Rackham Student Government
Board Meeting: February 12, 2014

Agenda

I. Call To Order
II. Approval of Agenda
III. Approval of Previous Minutes
   a. February 5, 2014
IV. Officer Reports
   a. Graduate Student Body President, Phil
   b. Graduate Student Body Vice President, Vacant
   c. Graduate Student Body Treasurer, Chuky
V. Committee Reports
   a. Academic Affairs
   b. Budgetary
   c. Communications Committee
   d. Legislative Affairs
   e. Student Life
VI. NDP Resolution: First Read
VII. VAWA Resolution First Read
VIII. Open Discussion
IX. Adjourn

Included in packet:
RSG Board Minutes February 5 (p. 2)
Preamble NDP Resolution (p. 8)
NDP Resolution (p. 10)
VAWA Resolution (p. 14)
I. CALL TO ORDER: 7:16pm
   
   b. Absent: Ma, Gutierez
   
   c. Excused: Sweeney, Mbagwu, Peterson

II. APPROVAL OF THE AGENDA
Motion by MB, seconded by Adam. Approved unanimously.

III. APPROVAL OF THE PREVIOUS MINUTES
Motion by David B. seconded by Dave M. Approved Unanimously.

IV. Guest Speakers: GEO – Fertility Justice Campaign
   a. The Board Introduced itself to our guest speakers.
   b. Katie in MCDB
   c. Chelsea –History

FAQs are distributed and attached. Pink is the intro and purple is the followup.

Katie: I’ve in MCDB for almost 5 years now and I was ready to start a family with my husband. We waited for our careers and I found out that I am diagnosed with infertility at age 27. It ends up that I need treatments that our insurance doesn’t cover to start a family of my own. I pursued treatment at U of M and found that it was far beyond our price range. $10k for the first treatment. I started a campaign to have the University cover this sort of treatment. I wrote to Mary Sue Coleman and Ora Persevitz (EVP of __) I went to GEO and talked with Chelsea and Liz.

Chelsea: Katie came to us, she found our new office, we moved this summer we hadn’t updated our website. Katie is the powerhouse behind this campaign. Through the vehicle of the women’s caucus, we worked to push the University to cover fertility clinics. None of in the meeting were quite sure on how to get involved. GEO is member driven and a member came to us suggesting we do this. The more involved we got, the more it seemed that we could do this. This is something that doesn’t have to wait for a bargaining year, the University can do this at will. The majority of this likely won’t choose to start a family during our time as graduate students. That said, a number of graduate students do choose to have children while students. This change would also affect faculty. If the
university is serious about fostering diversity, and improving women’s roles in academica, this is something that we really hope the University should adopt. Also, women of color tend to have a higher rate of infertility. Also, queer couples more often rely on fertility treatments.

Katie: 15 states currently require fertility treatments. Massachusetts started to require insurance companies to cover this back in 1987. When this happened in the Bay state, no costs were seen to go up due to an increase in fertility diagnoses. People generally tend to gravitate towards treatments that are covered rather than spend for this. Also, multiple births go down. I’d tell the doctors to implant as many embryos as possible. But multi-birth pregnancies are very expensive. Mothers that have a multiple birth are less healthy for the remainder of their life compared to single birth women. If we require that only one or two embryos are embedded, this would help to reduce the multi-birth rate and improve women’s health. Also, U of M has the most expensive fertility treatments. IF we cover the treatments we’d bring in money to the University. More patients coming into the U would increase profits.

We recently met with the VP of human resources, Lorita Thomas where they told us that they would cover some sort of infertility treatments. They didn’t provide specifics nor did they provide a timeline. We’d like them to provide specifics on what and when and we’d like it soon.

Chelsea: What they told us in the meeting was that in the past, when they make similar changes, they’re generally willing to open up coverage. That said we don’t want them to do this in 10 years, we’d like it now. We’re reaching out to other unions that are affiliated with the University, with faculty members, looking to have folks signing on to the campaign. This is why we came tonight, in the hopes of RSG supporting this campaign. We aren’t asking you to do anything beyond sending a letter to AVP Thomas.

Phil: Thank you both for coming and giving us an update on this campaign! When Chelsea sent me an email, I was very attracted to the idea of bringing this to RSG. This is a social justice / inclusion / diversity issue. This speaks to me in that regard. If we want to retain and or recruit women, we shouldn’t be in a position where we force people to choose between starting a family and their education / career. In addition to all of the GEO folks involved, RSG represents non-GEO members. I do believe that our constituency really matches here. In addition, we have a member on SHIC. In my business, that has stayed with our president emeritus, Michael. In order for RSG to get behind this, we would need a resolution.

