

# RIT | University Council

## Meeting Minutes: March 25, 2020

The meeting was called to order at 3:05 p.m.

### **Minutes from January 29, 2020 Meeting**

The minutes were approved by unanimous consent.

### **President's Report**

I will confine my remarks to the covid-19 virus situation. First, I want to thank each of you for the outstanding response we've had on our campus. Our students have by and large been understanding and the faculty and staff have really come to the fore. We're known as an innovative place and based on what I see at other universities, I really do think that we are at the front of the pack in how we are dealing with this, and I will run through a number of elements.

The biggest challenge we have faced is how rapidly things have changed and of course that hit every university in the nation, but we were often making decisions that would change within 24 hours based on information from the state and the feds and of course from people on our campus. With the help of the whole campus community, we have things reasonably well figured out now. Our communications effort in my opinion has really been excellent and I don't take credit for that, it's been headed up in John Trierweiler's organization primarily by Bob Finnerty and Carl Langsenkamp and they have been absolutely tireless and also innovative. Recently, Enid Cardinal has also jumped into that fray to help with internal communications. Our Covid-19 website is outstanding and if you haven't taken a look yet, you should. Lots of FAQs which are really expertly organized and tons of information there.

Every time we make a decision, there are some folks who are unhappy, but I would say on balance about 3 days later everybody says, "Oh yeah, that was the right thing to do." If I've learned anything from this exercise, it is that delaying decisions is just absolutely the wrong thing to do. So, as soon as we feel we have enough information to make a decision, we try to make that decision instantly.

I want to congratulate Ellen Granberg and the entire Academic Affairs staff and especially our faculty and staff throughout the colleges that have really moved us online in a very short period of time. The online effort seems to be going extremely well. There are some isolated issues, some certain students that may not be receiving exactly what they are hoping, but those situations are not widespread and are being addressed on an individual basis and I just couldn't be happier with what I am seeing in the online space. Let me say that it was absolutely critical that we be able to transition at least the bulk of our programs to the online format because that essentially insures our revenue base. Most of our budget is derived from tuition dollars and we simply cannot afford to refund massive amounts of tuition. So the fact that the online transition is working so well is what is really insuring our fiscal future.

Regarding dormitories and students, if I backtrack it wasn't that long ago we were hoping to keep the campus partly open and having a greatly reduced number of students on campus, but perhaps still having students who needed access for educational or research purposes to our labs, art studios, etc. Within just a period of a couple of days, it became clear that that wasn't going to be possible and of course, NYS then issued essentially a 100% shutdown. So at this point, we do have at least a few hundred students who remain. These are students who didn't have another place to go and we certainly are not going to be kicking those students out. Some of them are international students for example. Many students have picked up their belongings. There are still some families that need to come and retrieve belongings and that will be happening for a while yet I think. There is limited food service available to these students.

In the research realm, many of our researchers can continue their work if they are sponsored on research grants or contracts and can still continue to be paid. People who were doing theoretical work, computer simulations, writing, etc. can continue. The federal government is being pretty lenient in terms of counting on research grants and contracts during this period. There will be some of our staff primarily involved in research where maybe their entire job is to operate a particular machine or collect data and maybe that can only be done on campus, so we are going to have to worry about some of those people.

In the financial realm, Jim Watters and his staff have done a terrific job in terms of managing our finances from now until the end of the semester and also thinking about the future. Our biggest hit on the financial side comes from partially refunding room and board changes for the students who were resident on our campus. That's a pretty sizeable hit and so we are going to have to find ways to cover that and to maintain our cash flow, but we are in pretty reasonable shape. But as you've seen we have instituted some things to help and one is that with very, very few exceptions, we have halted faculty and staff hiring and we have halted all non-essential purchases. Jim Watters and his staff are now looking at scenarios for this coming fall and if we were to meet our enrollment targets, we would be in really quite fine shape. But we don't actually know what prospective students and their families are going to decide to do. If this crisis passes let's say by the end of May, it may turn out that everything does return pretty much to normal and in that case we'll be in very good shape. But on the other hand, we realize that students and their families may decide for that student to stay closer to home and so what we may have to do is recruit more students from our local area and expecting fewer students to come from overseas or elsewhere in the nation. Ian Mortimer and his staff are totally on top of that. But anyway, in the financial realm, we are OK at the moment, we have plans on how we will handle the shortfall due to refunds and we are now looking at plans for the future. I also want to mention the work of John Zink and his staff, they take care of all of our emergency services and have an incident command post and so there are lots and lots of internal things that John and his staff have handled that are not visible to the rest of us. We have to close down campus and still maintain security and a host of other things that most of us would not even think about.

