

**Commission on the Status of Women  
FY 04 Year-End Report with Comments from Kellian & Deirdre's meeting with President  
Davenport**

**Introduction**

This constitutes the articulation of the status of the work of the Commission on the Status of Women for 2003-2004. The Commission members agree that the following accurately reflects our progress on last year's priorities.

**1. Sexual Assault Concerns (see appendix A for original proposal submitted 12/03)**

**A. Establish a position for a Sexual Assault Services & Outreach Coordinator**

The President was informed that the Commission was moving forward with a request to the Minnesota State Student Association for a full-time Sexual Assault Services and Outreach position. This was discussed during the Spring 2004 Student Activity Fee allocation process. MSSA noted that while they supported the position and felt an urgent need to create this position on campus, they felt that the funding should come from M & E and not student fees.

The Commission, in collaboration with the Director of the Women's Center, forwarded the position request to the Interim Vice President for Student Affairs for consideration of M & E funding sources. The request was not funded. Because of the importance of this position to the entire university campus, the Commission is recommending continued exploration of possible funding sources. There have been several attempts to identify funding sources through grant opportunities. In order for a proposal to be competitive, the university must be willing to provide a hard cash match, as the granting agencies appear hesitant to fund a project for start-up without a substantial commitment from the university for the future. The Commission is advocating for this position and will request funding again during the 2004-2005 academic year, both through the MSSA and Division of Student Affairs.

- President Davenport supports having an expert professional in this position
- Vice President Swatfager-Haney assigned to "free up funding" for at least a half-time position
- Deirdre met with VP S-H on 12/6 to map out funding options
- VP S-H and other leadership will follow up with CSW via Dean Earley

**B. Additional Full-time Campus Security Officers Needed**

The Security department must be accessible to survivors of sexual violence. The President agreed that there was a need for further study of University Security Issues. It will be up to the Commission to study in depth the issues surrounding security on campus. The initial proposal included such areas as: Strength and depth of security, staffing, policy, facility, location, visibility, and other related topics. A comparative study was recommended, looking at not only other MnSCU institutions, but also comparable universities in terms of student populations, composition, and facilities.

- President Davenport reports there are several options in the works:
  - Partnering with the city
  - Hiring our own
  - Focusing on specializations (EMT, other)
- This recommendation is supported, and the President is not looking for anything more from the Commission

- Regarding location, VP S-H has been asked to do a space study to evaluate options for Security. The President is not optimistic, and notes that this is a long-range project.

## **2. Addressing Workplace Bullying**

The Commission, in the Report to the President dated July 1, 2003, recommended a campus-wide climate survey be conducted during the 2003-2004 academic year. The Diversity Task Force validated that recommendation through the results of their work during the Fall of 2003. The Diversity Task Force received clear support, as did the Commission, for conducting a Campus Climate survey and that recommendation is part of the Diversity Task Force's recommendation posted on the university website at:

<http://www.mnsu.edu/president/priorities/reports/diversity>

Our work demonstrated the necessity of a survey including bullying and related workplace environment issues. On a related note, the Workplace Environment Policy, which is currently in the final stages of approval process, incorporates specific language about bullying. This is a direct result of Commission research and advocacy.

- President Davenport notes Susan Taylor's interest in gathering qualitative data in this area
- The Commission should work with Lori Lamb to gather quantitative data
- Deirdre is a member of the Diversity Commission, and will make sure bullying is incorporated into any campus climate surveys

## **3. Establishing a State-wide Commission on the Status of Women**

The Commission recommended that the President forward a proposal to the Chancellor to establish a statewide MnSCU Commission on the Status of Women. The President reported that his proposal did not meet any enthusiasm through the MnSCU Human Resource Committee as that group felt that issues in this area were individual and unique to each campus and many of the campuses had commissions, therefore there did not appear to be a need to bring commissions together to work on "system" issues faced by the campuses within the MnSCU system. The Commission recommended the President speak with the Chancellor directly on this issue as Chancellor McCormick, in his tenure with the Pennsylvania system did support and establish such a statewide group. The President was not aware of this fact and agreed to approach the Chancellor with this particular proposal.

- This issue is dead
- President Davenport brought this to the MnSCU Presidents twice and received no support either time. The Chancellor will not override the campus presidents and prefers a campus-based approach instead of system-wide.

## **4. Consensual Relationships Policy (see appendix B)**

The President reported that a subcommittee of the MnSCU Human Resource Committee was reviewing the Consensual Relationships Policy forwarded by the Commission on Status of Women. We look forward to hearing back from the President about the status of this policy.