Michael: Talks.

Phil recognizes Chelsea: Thank you. GEO started with just Katie working on this. Much like RSG GEO has had periods of very strong ties with the University and also times where we like to “shake things up.”
Phil: A couple of questions. First, you have been in touch with SACUA and the faculty on where they stand?

Chelsea: We’ve started to reach out to SACUA but nothing has happened yet. Shortly before we started this campaign SACUA started a discussion regarding the benefits package offered to faculty relative to other universities.

Phi: do we have an estimate cost wise for the average graduate student?

Chelsea: the cost for graduate students wouldn’t change. The costs on the University side would depend on the University.

Michael: Have you talked to Dr. Winfield about this yet?

Chelsea: No not yet, who is he?

Michael: The University’s chief health officer and director of UHS.

Julian: How have other states done this, both in terms of time and cost?

Chelsea: It really varies. By state.

Katie: The state of Michigan has better coverage for state employees. EMU and Lansing both offer health packages that cover infertility. U of M does not. As far as date, I don’t know when these were incorporated (referencing the handouts)

Chelsea: Phil, you mentioned the competitiveness of the University. Katie has the opportunity to stay for a postdoc but is considering moving to a state where this is covered.

David Barton: Regarding the cost to the University, for the Universities that have implemented this, have any published a cost assessment?

Katie: The only data that has been published has been from Mass and they saw a cost decrease. Also, with respect to timeline, we’ve spoken to other HR departments at other universities. We need to get blue cross / blue shield to run the numbers.

Michael: volunteers to ask through SHIC.
V. OFFICER REPORTS

a. President Phil Saccone - There has been a lot going on this week and we have a very busy agenda so I’ll try to keep it short. The two things that are percolating issue wise are:

i. All new admitted graduate students will all be getting criminal background checks. This has to do with the Jerry Sandusky issue at Penn State and the Dr in Pediatrics and Child pornography. The Board of Regents has decided that it is a liability not to confirm the background of all students, faculty, and staff. There is a concern about the potential racial or socio-economic bias that comes with this. I expect that the U will be very judicious in how this data is used. This is something that the Board might want to wade into. We’re likely to be asked to host a Q&A for our constituents.

ii. We have a couple of resolutions that are very ready to come to the board. The first is the VAWA resolution written by David, Erin, and myself. The Academic Affairs committee has looked at it made some recommendations and SLC has approved it as is. It will be on the agenda for first reading next week, followed by a public hearing and a second reading. The second resolution is Chris Tom’s non-discrimination policy amendment.

iii. The Ice skating event was a huge hit, we had just over 400 people in attendance. There was a 150 person waitlist. Rackham is likely going to have another event on their own. We were asked to join in, but perhaps we can cosponsor with advertising or through other means. I’ll be sending out the VP application when I send it out and it will close next Friday.

iv. Treasurer: Nothing to report at this point.

VI. Budget Presentation

Within the agenda, you will see the budget report for last semester as well as Chuky’s Budget.

Michael asks about approving the budget and also the events. Phil responds in the affirmative.

Michael comments on LAC

Michael moves to amend the budget by increasing the proposed SLC budget by $600 for a St. Patrick’s day event.

Roll Call Vote: (Y in favor, N opposed, R no with right, P pass)

Pier – Y
Sidney – Y
VII. Website Discussion
   a. Next week. Chairs will

VIII. Committee Chair Approval Slate
   a. AAC: Chris Tom, Alex G. as co chairs
   b. Communications – Julian
   c. LAC – Phil and Michael as cochairs
   d. SLC – Ben Sweeny

   e. Moved by Michael Seconded by David W. Approved Unanimously.

IX. COMMITTEE UPDATES
   a. Academic Affairs Committee
      AAC met on Monday. Resolutions were discussed. Including the NDP resolution
      and the VAWA resolution. A lunch wit the Deans is coming up and a lot of items have
      been assigned out to the committee. Mary W. The dean’s executive assistant is working
      with the dean to find dates for the town halls. More to come.

