RACKHAM STUDENT GOVERNMENT
BOARD MEETING
11/15/12
RACKHAM GRADUATE BUILDING
2ND FLOOR WEST CONFERENCE ROOM, NORTH ALCOVE
6:39 P.M.

a. CALL TO ORDER: 6:39pm
b. Present:

c. Absent:
d. Excused:

II. APPROVAL OF THE AGENDA

a. Motion to approved, moved by Dan and Seconded by Chris
b. Matt F moves guest speaker of officer reports
   a. Approved unanimously
   c. Amended agenda approved unanimously.

III. APPROVAL OF THE PREVIOUS MINUTES

a. Motion to approved, moved by Alex E and Seconded by Matt F
b. Approved unanimously

IV. Executive action to nominate Chris and Eli to the post of vice president pro tem
V. Policy on sexual harassment
   a. Background- University title 9 1972, recipients of fed funds cannot be
discriminated by gender. Wallesby is title 9 coordinator for 10 years
   b. Dear colleague letter to all Universities across country outlining sexual
   assault and harassment. April 2011. If between 2 students, police must be
   involved. Universities were reminded that the Institution must investigate
   regardless of police involvement, rather than deferring to police. At the
time, OSCR would handle those issues.
   c. Under old system, complainant would be required to be involved in the
   information gathering process.
   d. Evidentiary standard Clear and convincing, less severe than beyond a
   reasonable doubt. Preponderance of evidence is the standard used in the
   sexual assault. Dear colleagues letter reminded that preponderance was
   the correct standard and should be evidentiary. Investigative model
   e. Temporary plan put in place for the year of 2011 and would author a
   permanent plan. Spoke to a variety of student groups, held several town
   halls also inviting faculty and staff. Fully drafted in October. 4 town halls
   held once published. 49 responses to online publication of the list (i.e.
   executive summary because 17 pages is lengthy)
   f. If we know or should have known, we move forward. Use preponderance
   of evidence
   g. Wallesby opens to Qs
h. **MB:** How does this policy relate to the one used by Faculty and Staff?  
   **Walls:** Very Similar. Definitions are very similar. All authors worked on both. Student Affairs was involved. Make sure both parties have access to resources. Built in due process to ensure all parties are supported. A little different in that if a staff member is alleged, Must be separated, but how? Res Hall, courses, friends…etc. Have nuance within housing.

i. **VC:** Remove victim or perpetrator?  
   **Walls:** Situation dependent. Have done both. Challenge is in the classroom assignment.

j. **PS:** On what level if any do the police and U investigation coincide?  
   **Walls:** Lots of coordination. Met with UM and AA police. Police are focused in criminal aspect. UM must do its own investigation. Occur in parallel. Detective is called. UM respects policy process, but will not defer or postpone investigations. Hope is that if a student has been exposed, the individual has faith in the Police and the U process. Parties are never interviewed together. Just trying to find the facts. Hope that there is no discomfort. If the person doesn’t they are made sure to have other resources available. Under this model two examples. 1. If assaulted and wants to move forward. If UM knows about the issue. Person to roommate to RA to UM admin but complainant backs out. Person doesn’t have to, but is informed of all available resources, but UM has obligation to investigate. Review panel is convened to determine process moving forward. Panel is comprised of Wallesby, legal council, OSCR, SAPAC, law prof on behalf of the accused and the Police department. Title 9 coordinator makes decision.

k. **MF:** Physical preponderance of evidence…What are the punishments?  
   **Walls:** Office does the investigation. Office of student conflict resolution takes recommendation from title 9 coordinator, but makes the decision independently. Can range from training to expulsion. Takes into account University community, as a whole, AA safety etc., but again all steps are takes to immediately separate the parties.

l. **MF:** How many per semester?  
   **Walls:** Tough to say because loose definitions over an investigation. Review DNE investigation. Since August 2011 over 60 total in varying processes of review. Again resources and support are ensured to all participants.

m. **VC:** How well informed are people about the UM policy, also what self-defense courses are openly available to all students? Efforts on information dissemination? Old school offered self-defense courses and training to learn how to be an instructor.  
   **Walls:** Would be helpful for efficient information dissemination and the classes. Hope to have permanent plan in January and then a year of rolling out. Will have an interactive website to access these policy. Policy is REALLY long. We need to generate a user-friendly guide. Will also roll out training to faculty and staff. In terms of self-defense, will check with SAPAC. **MB:** RSG offers those classes. 1 time workshop is less effective than a full course.  
   **MB** notes that a UM review committee concluded more programs were needed.  
   **Wallesby** notes that students are taking increasing
responsibility. Investigations typically result in similar stories, but the question about consent is the major issue

n. CT- Previously authored a resolution to expand the nondiscrimination policy. The U is an exemplary. Up for review in 2013, can you comment on the process? (The term the CT is referring to “relationship status” into the nondiscrimination clause. Marriage is protected, but other forms of the relationship should be). Walls- OIE has nondiscrimination policy. NonDisc statement comes from Regents bylaws. Categories are brought to the attention by student groups and typically follow federal civil rights policy. Gender form is protected from NonDisc by 6th circuit. Title 7 protects marriage protection. Pregnancy under pregnancy discrimination act. UM protects sexual identity, sexual orientation under gender discrimination policy. Marriage is protected under those same policies. Will look under Gender ID policy

o. MB- Mentioned 4 town hall meetings that MB didn’t hear about that. Publicized in the Daily and the Record. Probably poorly scheduled. Would you be willing to hold a final in December? Walls- Definitely. Also going to hold one for health and human services

p. VC- Is the same policy in place for visiting scholars? Walls- Our policies apply. If one of our students are on another program? Our policies apply. Policies apply to summer programs for juveniles on campus as well

q. CT- interesting key word is the issue of consent. Freely given consent, conflict between consent and criminal sexual assault laws. How does the OIE handle that? Walls- OIE focuses on consent. Total v. some v. none. What is making out? What is stuff? Did you say no more? Consent v. coercion. Sexual harassment happens between all genders. As an example a female had an agreement to do some stuff, but what her male partner wanted to do more. She responded by repeatedly saying, “Yeah, I don’t to do that”, but after mounting pressure from her partner, concedes. Does the perpetrator understand that what he is doing is not reasonably consented to? Incapacitation is never consent.

