

Faculty Senate



M2020.21.16 Motion to Recommend Faculty Senate Appointment of Title IX Hearing Officers

Originator: Administrative Policies Committee

Whereas, 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."

Whereas: Faculty volunteers may serve as Title IX hearings officers when other faculty are respondents and may serve as a student advisor when they are not a hearing officer for the student's hearing. All faculty have a vested interest in the outcomes of Title IX hearings and therefore volunteers from all disciplines should be considered equally, particularly when one considers all the volunteers are required to undergo training. Volunteers are interviewed to determine conflicts of interest or bias and respond to a questionnaire to gauge a person's experience with sexual assault/intimate partner violence.

Volunteer duties include training to be hearing officers and party 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 parties can vary depending on the needs of the individual party. 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 the party 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.

Eight to fifteen cases are expected in any year and 10-12 faculty volunteers are desired to minimize the commitment for each volunteer. These numbers are likely to be much lower while Covid-19 measures persist.

Be it resolved that,

The Faculty Senate recommends that the Faculty Senate be empowered to recruit and appoint potential faculty members as potential Title IX hearing officers and/or advisors to students for the Office of Institutional Equity (OIE). Pursuant to its charge, The Faculty Senate Committee on Committees would be responsible for faculty recruitment and appointments to OIE. OIE shall retain the right to accept or reject the appointments from the Faculty Senate based on its established vetting processes.

Recipients:

Tiffany Baker Cox, Director, Office for Institutional Equity

Motion Passed 10/27/2020

Vote: 33 For, 1 Against, 5 Abstain