And finally, I'll mention the federal stimulus package. We have a little bit of an idea of what is going to be in it. Certainly, there is going to be considerable assistance with unemployment on top of what the state offers and so if we were to find that any of our staff had to go out on unemployment, this would primarily be those people who are support on grants and contracts, we want to make sure those people are well care for. There is also some money that is projected to flow directly to universities that might help offset some of our losses in room and board. And there is other money that is targeted directly for student assistance. We don't have those numbers now and it's too early to know the impact for RIT, but we know that there is going to be a positive effect there.

#### **D19.0 Student Gender-Based & Sexual Misconduct Policy – REVISIONS** (*presentation available on [RIT Digital Archive](#)*)

Stacy DeRooy, Dir. of Title IX & Clery Compliance, Office of Compliance & Ethics

Stacy gave a brief review of the history of the policy which was created in 2015 in alignment with NYS law 129-B, aka the Enough is Enough law. The policy is reviewed often and as NYS makes changes to the law, we must re-align it.

Among the changes added are definitions regarding behaviors including:

- Disruptive and Disorderly charge
- combined Sex and Gender Discrimination
- combined Sex and Gender Harassment
- Refusal to Comply
- Sanction – all potential outcomes are considered sanctions in D19

Other changes include:

- making Sex and Gender Based Harassment in alignment with the definition in Policy C06.0 to alleviate confusion
- included Emergency Measure to delineate the ability to appeal from other Interim Measures
- inclusion of “or Designee” for all decision making statements
- Inclusion list of Supportive Measures that we thought needed to be included for clarity

Remaining modifications were made for flow and clarity. Probably the biggest change from the last version is the inclusion of a Mutual Resolution option. An investigation has to happen in order for a mutual resolution to come about, and the director for Student Conduct would make the decision after reviewing the investigation. There are times when there are no contested facts or it is very clear that something happened. This will allow Student Conduct to provide the opportunity to both parties to avoid a hearing, which can be long and troubling for both of them, present the option for the respondent to take responsibility, and then if both parties agree, end it administratively versus going through a hearing process. If either party does not agree to Mutual Resolution, then it would go to a hearing. Also included, is language related to Investigation report for the “Big Four” cases. Big Four are Sexual Assault, Dating Violence, Domestic Violence, and Stalking. The Title IX Office creates a report from Public Safety’s investigation documents and that investigation report is forwarded to the parties for review prior to it going to Student Conduct. We also added language for when charges are pending. We wanted to make clear that at the beginning of an investigation, is when the university has charges pending. At the conclusion of the investigation, determines the formal charges, but that clarification was needed in particular for transcript notation language that is sometimes required by the state.

**Confirmation of Academic Calendar 2025-2026** (*presentation file available on [RIT Digital Archive](#)*)

Joe Loffredo, Associate. VP Academic Affairs and Registrar

Per Administrative Policy – [Development, Maintenance and Publication of Academic Calendars](#), the registrar is charged with bringing forward a new calendar every year and maintaining a [slate of 6 calendars](#). I am here today to present the AY 2025-2026 calendar to University Council. I will be visiting each of the governance groups for endorsement of the calendar. This calendar is based on the principles in the policy and the spring 2019 policy revision to start fall term on the 4<sup>th</sup> Monday in August.

**Q:** Is there anything a little bit unusual or different from the norm?

**A:** There really is not as it follows exactly the same parameters for the calendar that we approved last year.

**C15.2 Faculty/Staff Alcohol and Drug Policy – REVISIONS** (*presentation file and draft policy available on [RIT Digital Archive](#)*)

Judy Bender, Assoc. VP, Human Resources

I'm here to talk about why we're updating policy C15.2 and what our next steps are. David Bond from Sponsored Research Services, contacted me and said that he had been contacted by some research faculty that would like to potentially be allowed to research hemp on campus. He worked with Bobby Colon to change the language in the policy to address that. Then as we looked at the policy itself, we realized the investigation procedures in the policy weren't consistent with current practice. Not surprising, because the policy hasn't been updated in 10 years.

So, you all should have received the marked up version of the policy so that you can see the changes we are recommending. I will plan to take the policy through Academic Senate, Staff Council, and Student Government.