r. PS- Follow-up from last Question- Interest of the UM and Police are mostly congruent. Can you imagine an instance in which conclusions would be different based on the facts, and how would you reconcile? Walls- Very likely and the difference is evidentiary standard. Police and lawyer may not prosecute based on the differences in the standards used to determine guilt.

s. VI. OFFICER REPORTS

a. President Michael Benson. KF and AT cant be here. 80 people attended the north campus town hall. Registration and questions are in the agenda. Please review so we can slate to committees. 8-7 judgment that proposal 2 is illegal and will be overturned. AAC and SLC will put together a FAQ. SAGE in LegAff update. Elections are coming up in the 27-29th of this month. Committees start thinking about leadership for the winter term.
Lots of candidates so we are asking for platforms in advance. We will email the student body after thanksgiving outlining the platforms. A lame duck is still duck and a duck can still quack

VII. Grad and prof steering committee
a. Law school 15-1 to place on their ballot.
b. PH- 9-0, 5 absent to place to the text on the ballot
c. Motion to Put on Ballot: **MB Please copy the text here.** Alex E moves, Seconded by MF, Thirded by DT
d. **PS-** Does the school of nursing have grad program? **MB-** Under Rackham, but will double check. Goal is to have every grad student to vote.
e. **MF-** Process if passes on ballot? **MB** if approved over the next semester, committee will forma and meet to draft a constitution for the graduate and professional student body. Outline function, operation, fee structure, etc. Once approved by committee, approval by grad student body will be required. Regents will determine whether the motion and vote is valid. The regents determine fee component and various UM committees.
f. **Passes 11-1-0.**
g. **PS-** Will RSG take a position? **MB** if a member would like to make a motion.
h. DT moves, seconded by Alex. Objected to by VC.

Debate:
CT- As a representative body, it is better to allow our constituents to make their own, though informed conclusions. **MF-** Believes other schools voted to place on the ballot. Supports Dan motion, better to punt it down to discuss with constituents.
VC- We should stay neutral, and avoid voting shortcuts. Want to avoid decentralization.
AE- If we’re taking a stance, may be better to get 12-14%. If I were an uninformed grad student I might not even vote. RSG taking a stance could help encourage voter turnout.
CT- In the discussions Daily’s forum, someone raised allegations of self-serving MB’s interests (DT- inconceivable!) CT personally supports, but feels that the initiating body should remain neutral.
PS- If it’s already known that RSG started the push for secession, believes that RSG should lead with it. Believe we should be proud of our efforts
MF- We were elected to lead. Taking a year to do this then backing down seems half-hearted
VC- Comes down to how we view voters. RSG is known to have initiated this, therefore already know. Know that this is predicated on MB’s beef with the CSG.
AG- While I support this, disagree with VC. But still shouldn't take a stance. It’s crucial to transparency of the government. Does not preclude individuals from taking a stance.
AB- Even if we vote to not to take a stance, will still tell people that RSG has an opinion.
AE - Is probably better informed than most and we’ve been talking about this for a long time. Most people don’t know where their money gets spent. We should take a position and tell them, how we spend it on their behalf.

VC - This discredits us a governing body because of the close relationship to the leadership. Echoes AB’s point.

PS - An endorsement of the board is not reflective of MB’s opinions, but is the representative sentiment of the board.

AG - Asks about the email the Execs received from a student.

KF (by email) - nothing can be better than a universal sign of support. Public opinion does not.

DT - Voters don’t necessarily know RSG supports this action. Nothing to do with MB, but full board support is a strong endorsement.

HA - The whole process is to obtain more credence for what we are already pushing forward with? MB - If student body doesn’t support will have to revisit. What’s going to be on the FAQ sheet? KF and school of public health are working on it. Other student groups supporting, At law school senate, MB and CSG rep discussed some student services

VC - reopen vote, motion by CT, seconded by Eli. 6-2-4. Reopened

VIII. **Michael please fill the final vote for whether RSG should take a position.**

IX. Committee updates

a. AAC - First town hall was a success. 4-5usd/ person for food so should be way under budget. Central campus will be in the 4th floor in Rackham.

b. COSAC - H4H fundraiser is in the works. Starting to plan for the winter

c. Election - one meeting after break

d. LegAff - minutes and sequestration from the CBO are in the packet. Fall summit in a lot of detail. SAGE cost should be mindful of grouping rides to minimize the cost of reimbursement. MB - most cost effective fall summit. Only 3000usd hopefully will be under budget.

e. SLC - working on trying to have one more event for the semester.

f. GPSASC - met, minutes in packet. Will have one more meeting prior to elections. If ballot measure is approved, will reconvene.

g. Motion to block approve minutes HA and seconded by DT.

X. Motion to Adjourn moved by CT, Seconded by Eli

a. Adjourned at 8.16