      Michael moves that the Board receive and approve the minutes. Seconded by
      David B.

   b. Budgetary Committee

      The committee met in person yesterday, Tuesday, and we reviewed 5 requests.
      Michael moves approval and receipt of the minutes. Seconded by Erin. Approved
      unanimously.

   c. Communications Committee

      Last newsletter went out. Will be shorter next time and will link to a beautiful
      illustrator document. Malcom and I will be working on the facebook promotions. The
next Gazette will be targeting student orgs that focus on diversity / inclusion to see what events they have on tap and to get them to advertise them in our Gazette.

Chuky is working on coming up with a list of How to documents ranging from

Julian moves to receive and approve the committee’s minutes. Seconded by Adam. Approved Unanimously.

d. **Legislative Affairs Committee**

e. **Student Life Committee**

   SLC met today. Ben was gone, Phil chaired. Sidney will be taking the lead on planning our first bar event. This will be happening in 2 weeks. More to come. Please show up. Lots of events coming up.

   Julian moves to approve the minutes seconded by Michael. Approved unanimously.

X. **OPEN DISCUSSION**

a. **New Ideas**: Particularly for the new representatives, but also for everyone. I would like to reiterate that any representative can introduce a binding or non-binding resolution to the board on any topic. I’d encourage you to talk to a committee chair or an executive officer before taking this on but you don’t have to. Also, if you have a pet project (not a perjorative, but in the positive sense) let me know and I’ll help you figure out how to pursue this.

XI. **ADJOURNMENT** at 8:57pm.
Preamble to Board Resolution W-14-02: Expansion of the Non-Discrimination Policy

Currently, sexual orientation, but not sexual expression, is protected under the Non-discrimination Policy (NDP). Sexual expression is defined as the actions that an individual does, or does not, take to realize and manifest physical, emotional, or romantic attraction. This is strikingly similar to the already protected gender expression clause in section 201.35 of the University of Michigan Standard Practice Guide (Non-Discrimination Policy, or NDP). The University of Michigan protects individuals from discrimination based on their gender identity as well as the actions that express that identity (e.g., the way that an individual dresses, speaks, the pronouns they use for themselves).

We herein present a brief rationale for the inclusion of the phrase ‘sexual expression’ into the NDP to protect individuals from discrimination based on the expression of their sexual orientation.

The following arguments should be made to determine whether a particular attribute should be protected under an institutional NDP:

1. Provide evidence that discrimination and harassment exists for a given attribute; and
2. Provide evidence that this discrimination and harassment negatively impacts the individual; and
3. Provide evidence that this attribute does not adversely affect an individual’s professional capabilities and their occupational qualification; and
4. Provide evidence that these are uncovered and unprotected by current policies.

Below are examples of harassment & discrimination situations, which address these criteria:

1. An assistant professor with a good funding and publication record is denied tenure. It is rumored that they engage in BDSM.
2. A graduate student who is the second author on a seminal paper is chosen to go to a prestigious conference over the graduate student who is the first-author. The first-author is collared.
3. One graduate student takes their partner to a departmental holiday party. Another graduate student takes their partner to the same holiday party. The second graduate student is later reprimanded by the department chair for inappropriate behavior.
4. "Photos of me from a [party] got out in the internet. People from the university found it and send it to organizations at the university. It ended up with people stopped talking to me and talking shit behind my back. It got so bad I quit my studying at the school."
5. A staff member overhears a conversation about how an employee, who is married, kissed another person. The position is later terminated without notice.
6. An individual goes for a routine medical checkup, at which point bruises are revealed. After explaining that it was from consensual sexual encounters, medical attention was denied and “the doctor ask me to find a new doctor once my sexual lifestyle was discussed.”

1 Examples in quotes are excerpts from the National Coalition for Sexual Freedom’s Second National Survey of Violence & Discrimination Against Sexual Minorities.
2 “Bondage, Dominance, Submission/Sadomasochism”
3 A traditional symbol of long-term relationships and commitment in BDSM, much like a wedding ring.
It should be noted that discrimination occurs for individuals expressing traditional as well as non-traditional sexual identities. Including “sexual expression” in the NDP is intended to protect both sexual majorities and minorities.

Further for the existence of discrimination comes from so-called ‘closeting,’ or extreme measures taken to restrict the knowledge of their identity and actions from others. Such closeting has a long history in the LGBTQ community, and derives from the fear of professional, personal, and corporeal repercussions of being open and ‘out.’ A number of individuals at the University of Michigan at the undergraduate, graduate, staff, and faculty level are extremely closeted regarding their modes of sexual expression. Since by all reasonable metrics most of these individuals are successful researchers, teachers, professors, and students, their identity does not affect their professional or academic capabilities.