**C00.0 Compliance Policy & Code of Ethical Conduct – REVISIONS** (*presentation available on [RIT Digital Archive](#)*)

Erika Duthiers, AVP & Deputy General Counsel, Office of Compliance & Ethics

So a bit of background...as Dr. Munson mentioned, the recent revisions to policy C00.0 have been endorsed by all of the other governance groups. This policy was created in 2009, edited in 2011, and then was due for its 5-year review. As my office continued to work through some other policies, we determined that this code was something that we really wanted to revise to set expectations for the community. We benchmarked other universities' codes and used their best practices to revise our code. We initially presented the draft in April 2019, but it was clear from the discussion through the governance groups that there was some appetite to have more in depth discussions about what our code should look like which we were happy to do, so we convened a committee from all three governance groups. The suggestions of this committee are incorporated in the policy and as I mentioned, have since been endorsed by all of the governance groups.

Some of the provisions that you'll see in the code are outlined in the presentation slides, but these are the typical things that you would find in a code of ethics and conduct both at universities and actually in businesses. There were some provisions that we ended up adding that we did not have in our code that we think bring us in line with other top tier universities. Among those are items that have to do with fair dealing. We wanted a statement that is clear to the community and also set the expectations that we expect everybody to act ethically, honestly and with integrity in all dealings. Similarly, we wanted to make sure that we had internal controls that really focused on the financial viability of the university and to make sure that those in the leadership understood that it was their responsibility as well.

We revised the conflict of interest language and are in the process of revising the Conflict of Interest policy as well. The revisions really focus on transparency and disclosure rather than trying to avoid all conflicts of interest. We always tell people with conflicts, that it's important to disclose the conflict is an issue, because we can always deal with most of them if we know about it. Transparency is important, so that's what the language tends to focus on in the new revised code. Of course, we made clear that compliance with applicable laws and university policies are still expected.

We made some revisions regarding reporting and violation reporting of the law and violations of policy. The current Code does not address officers and managers who receive reports of allegations. The new language makes clear that officers, managers and supervisors must report things to the university for notice purposes. If they know about something, they are required to report it. And there is also language about expectations for the rest of the Community as well as, the expectation to cooperate in investigations and through the process.

We also strengthened the retaliation language in the policy because we heard there's a fear of retaliation. The new language makes clear what we mean by retaliation and also the consequences. Some of the additions the committee suggested had to do with respect for others. They felt strongly that we should include language that says that any disrespectful or uncivil behavior falls short of RIT expectations.

**Q:** Is there a way to introduce the term collegiality somewhere in the policy? I ask because when managers evaluate faculty and staff, one of the aspects that we look for is collegiality and people are familiar with the term.

**A:** It was actually a topic with the committee and there was some back and forth regarding whether we should say any disrespectful or uncivil behavior and whether we should we replace civil with collegial but, ultimately, the committee decided on civil behavior and to use the term civility. It's more consistent with the language that we use throughout the policies at the university. I did a quick search of our policies and I don't believe the word collegial came up in any, though civility and uncivil did.

Dr. Munson commented: We were all looking for collegiality and that word is probably a little bit of a lightning rod. If it's in a policy, because as we know a lot of our faculty colleagues feel like they have the right to vigorously disagree with all sorts of things. And then the question becomes, well, are they being collegial when they exhibit maybe certain kinds of behavior certain kinds of disagreement and so, I'll say I'm comfortable with the language, the way it is. But I understand also your desire for people to understand this in terms of in general terms collegiality.

The policy was unanimously endorsed.

**C20.0 Vending Policy – Request to Decommission & Make it an Administrative Policy** (*policy revisions available on [RIT Digital Archive](#)*)

Carol Reed, Sr. Associate Director, Center for Campus Life

Don LaFlam, Sr. Director of Operations, Dining Services

The Vending Policy was established as a as a General University Policy in 1998 and there have been a few minor changes made since then. While the policy affects all of campus, it primarily impacts Dining Services and the Center for Campus Life. We have the support of Legal Affairs and our respective senior vice presidents, Drs. Waters and Johnson to seek approval from the governance groups to decommission it to an administrative policy.

Campus Life has been very involved because originally, we were one of the only areas that hosted vendors and oversaw clubs and other student organizations. They have now grown in number and many are overseen by other university divisions. Administrative status would give us the agility needed to quickly respond to changes in state and local guidelines, especially around food safety and health areas while protecting RIT's non-profit status. For example, an administrative policy gives us more ability to adapt to the changing ways that we could sell food on campus, such as food trucks.

