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), Norman Fournier, Michelle Hood (by phone), Shawn Moody (at USM), Victoria Murphy (at USM), Paul Nelson (at USM), Bonnie Newsom (at USM) and Karl Turner (at USM). Chancellor: James Page. Presidents: Linda Schott (at UMPI), Wilson Hess (at UMFK) Cynthia Huggins (at UMM). Faculty Representatives: Ray Albert (by phone), Uriah Anderson (at UMM) and Robert Rice. Student Representatives: Connor Scott and Alex Greenlee (at USM). System Staff: Tracy Bigney, Megan Clough, Lynda Dec, Nina Lavoie, Rosa Redonnett, David Stevens, Kelley Wiltbank and Rebecca Wyke (at USM). Others Participating: Scott Voisine (at UMFK), Karen Kemble, and Elizabeth Lavoie.

Committee Members Absent: None

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.

Title IX Sexual Assault Policy: Review and Recommendation. Ms. Nina Lavoie, UMS Senior Associate Counsel; Ms. Karen Kemble, Director of the Office of Equal Opportunity, University of Maine; Ms. Elizabeth Lavoie, Deputy Title IX Coordinator, University of Maine; and Ms. Megan Clough, Associate Director of Human Resources and Director of Equity & Diversity, University of Maine System; presented the Committees with a review of the recommended policy changes.

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 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 our existing policies and practices, both campus based and System, related to this. Campus Title IX coordinators and deputies, Student Conduct Officers, EEO Directors/Coordinators, HR representatives and UMS Legal Counsel have been working 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.

This policy will replace the existing Board policy on Sexual Harassment, will involve an update of the Campus Violence policy (a separate item within the committee agenda), and will include revisions to EO complaint procedures (this latter item becomes a part of collective bargaining).

On a motion by Trustee Hood, which was seconded by Trustee Fournier, the Academic and Student Affairs Committee and the Human Resources and Labor Relations Committee forwarded the action
to the Board of Trustees meeting on November 16 & 17, 2014 as an action item for full Board approval with the staff to review and ensure that the following points are included in the policy or other appropriate documents: clarify that education and training on this policy is mandatory for all students, staff, and faculty; clarify that a complainant who wishes to file a complaint with an external agency must do so within the time limits established by that agency, and require that agreements with parties external to the university, such as agreements for student placement, require compliance with the sexual assault policy.

Trustee Murphy suggested the Trustees should set an example by completing the training prior to the Board meeting on November 17th.

**Campus Violence Policy: Review and Recommendation.** As noted in the August 18, 2014 Agenda Item Summary pertaining to an update to the Title IX Sexual Assault Policy, the Violence against Women Act (VAWA), which included the Campus SaVE act, was renewed last year. This called 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 background summary denoted these changes would “involve a possible update of the Campus Violence policy, and will include revisions to the EO complaint procedures.”

The updated Board Sexual Harassment policy reflects definitions, scope and procedures encompassing the new legal requirements, demonstrates the University’s commitment and outlines at a high level the University’s intended approach and practices. The legal updates and decisions captured in the content and flavor of the new policy informed our review of two Board policies – General Equal Opportunity and Campus Violence.

The General Equal Opportunity Policy was determined to already fully align with the legal updates. The Board policy on Campus Violence has been updated to encompass just campus violence, shift and update domestic violence components to within the new Sexual Harassment Policy, denote that threats in addition to incidents of violence are now expected to be reported as well, note that policy will cover campus violence at all university facilities, events and activities, and discontinue campuses from using any separate domestic violence policies they may have adopted. This request is to secure approval for the new policy.

For information purposes, the following non-Board policies and/or procedures were reviewed and updated in conjunction. The updated Equal Opportunity Complaint Procedure was supported by Union representatives. The Guidance for Consenting Relationships was updated to refer to the new Sexual Harassment policy.

On a motion by Trustee Fournier, which was seconded by Trustee Johnson, the joint Committees of Human Resources & Labor Relations and Academic & Student Affairs forwarded this item to the Consent Agenda at the November 16 & 17, 2014 Board of Trustees Meeting for approval of the following resolution:

That the Board of Trustees approves the revised Campus Violence Policy as presented.

Adjournment

Ellen Doughty for
Tracy B. Bigney, Clerk of the Board