joint Session between the Academic and Student Affairs Committee and the Human Resources and Labor Relations Committee

Present: Committee Members: Gregory Johnson, Chair of the Academic & Student Affairs Committee; Marjorie Medd, Chair of the Human Resources and Labor Relations Committee; Samuel Collins (by phone), James Erwin (at USM), Norm Fournier, Shawn Moody (at USM), Paul Nelson (at USM), Bonnie Newsom and Karl Turner (at USM). Presidents: Linda Schott (at UMPI). Faculty Representatives: Ray Albert (at UMFK), Uriah Anderson (at UMM), Cathleen McAnneny, Kim-Anne Perkins (at UMPI) and Terry Colby (at UMA). Student Representatives: Jaclyn Jacobson (at USM), Alex Greenlee (at USM) and Elizabeth Day (at UMPI). Staff: Tracy Bigney, Lynda Dec, Rosa Redonnett, Mark Schmelz, Nina Lavoie and Rebecca Wyke. Others Participating: Karen Kemble, Liz Lavoie and David Fiacco.

Committee Members Absent: Victoria Murphy, Michelle Hood and Paul Mitchell.

Trustee Johnson, Chair of the Academic & Student Affairs Committee, and Trustee Medd, Chair of the Human Resources and Labor Relations Committee, called the Joint Session to order and provided an overview of the discussion and its importance. Ms. Rosa Redonnett outlined the process up to this point, and introduced those who led the discussion.

Title IX Sexual Assault Policy: Overview and Discussion. Ms. Nina Lavoie, UMS Senior Associate Counsel; Ms. Karen Kemble, Director of the Office of Equal Opportunity at the University of Maine; and Ms. Elizabeth Lavoie, Deputy Title IX Coordinator at the University of Maine, presented an overview of Title IX work at the universities, and a review of the recommended changes to the Title IX Sexual Assault Policy. Mr. David Fiacco, UM Director of the Office of Community Standards, Rights and Responsibilities, was also present as a resource.

The Violence against Women Act (VAWA), which included the Campus SaVE act, was renewed last year, calling for the review of many of our policies and practices related to sexual assault, and as added more recently, dating violence, domestic violence and stalking. The new policy set up training and procedural requirements that are addressed by the new policy. Ms. Kemble said this will change sections of the campus violence policy, but will also include EO policies to include employees.

Ms. Lavoie talked about the process used in developing this new policy. The first step in the review and updating of policies was the UMS Student Conduct Code which was approved by the Board of Trustees in November 2013. The next step involved reviewing existing policies and practices, both campus based and System, related to this. Campus Title IX coordinators and deputys, Student Conduct Officers, EEO Directors/Coordinators, HR representatives and UMS Legal Counsel have worked together over the last year to bring literature into alignment, update the Conduct Code, formulate an updated Policy and Procedure document and determine the best approach to both broad based student and employee training and more specific training for Title IX coordinators and designated campus officials.

Ms. Lavoie outlined the new policy and what is included in each section. She said all guidance received thus far from the Department of Education and the White House have been incorporated so
the recommended changes are up to date in responding to the more recent announcements coming out of Washington.

Ms. Elizabeth Lavoie talked about the campus training provided for both students and employees, the community resources they partner with, and the outreach efforts on campus. She also talked about the process used to create the current training resources and how they help the university comply with the new regulations.

Ms. Redonnett outlined the next steps in the process of updating this policy. It will replace the existing Board policy on Sexual Harassment, will involve a possible update of the Campus Violence policy, and will include revisions to EO complaint procedures (this latter item becomes a part of collective bargaining). This Policy and Procedures document is intended to be the “first read” for the Academic and Student Affairs and Human Resources and Labor Relations Committees, with final approval occurring at the November meeting.

The Committee discussed the details of the new policy, including how complaints would be handled and the statute of limitations for those complaints, the responsiveness of the campuses to immediate needs, and how the policy applies to youth campus and other community outreach programs. Also discussed was the balance between the victim’s desire to report and campus safety, the role of the criminal justice system in the university policy, and a clarification of what consent means. Trustees also raised the issues of how challenging this is, the need for universities to have a process so that the Title IX officer is not burdened and to making sure each university has the appropriate resources. Also discussed was campus culture, and the need to look at what might need to change on each campus.

President Schott talked about the need to ensure that the university system has appropriate resources to handle the requirements of these policies.

Trustee Johnson thanked the panel for the informative presentation and noted that the policy with further revisions will be on the November 7 agenda for approval by the Committee.

Adjournment

Peter Cook for
Tracy B. Bigney, Clerk of the Board