**New Business**

- None

Meeting adjourned at 3:52 pm.

Attendance – see next page.

## Attendance March 25, 2020

| Name                    | Relationship to UC | Attended | Name                                     | Relationship to UC     | Attended |
|-------------------------|--------------------|----------|--|------------------------|----------|
| Aftab, Anika            | Member-SG          | x        | Maggelakis, Sophia<br>alt. Larry Buckley | Member-Dean            |          |
| Aimi, Janelle           | Alternate-RSC      | x        | Mallon, Jessica                          | Member-SC              | x        |
| Bamonto, Suzanne        | Member-AS          | x        | Mayberry, Kit                            | Non-Voting Member      |          |
| Bender, Judy            | Non-Voting Member  | x        | Megraw, Liam                             | Member-SG              | X        |
| Buckley, Gerard         | Member-Dean        | x        | Milliken, Renee                          | Member-SC              | x        |
| Castleberry, Phil       | Non-Voting Member  | x        | Mortimer, Ian                            | Non-Voting Member      |          |
| Clarke, Cathy           | Member-SC          | x        | Mozrall, Jacqueline                      | Member-Dean            |          |
| Cohen, Lindsay          | Member-SC          |          | Munson, David                            | Non-Voting Member & EC | x        |
| Cuculick, Jessica       | Member-AS          |          | Nasr, Nabil                              | Member-Dean Alt        |          |
| Cummings, Twyla         | Member-Dean        | x        | Newman, Atia                             | Member-AS              | x        |
| Deharder, Shine         | Member-SG          | x        | Nickisher, Heidi                         | Member-AS              | x        |
| Doolittle, Dick         | Member-AS          | x        | Ornt, Daniel                             | Member-Dean            | X        |
| Edwards, Doreen         | Member-Dean        | x        | Prescott, Joanna                         | Member-SC              | x        |
| Ellis, Jacob            | Member-SG          | x        | Provenzano, Susan                        | Non-Voting Member      | x        |
| Fagenbaum, Barb         | Member-SC          |          | Quartieri, Gail                          | Member-SC              | x        |
| Finnerty, Bob           | Non-Voting Member  | x        | Quinn, Bryan                             | Member-SG              | x        |
| Gascon, Bryan           | Member-SG          | x        | Raffaella, Ryne                          | Non-Voting Member      | x        |
| Granberg, Ellen         | Member & EC        | x        | Ramkumar, S. Manian                      | Member-Dean            | x        |
| Haake, Anne             | Member-Dean        | x        | Reed, Carol                              | Member-SC              | x        |
| Hall, James             | Member-Dean Alt    |          | Roy, Ryan                                | Member-SG              | X        |
| Hernandez, Paulina      | Member-SG          | x        | Rudar, Nicholas                          | Member-SG              |          |
| Hull, Clyde             | Member-AS          |          | Saia, Abbey                              | Member-SG              |          |
| Jenkins, Keith          | Non-Voting Member  | x        | St. Denny, Chris                         | Member-SG              |          |
| Johnson, Sandra         | Non-Voting Member  | x        | Stendardi, Deborah                       | Non-Voting Member      |          |
| Jokl, Todd              | Member-Dean        | x        | Stiner, Holly                            | Member-SC              | x        |
| Kiely, Becky            | Member-SC          | x        | Taylor, Jennifer                         | Member-SC              |          |
| Kleiman, Laura          | Member-SC          |          | Thomas, Shawn                            | Member-SC              | X        |
| Krutz, Daniel           | Member-AS          | x        | Trierweiler, John                        | Non-Voting Member      | x        |
| Landi, Brian (spr 2020) | Member-AS          | x        | Underhill, Linda (spg 2020)              | Member-AS              | X        |
| Le, Thomas Nhat         | Member-SG          | x        | Vallone, Lindsay                         | Member-SC              | x        |
| Lindsay, Susan          | Member-SC          | x        | Watters, James                           | Non-Voting Member      |          |
| Loffredo, Joe           | Non-Voting Member  | x        | Williams, Eric                           | Member-AS              |          |
| Lukowiak, Marcin        | Member-AS          |          | Winebrake, Jamie                         | Member-Dean            |          |
| Lutzer, Carl (spr 2020) | Member-AS          | x        | Zion, George                             | Member-AS              | x        |
|                         |                    |          |  |                        |          |

**Interpreters:** Jenna Stein and Catherine Kiwitt