- President Davenport brought this proposal to MnSCU's attorney who initially thought that current HR policies would override a consensual relationships policy
- We could possibly pursue this issue campus-wide, although antidiscrimination policies (1b1) may preclude any issues covered by this policy.
- The Commission should follow up with Lori Lamb – as of 1/31/05 this issue is dead

## **5. Establishing an Office of University Ombuds**

Establishment of a University Ombuds was originally recommended by the Commission in their July 2003 report, Giving Voice to the Concerns on the Status of Women at Minnesota State University, Mankato. Following receipt of this report, the President asked the Director of Human Resources to work with the Commission on this issue. The HR Director sees the functionality of this role being filled by other means on campus. The Commission disagrees. The Commission feels that the Ombuds function is distinct and separate and should not be merged into or confused with a formal mediation function. The President was again asked to consider this proposal for an Ombuds position at MSU.

- This position request is dead, again covered by antidiscrimination 1b1 policy
- Mary Dowd, Student Attorney are student ombuds officers, AAO is employee ombuds officer
- Gail Olson (sp?) from the system office won't allow MSU to have such a position, the rationale being that employees have a duty to respond to concerns, can't ensure confidentiality or provide advocacy – tremendous institutional liability
- Outside mediators and consultants have been successful

## **6. Information-sharing and Campus-wide Communication**

The President requested that members of the Commission communicate the above recommendations and those contained in the July 2003 report to various shared governance groups across campus to generate buy-in. Commission members feel that we report to the President, who should then take our recommendations to the appropriate parties. The Commission will continue to develop strategies for disseminating information to stakeholders.

- President Davenport offers very strong support for a CSW website and periodical updates. He would like our Commission to share progress through an upcoming Meet & Confer cycle; the President will get us on the agenda.

### **Charge for the year:**

1. Campus Climate survey with the Diversity Commission
2. Establish a relationship with the Diversity Commission
3. Establish greater visibility on campus for women's issues
4. Dynamic leadership program for women – first class event & reception – we should make a recommendation and President Davenport will fund it

**2. Appendix A**  
**Commission on the Status of Women**  
**Plan to Address Sexual Assault Concerns**

In light of the Commission's July 2003 report to the President of Minnesota State University, Mankato, we propose the following to address MSU's significant safety concerns related to sexual assault:

**A. Establish a position for a Sexual Assault Services & Outreach Coordinator**

**Rationale:** As noted in the Commission's July 2003 report, the high incidences of sexual assault and related crimes on campus merits the full-time attention of a professional. This 12-month MSUAASF position would:

- Provide direct services to survivors, serving as a first point of care for referral and advocacy during business hours
- Design and implement sexual violence education for all new MSU students
- Coordinate education and outreach to the MSU community including but not limited to:
  - Working with students to coordinate prevention education
  - Training for MSU employees about sexual assault prevention, services, referrals and response protocol

The Commission recommends that this position reports to the Director of the Women's Center or other appropriate administrator.

As part of the start-up process for this new position, the Commission advises that appropriate consultation occur. Specifically, we advise MSU to bring a consultant to campus to advise the development of a campus-wide sexual assault services strategy. A nationally recognized expert on campus-related sexual assault issues would help us establish a program with minimal liability concerns and maximum effectiveness. A consultant would be able to advise us about things that have and have not worked on other campuses. While on campus, this expert will be able to offer resources and program review services to Security, the Commission on the Status of Women, the Women's Center, Human Resources and others.

**Anticipated expenses:**

*Program Coordinator, full-time, 12-month, range B	\$35,000 salary
	\$9,800 fringe
	\$10,000 supplies
*Consultant Visit	\$2,500 flat fee
	<b>\$57,300 total</b>

**B. Make Security accessible to survivors of sexual violence**

- Security is the current 24/7 response agency for campus crimes, including sexual assault
- Current facilities do not allow for comfortable or private crime reporting
- There are not enough full-time, professional Campus Security Officers to staff a 24/7 schedule

**Rationale:** To best serve the campus community and provide a visible welcoming security presence, we recommend that the Security Department be relocated to a central highly visible area of campus. Its current location in Wiecking Center is not only tucked away from the

general campus population on the most distant north end of campus, its present facility layout hampers their ability to serve their customers. The current layout of the office is quite frankly unwelcoming and could deter victims especially victims of sexual assault, physical assault, harassment from even filing a report as they must do so while standing in a highly used hallway. The office is located next to one of the building exits, public restrooms and the university Post Office. There is no reception/interview room within the department so individuals must wait for an officer to file a report on chairs outside the office in the public hallway which is heavily used by the building occupants. If a new location is not feasible in the near future we recommend that at minimum additional space be provided adjoining the current location to allow for reorganizing space to include a private area to serve victims.

