

Proposed Motion: The Administrative Policies Committee proposes on behalf of OIE that the Faculty Senate submit a request for university faculty to volunteer to serve as Title IX hearing officers or student advisors.

Committee Proposal:

The faculty Senate, on behalf of the Office of Institutional Equity (OIE), requests faculty volunteers to serve as Title IX hearing officers and/or advisors to student.

Title IX states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Volunteer duties include training to be hearing officers and advisors. Volunteer training would be virtual and on demand for hearing officers and advisors.

The training will prepare volunteers to serve as hearing officers, advisors or appeal officers

Hearings would include reviewing documents and preparing questions, participating in hearings, and deliberating on hearing proceedings. Based on past hearings, a single hearing typically would last 5 hours (includes reviewing documents, the hearing, and deliberations).

Advising can vary depending on the needs of the individual. Advisors may be asked to attend investigative meetings with the party they advise. Because of new federal regulations, advisors will be required to ask questions on behalf of an individual they are advising during the hearing.

Appeal officers would be expected to review the case documentation, recording or transcript of the hearing and determine if reversible errors exist.

Based on past hearings, eight to fifteen cases are be expected in any year 10-12 faculty volunteers are desired to minimize the commitment for each volunteer.

For Senate implementation, the committee propose selecting options A or B. Likewise Option B has two options C or D.

Option A: Interested faculty should contact Tiffany Baker Cox (tbaker1@memphis.edu) Director, Office for Institutional Equity.

Option B: Interested faculty should email Ted Burkey (tburkey@memphis.edu) Chair of the Faculty Administrative Policies Committee, stating their name, email address, and department.

Option C: The Senate will send an invitation to all faculty.

Option D: The Senate will send an invitation to faculty to selected departments or schools listed below. If the additional volunteers are need a second email would be sent to all faculty.

1. School of Law
2. Department of Criminology and Criminal Justice
3. Department of Psychology
4. School of Urban Affairs and Public Policy
5. College of Education
6. Department of Sociology

Motion to Accept Passed 9/22/2020

Vote: 40 For, 0 Against, 1 Abstain

7. Department of Social Work
8. College of Professional & Liberal Studies
9. School of Public Health

Synopsis of rationale and comments from the committee –

To avoid selecting hearing officers that would favor decisions protecting the university at the expense of a plaintiff, it was suggested the committee would screen candidates that were sent to OIE. It was argued the committee would not have the training and background to effectively screen candidates; furthermore, OIE screens candidates before selection.

It was proposed that OIE recruit candidates without the Faculty Senate assistance thus reducing committee participation. On the other hand, a request for candidates by the Faculty Senate emphasizes the importance of the contribution by faculty volunteers and may encourage faculty to volunteer.

Option D was proposed to focus the search for candidates that might have relevant expertise based on their discipline.