The Sexual Harassment Policy of the University covers many harassment situations; however, discussion with the Director of the Office of Institutional Equity has highlighted discrimination scenarios for relationship status and sexual expression that would be unprotected by the NDP or the Sexual Harassment Policy.

In closing, we strongly believe that this Resolution is in the spirit of the current NDP, but adds protection to marginalized individuals. Of over seventy universities and institutions of higher learning surveyed, this is the first time that words to this effect would appear. As the last clause of the Resolution states: “without explicit protection from discrimination, there may be the threat of implicitly sanctioned discrimination.” Let us, the Rackham Student Government of the University of Michigan set the precedence of tolerance.

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\(^4\) Including all AAU institutions, US News and World Report’s top 20, selected liberal arts colleges, and traditionally conservative universities.
RESOLUTION TO EXPAND THE UNIVERSITY NON-DISCRIMINATION POLICY

WHEREAS, the Non-Discrimination Policy within the University of Michigan Standard Practice Guide\(^1\) exists to protect the diverse range of individuals employed by and attending the University from discrimination, harassment, and violence; AND

WHEREAS, the Non-Discrimination Policy states that the University “will not discriminate against any individual because of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status\(^1\);” AND

WHEREAS, “gender identity” is generally interpreted to refer to the subject’s self-identity\(^2\); “gender expression” is interpreted to the actions of that individual to actualize their gender identity\(^3\); AND

WHEREAS, the American Psychological Association defines sexual orientation to be “an enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes\(^4\);” AND

WHEREAS, sexual orientation refers to the subject’s attraction to a person or persons that is the object of an individual’s emotional, romantic, and/or sexual attractions; AND

WHEREAS, University explicitly protects the subject and the object of emotional, romantic, and/or sexual attractions through its Non-Discrimination Policy; AND

WHEREAS, the Non-Discrimination Policy does not explicitly protect the actions between the subject and object of emotional, romantic, and/or sexual

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1 University of Michigan Standard Practice Guide (sect. 201.35)
2 Jackie Simpson, Head of the Spectrum Center, adapted from personal communication on Feb 13\(^{rd}\), 2012.
3 Dr. Charlie Glickman, Adult Sex Educator in San Francisco, adapted from personal communication March 31\(^{st}\), 2012.
attractions that are the primary means to sexual and physical fulfillment; AND

WHEREAS, “sexual expression” would thus refer to the physical actions an individual does (or does not) take in order to manifest the emotional, romantic, and/or sexual attractions that are themselves manifestations of their sexual orientation; AND

WHEREAS, “sexual expression” is intended to refer to “sexual expression that occurs outside of the workplace” and does not interfere with the Sexual Harassment Policy 5 of the University or other existing policies promoting a safe and healthy work environment; AND

WHEREAS, the Rackham Student Government, on behalf of the graduate student body, voted to amend the section 201.35 of the University of Michigan Standard Practice Guide to include the term “relationship status” in the Non-Discrimination Policy 6 as an alternative to, and inclusive of, “marital status”; AND

WHEREAS, individuals face harassment and discrimination for realizing traditional forms sexual expression; 7 AND

WHEREAS, individuals also face harassment and discrimination for realizing non-traditional forms sexual expression; 8 AND

WHEREAS, stigmatization, harassment, and discrimination can have a significant and detrimental impact on the quality life of the individual; 9 AND

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5 University of Michigan Standard Practices Guide (sect. 201-89-0)


8 National Coalition for Sexual Freedom, Incident Response Report records

WHEREAS, an individual’s choice to express their sexuality and the manner in which they choose to express it has no significant impact on the quality of work or the professional character of that individual;\textsuperscript{10} AND

WHEREAS, no explicit language currently exist in the Non-Discrimination Policies of the University of Michigan or any peer institution to protect of sexual expression from harassment and discrimination;\textsuperscript{11} AND

WHEREAS, without explicit protection from discrimination, there may be the threat of implicitly sanctioned discrimination; violence and related hate crimes can accompany the lack of explicit protection.\textsuperscript{12}

NOW ON BEHALF OF THE STUDENT BODY OF THE HORACE H. RACKHAM GRADUATE SCHOOL, BE IT

RESOLVED, that the section 201.35 of the Standard Practice Guide of the University of Michigan be amended as follows (without emphasis):

“The University, in its employment and human resource policy and practices, will not discriminate against any individual because of race, color, national origin, age, marital status, relationship status,\textsuperscript{13} sex, sexual orientation, \textit{sexual expression}, gender identity, gender expression, disability, religion, height, weight, or veteran status, except as allowed by the need for bona fide occupational qualification. Reasonable accommodation will also be provided to persons with disabilities, to disabled veterans, and to accommodate religious practices;” AND BE IT FINALLY

RESOLVED, that the President of the graduate student body is empowered and directed to work with the Administration of the University of Michigan to put into place policies that reflect the will and intent of this resolution.

