

Staff Council Minutes

September 8, 2020

Members present: Matt Busey, Erik Carlson, Cindy Cummings, Marie Hall, Matthew Hutchinson, Beth Mathews, Debi Meier, Nancy Province, Christa Smith, Kassy Swain

Members not present: Exempt C rep, Anthony Escalante, Carrie Haverty, Kathy Iwig, Jan Martin, Tiffany Swinney

Guests: Jimisha Flowers, Marc Fried, Pam Foster, Cynthia Holthaus, Chris Kuwitzsky, Homer Manila, Debra Mikulka, Angela Rice, Blaine Smith, Christy Smith

- I. Call to Order
 - a. The meeting was called to order by Chairperson Matt Busey at 3:03 p.m.

- II. Roll call
 - a. Attendance was taken by identification on Zoom.

- III. Approval of the August 11, 2020 Minutes
 - a. The August 11, 2020 minutes were presented for approval. Approval of the minutes was moved by Cindy Cummings and seconded by Beth Mathews. Motion carried unanimously.

- IV. Committee Reports
 - a. Chair Report – Matt has not met with Dr. Farley since the prior meeting in July.

 - b. Board of Regents Meeting Update – The next meeting is scheduled for Thursday, September 17, 2020.

 - c. All Faculty/Staff Email/Posting Committee – Nothing to report.

 - d. Benefits Committee – Matt reported that during the August 25, 2020 Benefits Committee Meeting, BlueCross BlueShield presented on Washburn claims: health was down, dental was up slightly. Rates will remain the same for the next FY. Chris Kuwitzsky indicated that they hope to reinstate the Employee Wellness program incentives for the next FY.

 - e. Food Advisory Committee – Nothing to report.

 - f. Parking Ticket Committee – Nothing to report.

 - g. Safety Committee – Beth reported most recent meeting was on August 25, 2020. The safety website is being tweaked to include the previous updates which also include Tech updates. Heather Dunlap, Safety Director, is meeting daily with the COVID team, and weekly with the Shawnee County team. Heather is going to start working with departments on continuity of operation (COP) plans for other disasters that may be unforeseen. Beth had technical issues and sent typed notes to Christa. Christa read Beth's notes that included: Teresa Lee, Director of Human Resources, clarified limits if you can't maintain social distancing. There will also be updates regarding the re-opening plan and how to report positive tests and still maintain privacy. Teresa indicated that Shawnee County focuses on social distancing. She also said that the county is saying right now that those who have tested positive and satisfied the quarantine period won't have to do it again. Heather Dunlap advised that she has received paperwork which was completed and submitted to WU Police Chief Chris Enos for KDHE HazMat. KDHE will be on campus. It was emphasized that the visit would not be an official inspection. Heather Dunlap shared she received a

call from the City regarding our inquiry into the crosswalks. The MacVicar crosswalks may not be out of question however, the City advised that sometimes it is safer to not have a crosswalk because a jaywalker may pay more attention to traffic. Heather was told that there may be only a slim chance of other flashing crosswalks on 17th street as it would put too many too close together. Discussion of crosswalks on 21st street is still on hold pending completion of the Indoor Athletics Facility. There is also ongoing discussion to adding an additional crosswalk on Washburn Avenue at Durrow.

V. Old Business

- a. Staff Council elections – Constituents have not been nominated for Non-Exempt Groups C, D and E. Elections will be postponed until nominations have been received.

VI. New Business – Nothing to report.

VII. Guest Speakers (Title IX Regulation and Procedure) – Dr. Pam Foster, Marc Fried and Cynthia Holthaus shared the details of the new Title IX policy. Pam shared where to find the policy on the WU website. The Title IX policy redefined sexual harassment in that it must be severe or pervasive and objectively offensive. The definitions of quid pro quo, sexual assault, dating violence, etc. are the same. Hostile work environment definition changed as well. If the incident didn't occur on campus, then it's not covered (e.g., Study Abroad) under this policy. These will need to be referred to another office on campus for resolution. Supporting measures come through the Title IX office. A student cannot be removed from the classroom without going through due process rights. Dr. Foster will meet with the student, and if it meets the definition, and they want to move forward, the respondent will be contacted and have the ability to respond. Dr. Foster will interview witnesses, and her involvement will end.

Marc Fried indicated that prior to this it was a single investigator model (primary model used by private businesses). Now we must do a formal hearing to take action against the respondent. There is a single decision-maker and it cannot be the Title IX Coordinator. During the hearing, the parties cannot question each other, must have an advisor to do the questioning. If they do not have an advisor, the university is required to appoint an advisor. The regulations didn't intend to have the university hire lawyers. The decision-maker must rule on each question so that they are deemed acceptable and the parties can respond. WU will be hiring those with litigation experience. Hearings will be much longer because after each question a determination will need to be made. The decision-maker must make the decision that the party is responsible. There will be the same appeal process as previously.

We have adopted an informal process as well. WU is currently identifying a group of mediators with training in issues related to domestic violence and sexual assault. Unless both parties agree and are willing to go through the informal process, or if they back out, it will go back to the formal hearing process. Neither party is required to participate or continue. The parties must sign a formal complaint for this. They can switch back and forth between formal and informal complaints. Last year, there were 21 different cases at WU.

An attendee asked in Zoom chat if the process is the same for staff as well as students. The response was if a staff member violates a student's rights, they will go through this process. If there is no student involved, it would go through the non-discrimination process.

VIII. Information Items

- a. Next Meeting: October 13, 2020 – Zoom Video Conference - 3:00 - 4:00 pm.

IX. Adjournment

- a. It was moved by Erik Carlson and seconded by Kassy Swain to adjourn the meeting at 3:46 p.m. Motion carried unanimously.

Minutes submitted by Staff Council Secretary Christa Smith.