

University Council Minutes
September 21, 2020
3:30 PM
Videoconference

Present: Tim Sands (presiding), Dan Thorp for Laura Belmonte, Richard Blythe, Cyril Clarke, Lance Collins, Karen DePauw, Bryan Garey, Guru Ghosh, Daniel Givens, Ed Jones for Alan Grant, Chris Kiwus, Lee Learman, Scott Midkiff, Ken Miller, Sally Morton, April Myers, Kelly Oaks, Kim O'Rourke, Steve McKnight, Julie Farmer for Charles Phlegar, Dwayne Pinkney, Menah Pratt-Clarke, Julia Ross, Frank Shushok, Robert Sumichrast, Don Taylor, Tyler Walters, Paul Winistorfer, John Benner, Rajaram Bhagavathula, Nick Copeland, Victoria Dashevsky, Paul Deck, Holli Drewry, Madlyn Frisard, Bob Hicok, Christa Miller, Masoud Agah, Diane Agud, Susan Anderson, James Hawdon, Cayce Myers, Robin Queen, Kevin Davy, Jia-Qiang He, Laszlo Horvath, Kathy Lu, Andre Meulenaer, Patricia Raun, David Tegarden, Megan Wawro, Judy Alford, Velva Groover, Bruce Harper, Jenny McCoy, Brandy Morse, Sue Teel, Janice Austin, Karen Eley Sanders, Conaway Haskins, Inga Haugen, Sally Shupe, Awad Abdelhalim, Lia Kelinsky-Jones, Jack Leff, Reena Medavarapu for Chapman Pendery, Adil Sageer, Eric Kaufman, Tamarah Smith, & Sabrina Sturgeon

Absent: Michael Friedlander, Steve McKnight, Lisa Wilkes, Serena Young (with notice), Eloise Coupey, David Bieri, Teresa Lyons, Amanda Coleman & Camellia Pastore

Guests: Nicole Akers, Kenlee Andreu, Harrison Blythe, Lori Buchanan, Kevin Edgar, Kari Evans, Tara Frank, Ron Fricker, Debbie Greer, Rachel Holloway, Sharon Kurek, Erica Milgrim, Scott Nachlis, Kayla Perkins, Katie Polidoro, Rick Sparks, Jon Clark Teglas, Stacey Wilkerson,

Dr. Sands called the meeting to order at 3:30 p.m. A quorum was present. Dr. Sands called on all new members to introduce themselves and asked each to indicate what constituent group they represent.

1. Adoption of Agenda

A motion was made and seconded to adopt the agenda. The motion carried.

2. Announcement of approval and posting of minutes of May 4, 2020

Dr. Sands noted that these minutes have been voted on electronically and can be publicly accessed on the Governance Information System on the Web (<http://www.governance.vt.edu>).

3. Commission Chair Reports

Dr. Sands asked the Commission chairs to present briefly their goals for the academic year.

1. Commission on University Support – John Benner, Chair
 - a. Will be presenting a resolution on the Virginia Tech 2020 Climate Action Commitment
 - b. Reviewing SGA resolution to expand moped parking and may bring that through governance
 - c. Will have a presentation on the governance process
 - d. Will invite the Office of Emergency Management to present on how Virginia Tech prepared for the students' return in summer 2020
 - e. Will invite Hokie Wellness to provide and update on their services and the changing demands and needs on their services from the university community
 - f. Will explore and review transportation and parking and how infrastructure continues to evolve

2. Commission on Administrative and Professional Faculty Affairs – Holli Drewry, Chair
 - a. Will be presenting a resolution creating an Administrative and Professional (A/P) Faculty Senate Constitution and Bylaws
 - b. Will look at establishing A/P Faculty membership in the shared governance system
 - c. Will look at possibly creating an A/P Faculty Representative position to the Board of Visitors
 - d. Will be reviewing the A/P Faculty Grievance Panel and Allegations of Unprofessional or Unethical Conduct review processes
 - e. Will look at changes to the Faculty Handbook related to the A/P Faculty Senate and the review of Grievance and Unethical Conduct Processes

3. Commission on Equal Opportunity and Diversity – Christa Miller, Chair
 - a. Will look at the impacts of COVID-19 on underrepresented and marginalized groups
 - b. Will look at how CEOD can provide support and partner with other groups concerning the resurgence and interest in social justice
 - c. Planning to do updates from several areas of campus where their tasks directly converge with the charge of CEOD