AUTHOR


\textsuperscript{11} As surveyed in the US News and World Report (top 20 institutions), members of the Association of American Universities, and University of Michigan commonly held peer institutions.

\textsuperscript{12} Rebecca Stotzer, PhD. Comparison of hate crime rates across protected and unprotected groups. Williams Institute, UCLA School of Law. June 2007.

\textsuperscript{13} Included by decree of Board Resolution W-12-01
Christopher Tuck Mung Baker Tom
Representative (Division 1), Rackham Student Government
Chair, Academic Affairs Committee

ATTEST

By Signing below, I certify the this resolution was dispatched by the RSG Board under the rules as prescribed in section IX of the bylaws and that the vote count appearing at the top of this resolution is accurate.

____________________________________
Vice President, Rackham Student Government

PRESIDENTIAL ACTION

I, Phillip Saccone, President of the Rackham Student Body, do hereby approve / veto this resolution on this the _______ day of _____, 2014.

____________________________________
Phillip Saccone
President, Rackham Graduate Student Body
A RESOLUTION FOR THE INCLUSION OF ALL FACULTY IN UNIVERSITY SEXUAL HARASSMENT TRAINING

2 WHEREAS, Sexual harassment and sexual assault are a major concern in an academic environment, and are prohibited for academic institutions receiving federal funding under Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106); AND

6 WHEREAS, Sexual harassment is similarly prohibited in an employment context under Title VII of the 1964 Civil Rights Act, and in both educational and employment contexts under Michigan’s Elliott-Larsen Civil Rights Act of 1976; AND

10 WHEREAS, University of Michigan’s Statement of Student Rights and Responsibilities, states that “Students have the right to be treated fairly and with dignity,”¹ and the University has adopted a Student Sexual Misconduct Policy to that end². The University has also adopted a separate Sexual Harassment Policy³ for university staff, which covers student employees; AND

WHEREAS, Graduate students are in the unique position of alternately working for others and having others work under them; AND

WHEREAS, According to the University of Michigan Sexual Harassment Policy, “Sexual harassment most often occurs when one person has actual or apparent power over another”⁴; AND

20 WHEREAS, The reauthorized federal Violence Against Women Act of 2013 (S.47) now requires training programs for all incoming staff, faculty, and professional, graduate and undergraduate students by March of 2014; AND

¹ http://oscr.umich.edu/statement/

² http://studentssexualmisconductpolicy.umich.edu/policy-coverage

³ http://spg.umich.edu/policy/201.89-0
WHEREAS, Rackham Student Government strongly supports this goal. However the
student body also is concerned that this policy does not target existing
faculty, occupying senior positions in their working and educational
relationships; AND

WHEREAS, NOW ON BEHALF OF THE STUDENT BODY OF THE HORACE H.
RACKHAM GRADUATE SCHOOL, BE IT

RESOLVED, That Rackham Student Government will work closely with university
administrators and the Sexual Assault Prevention and Awareness Center to
assist in educating graduate students on their rights and responsibilities, per
Violence Against Women Act of 2013 requirements; AND BE IT

RESOLVED, That the Rackham Student Government likewise expects the University to
fulfill its goal of ensuring both a workplace and an educational environment
that is free of sexual harassment. Therefore, Rackham Student Government
calls for the University Administration to recognize the importance of
including existing faculty in forthcoming training programs on sexual
harassment; AND BE IT FINALLY

RESOLVED, That Rackham Student Government calls for the University Administration
to ensure that all existing faculty do participate, through any regulatory
means at its disposal.

AUTHORS

______________________________  __________________________
David Weinreich                          Erin Sullivan
Representative, Division 3                          Representative, Division 3

______________________________
Philip Saccone
President

ATTEST

By Signing below, I certify the this resolution was dispatched by the RSG Board under
the rules as prescribed in section IX of the bylaws and that the vote count appearing at
the top of this resolution is accurate.

______________________________
Vice President, Rackham Student Government