In researching staffing standards for campus security and police services we reviewed The Bureau of Justice Statistics report, Campus Law Enforcement Agencies, 1995 which provided comparative information on officer per student population for 4 year private/public institutions. This information comes from the 1995 Survey of Campus Law Enforcement Agencies, the largest study of police and security services at institutions of higher education ever conducted. The document indicated that for institutions with a student population of 10,000 – 14,999 the median number of officers is 18. Among all 4-year campuses of 2,500 or more students, about two-thirds of the law enforcement employees worked at public institutions. However, private institutions had nearly twice as many law enforcement employees per 1,000 students (4.5 versus 2.4). Both types of campuses had approximately 1.5 officers per 1,000 students.

With a student population of 13,000 + the committee feels that requesting two additional Campus Security Officers which would bring our total officer number of officers to seven, still leaves MSU considerably short staffed in comparison to the median in the Department of Justice study.

In order to not re-victimize individuals of personal crimes especially crimes of violence, it is imperative that first responders are professionals trained in handling these types of incidents. We are very concerned that due to current Campus Security Officer staffing levels (5) they cannot provide 24/7 professional coverage. Due to this lapse in full-time coverage, there are times when the response to incidents and the security of our campus rests on the shoulders of an 18+ year old part-time student guard. When a Campus Security Officer is on shift, they must rely on assistance/backup from student guards. With an increase in violent behavior, safety for the current officers, and liability, this current staffing level should be a concern to us all and priority given to increasing these positions. We are recommending that funding be provided to hire a minimum of two additional Campus Security Officers.

**Anticipated expenses:**

*Campus Security Officers (2), full-time, 12-month	\$35,000 salary
	\$9,800 fringe
	\$1,000 uniform

**Total anticipated expenses: \$148,900**

**Appendix B**  
**Commission on the Status of Women**  
**Consensual Sexual Relationships Policy**

In their July 2003 Report to the President of Minnesota State University, Mankato the Commission on the Status of Women recommended that it is in our institution's best interest to institute the a policy regarding consensual sexual relationships. We feel that it would also be in MSU's best interests to adopt a different policy to address nepotism. Our research indicates that the strongest policies related to consensual sexual relationships provide explanation for the policy. The following sample policy is largely taken from Duke University's policy, with their permission. We recommend that Minnesota State University, Mankato adopts this or a similar policy.

**CONSENSUAL SEXUAL RELATIONSHIPS POLICY**

**I. Definitions**

- A. For purposes of this policy, the terms "employee," "supervisor," "faculty," "student," and "consensual relationships" are defined as follows:
- i. Employee: anyone employed by Minnesota State University, Mankato as faculty or staff, full-time or part-time.
  - ii. Supervisor: anyone who oversees, directs or evaluates the work of others, including, but not limited to, managers, administrators, coaches, directors, physicians, deans, chairs, advisors, residence hall staff, graduate and teaching assistants, as well as faculty members in their roles as instructors, as supervisors of their staff, and as participants in decisions affecting the careers of other faculty members.
  - iii. Faculty: all those charged with academic instruction, including teaching assistants, academic advisors, coaches, and others who have a role in educating, supervising, or advising students as part of the programs of Minnesota State University, Mankato.
  - iv. Students: all those enrolled full-time or part-time in any program of Minnesota State University, Mankato.
  - v. Consensual relationships: dating and sexual relationships willingly undertaken by the parties.
- B. Note: Non-consensual situations are covered under the University's policy on Nondiscrimination in Employment and Education Opportunity. See <http://www.mnscu.edu/Policies/1B1.html>.

**II. Values Statement**

- A. Minnesota State University, Mankato is committed to maintaining healthy learning and work environments where all are respected. Where a party uses a position of authority to induce another person to enter into a non-consensual sexual relationship, the harm both to that person and to the institution is clear. Minnesota State Colleges and University (MnSCU) has a policy entitled Nondiscrimination in Employment and Education Opportunity that addresses harassment (see <http://www.mnscu.edu/Policies/1B1.html>). Even where the

relationship is consensual, however, there is significant potential for harm when there is an institutional power difference between the parties involved, as is the case, for example, between supervisor and employee, faculty and student, or academic advisor and advisee. Such relationships bring into question the objectivity of any supervisory, academic or advising activities. The students, departmental members and college may experience negative consequences due to real or perceived bias. In addition, the damage can persist beyond the time of the relationship, possibly permanently damaging the reputation of the department for departmental members, deans, and students coming into a program.