4. Commission on Faculty Affairs – Bob Hicok, Chair
 - a. Will be presenting a resolution to revise Chapter 3 of the Faculty Handbook
 - b. Will be presenting a resolution to revise Chapter 5 of the Faculty Handbook
 - c. Will be reviewing a revision to Policy 13010 (Conflict of Interest and Commitment) and Policy 4070 (Additional/Outside Employment Policy for Salaried Classified and University Staff) brought to CFA from the COI Task Force
 - d. Will be reviewing Policy 6100 (Department Head or Chair Appointments)
 - e. Will be reviewing Policy 6105 (Periodic Evaluation of Academic Deans and Vice Presidents)
 - f. Will be presenting a resolution to implement changes to the university shared governance framework once feedback is received from the president regarding the report from the President's Committee on Governance
 - g. Will begin analyzing and revising the Faculty Senate standing committees and the grievance policies and procedures in the Faculty Handbook.
 - h. Will be looking at a system of evaluating faculty service at Virginia Tech (The Service Project 2025) in order to find ways of measuring and valuing service as it is currently done for teaching and research

5. Commission on Graduate Studies and Policies – Madlyn Frisard, Chair
 - a. Will be supporting the efforts of the departments and colleges in the implementation of inclusion and diversity training for graduate students with a goal to have 100% participation by Spring 2020
 - b. Will begin implementing the recommendations from the mental health and wellness task force.
 - c. Will begin implementing the recommendations of the Graduate Education Task Force
 - d. Will be discussing ways of incorporating graduate student participation in department and university governance processes
 - e. Continuing efforts to raise awareness to prevent and disrupt academic bullying
 - f. Continuing discussions related to data needs for graduate education and graduate education in the pandemic and post pandemic university
 - g. Implementing Graduate Honor System Constitutional changes
 - h. Looking at graduate student food security
 - i. Throughout the year will review policies including:
 - Formulating a more formal process on awarding posthumous degrees at the graduate level
 - Doctoral residency requirements
 - Reviewing provisional status for doctoral students

6. Commission on Outreach and International Affairs – Nick Copeland, Chair

- a. Because of the unique situation of the university, Commonwealth, and nation, the commission is exploring ways to use the university economic engagement as well as Virginia Cooperative Extension programs as ways of addressing the following:
 - COVID-19
 - The economic fallout (depression, high unemployment, etc.)
 - Climate change
 - Vulnerabilities in the food system
 - Vulnerabilities in the public health system
 - Conservation programs
- b. Looking at ways to maintain an international connection

7. Commission on Research – Rajaram Bhagavathula, Chair

- a. Will be looking at adding permanent members to the Commission on Research from each of the six institutes.
- b. A resolution will be sent through governance updating Policy 13000, Open Access to Research Policy
- c. Working with CFA on Policy 13015 on Public Access to Research Data
- d. Conducting five-year reviews of VTTI and ICTA,

8. Commission on Staff Policies and Affairs – Tamarah Smith, Member

- a. Will be reviewing pay increase practices and retirement benefits for staff as well as work with Human Resources to explore how to harmonize leave across the university from faculty to staff
- b. Will be discussing ways to improve communications regarding matters that affect the staff
- c. Reviewing education benefits for staff including online options, exploring employee tuition options, and exploring dependent options
- d. Continue to explore options for current childcare issues that the employees of Virginia Tech as well as residents of Montgomery County are presently facing

9. Commission on Student Affairs – Victoria Dashevsky, Chair

- a. Reviewing feedback from student members of CSA on how COVID-19 is affecting students and how information is being communicated to students
- b. Discussing concerns on the additional \$0.47 fee with every order when ordering from Grubhub
- c. Discussing vegetarian, vegan, Hillel, and kosher food options
- d. Will be discussing how student fees are being used and how the student budget board is comprised
- e. Will be providing student feedback on Title IX and policy 1025

10. Commission on Undergraduate Studies and Policies – Paul Deck, Chair

- a. Reviewing CUSP charge to ensure the work of CUSP is in alignment with the charge
- b. Reviewing and approving a strengthened and clarified Academic Relief Policy (W grades, retroactive timelines, transcript issues) in conjunction with our Academic Affairs Committee
- c. Clarifying and, if necessary, re-defining what it means to be an active student establishing policies on re-enrollment and re-admission, with the objective of working toward a continuous enrollment policy roughly analogous to that presently in place for the Graduate School
- d. Will be working with the Office of Policy and Governance to clean up the academic policies

4. Announcement of Approval and Posting of Commission Minutes

These minutes have been voted on electronically and will be posted on the University web (<http://www.governance.vt.edu>). Note that the purpose of voting on Commission minutes is to accept them for filing. University Council Bylaws require that policy items be brought forward in resolution form for University Council action.