- B. The following policy is articulated in two parts, the first directed to employee relationships, the second to faculty–student relationships. Although these categories have many elements in common, the student–teacher relationship represents a special case. The integrity of this relationship is critical to the academic enterprise. Faculty–student consensual sexual relationships create obvious dangers for abuse of authority and conflict of interest actual, potential, and apparent. Especially problematic is such a relationship between a faculty member and a graduate student who is particularly dependent upon him or her for access to research opportunities, supervision of thesis work, and assistance in pursuing job opportunities.
- C. Minnesota State University, Mankato has adopted a consensual sexual relationship policy for the following reasons:
  - to avoid the types of problems outlined above,
  - to protect people from the kind of injury that either a subordinate or superior party to such a relationship can suffer,
  - to provide information and guidance to members of the Minnesota State University, Mankato community.
  - Most of all, this policy seeks to help ensure that each member of the Minnesota State University, Mankato community is treated with dignity and without regard to any factors that are not relevant to that person’s work.

### **III. Policy Regarding Employee/Employee Relationships**

- A. Except in unusual circumstances, where explicit authorization has been obtained from the appropriate superior, no Minnesota State University, Mankato employee should participate in supervision, employment actions, evaluation, decisions pertaining to promotion, the direct setting of salary or wages for another Minnesota State University, Mankato employee with whom that person has or has had a consensual relationship.
- B. Except in special circumstances, where explicit authorization has been obtained from the appropriate superior, a supervisor should not employ anyone with whom he or she has or has had a consensual relationship.

- C. Employees should be aware that entering into such a relationship with a supervisor creates the potential for risk to both parties. In particular, such a relationship will limit that supervisor's ability to direct work or promote that employee's career.
- D. In the event that a personal relationship of this kind does exist in a supervisory context, the supervisor must disclose the relationship to the appropriate superior and initiate arrangements to address any issues of conflict of interest.

#### **IV. Policy Regarding Faculty–Student Consensual Relationships**

- A. No faculty member should enter into a consensual relationship with a student actually under that faculty member's authority. Situations of authority include, but are not limited to: teaching, formal mentoring, supervision of research, and employment of a student as a research or teaching assistant; and exercising substantial responsibility for grades, honors, or degrees; and considering disciplinary action involving the student.
- B. No faculty member should accept authority over a student with whom he or she has or has had a consensual relationship without agreement with the appropriate dean. Specifically, the faculty member should not, absent such agreement, allow the student to: enroll for credit in a course which the faculty member is teaching or supervising; direct the student's independent study or thesis; employ the student as a teaching or research assistant; participate in decisions pertaining to a student's grades, honors, degrees; or consider disciplinary action involving the student.
- C. Students and faculty alike should be aware that entering into a consensual relationship will limit the faculty member's ability to teach and mentor, direct work, employ, and promote the career of a student involved with him or her in a consensual relationship, and that the relationship should be disclosed in any letter of recommendation the faculty member may write on the student's behalf. Furthermore, should the faculty member be the only supervisor available in a particular area of study or research, the student may be compelled to avoid or change the special area of his or her study or research.
- D. If nevertheless a consensual relationship exists or develops between a faculty member and a student involving any situation of authority, that situation of authority must be terminated. Termination includes, but is not limited to: the student withdrawing from a course taught by the faculty member; transfer of the student to another course or section, or assumption of the position of authority by a qualified alternative faculty member or teaching assistant; the student selecting or being assigned to another academic advisor and/or thesis advisor; and changing the supervision of the student's teaching or research assistantship. In order for these changes to be made and ratified appropriately, the faculty must disclose the consensual relationship to his or her superior, normally the chair, division head, or dean, and reach an agreement for remediation. In case of failure to reach agreement, the supervisor shall terminate the situation of authority.

**V. Resources**

- A. Questions regarding this policy or what options may be available for resolving issues arising under it may be referred to the Affirmative Action Officer or the Human Resources Office.

**VI. Guidelines**

- A. The intent of the policy is primarily to be instructive and corrective. In addition, there is no intent either to intrude on the privacy of member of the Minnesota State University, Mankato community or to interfere with appropriate mentoring relationships. Some examples of ways to help remove a conflict of interest include the following approaches:

- If a teaching assistant is interested in a student in his or her section, waiting until the end of the term before dating the student;
- Where a department chair has a personal relationship with any member of his or her department, seeing to it that the relationship is disclosed to the dean and arranging for the dean or other appropriate administrator to be responsible for evaluation or promotional decisions;

When a manager has responsibility for supervising a romantic partner, arranging for an administrator senior to the manager to provide supervision of the subordinate. (Inserting a manager between the romantic parties in order to supervise the subordinate will not remove the conflict of interest, since the manager in the middle is still subject to pressure from above).