- Commission on Administrative and Professional Faculty Affairs
May 12, 2020
- Commission on Faculty Affairs
March 20, 2020
- Commission on Outreach and International Affairs
April 16, 2020
May 7, 2020
- Commission on Research
April 7, 2020
May 7, 2020
- Commission on University Support
February 20, 2020
March 19, 2020
April 16, 2020

5. For Information Only

Minutes of the University Advisory Council on Strategic Budgeting and Planning
April 16, 2020

6. Presentation

Kelly Oaks, Assistant Vice President for Equity and Accessibility and Katie Polidoro, Director of Title IX Compliance and Title IX Coordinator, gave a presentation (attached) on the new Title IX Regulations.

7. Announcement

Bryan Garey, Vice President for Human Resources, announced that Policy 4315 (Guidelines on Holidays) has been revised to align with new state law setting Election Day as a staff holiday and eliminating Lee-Jackson Day as a staff holiday. In 2020, staff will have both Lee-Jackson Day and Election Day, but going forward, Lee-Jackson Day will be removed as a staff holiday and be replaced with Election Day.

8. Adjournment-

There being no further business, a motion was made to adjourn the meeting at 4:32 p.m.



Adapting to New Title IX Regulations at Virginia Tech

Office for Equity & Accessibility
September 21, 2020



Title IX Work Group

- *President Sands appointed a work group and asked for recommendations.*
- *The group consisted of administrators and stakeholders and has representation from:*
 - *Human Resources*
 - *Staff Senate*
 - *Student Government*
 - *Faculty Senate*
 - *Commission on Student Affairs*
 - *Commission of AP Faculty Affairs*
 - *Graduate Student Assembly*
- *Working group submitted recommendations on July 24th.*

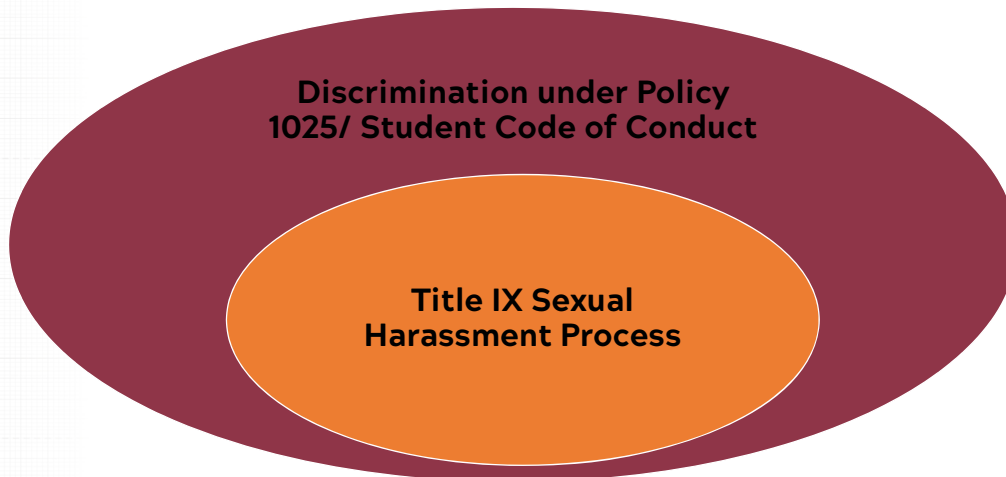


New Title IX Regulations

- In 2017, the Department of Education rescinded previous guidance on sexual harassment and misconduct. In May, DOE issued final, formal regulations.
- The new regulations include a definition of sexual harassment and detailed process that we must use to address reports of harassment and misconduct that fall under Title IX.
- Existing VT policies and procedures must change to comply with these new rules.
 - A new definition of sexual harassment and new area of jurisdiction;
 - A requirement for live hearings for both student and employee cases; and
 - A requirement for cross examination by each party's advisor.
- The Department of Education required compliance by August 14th.



Relationship between Policy 1025 and Title IX



Necessary Changes

- *Remove Title IX sexual harassment from Policy 1025, keeping Policy 1025 in tact.*
- *Adopt a new, stand alone Title IX Policy that complies with the regulations.*
- *Clarify Responsible Employee reporting and exclude non-supervisory staff.*
- *Adopt grievance procedures for adjudicating student and employee matters that comply with the regulations.*
- *Continue to address non-Title IX sexual harassment and violence through Policy 1025 and the Student Code of Conduct.*
- *Ensure appropriate resources, personnel, and training for compliance.*



Future Work

- *Establish an informal resolution process.*
- *Review and update Policy 1025.*
- *Clarify handling of non-Title IX sexual harassment and violence.*
- *Ongoing assessment of new process.*
- *Outreach and communication to community.*



Non-Title IX Sexual Harassment and Violence

- *The Student Code of Conduct and Policy 1025 will apply to sexual misconduct that does not meet Title IX definitions.*
 - *Student Conduct may request an investigation by Equity and Accessibility Investigators and will determine proper resolution.*
- *The Director of Compliance may determine proper resolution, including an investigation of harassment and discrimination complaint.*

