# **- MINUTES-**

# **Members Present:** Annie Egan, Jason Barrett, Selma Besirevic, Jill Davis, Stephen Joost, Christopher Lazzara, Allison Korman Shelton, Kevin Hyde (ex-officio)

**Members Absent** (Excused): John White

## Item 1 Call to Order

Chair Egan called the meeting to order at 10:30 a.m.

## Item 2 Public Comment

Chair Egan offered those in attendance the opportunity for public comment. There were no requests for public comment.

## Item 3 Consent Agenda

The Committee considered the consent agenda with draft minutes from the June 10, 2021 Academic and Student Affairs Committee Meeting. Trustee Lazzara made a MOTION to APPROVE, and Trustee Joost SECONDED. The Committee unanimously approved the consent agenda.

## Item 4 Proposed Amended Regulation – 5.0010R Student Conduct Code

Ms. Rachel Winter, Student Conduct Officer, introduced herself and relayed that her office had recently changed its name to the Office of Student Accountability and Resolution (OSAR). She presented the proposed amendments to the Student Conduct Code regulation (5.0010R).

Ms. Winter explained that a change in legislation during the 2021 Florida legislative session (Florida House of Representatives Bill 233 on Post-Secondary Education) had required changes to the Student Code of Conduct for new due process requirements and the recording of lectures.

Ms. Winter highlighted, as outlined in the proposed amendment, how the University had been implementing the legislative changes with respect to (1) increased role of advisors; (2) due process and notice requirements; and (3) the right to record class lectures in certain circumstances.

Chair Egan asked approximately how many conduct cases there are per year. Ms. Winter stated that, last year, the University had approximately 850 student conduct cases (but she noted that the past year had been a unique year in terms of the pandemic and many of those cases had been COVID-related). She noted that prior to COVID, the University had approximately 700 cases yearly. Trustee Lazzara asked how many staff are in Ms. Winter’s office, considering the case load. Mr. Winter stated that staff consisted of herself; an assistant director (with a background in social work); a program coordinator, who specializes in the OSAR’s training institute and in conflict resolution; and a hearing coordinator who focuses on organizational misconduct, who works with the Office of Fraternity and Sorority Life, clubs, sports, and the identity-based groups on campus.

Chair Egan asked if there were additional questions. There being none, she asked for a MOTION to APPROVE the proposed amended regulation – 5.0010R Student Conduct Code. Trustee Joost mad a MOTION to APPROVE and Chair Hyde SECONDED. The Committee unanimously approved the proposed amended regulation.

## Item 5 Proposed Amended Regulation – 1.0050R Sexual Misconduct and Title IX Sexual Harassment

Mr. Justin Sorrell, Senior Associate General Counsel, introduced himself and stated that Ms. Marlynn Jones, Director of the Equal Opportunity and Inclusion Office and Title IX Coordinator and Mr. John Reis, Associate General Counsel, were also present to help answer any of the question the Trustees might have. Mr. Sorrell presented the proposed amended regulation. He highlighted that the proposed amendments updated the definitions of sexual harassment and coercion in line with Supreme Court precedent and lessons learned from recent Student Conduct cases; clarified that sexual harassment must be objectively offensive to violate the regulation; explicitly state that a threat to expose one’s sexual preferences is a form of coercion that is prohibited by the regulation *and* revised the advisor and timeline process to comply with House Bill 233; *and* eliminated the prohibition on use of prior statements of a party or witness, consistent with a recent federal court opinion and change in stance of the U.S. Department of Education.

Chair Egan asked what the requirements are for behavior to be objectively offensive. Mr. Sorrell stated the behavior would have to be conduct that a reasonable person would look at and view as offensive.

Trustee Joost asked if there were other regulations that addressed coercion not related to sexual harassment or behavior. Ms. Winter stated that there is language in the Student Code of Conduct which addresses coercion that is not related to sexual harassment or behavior.

Chair Egan asked if there were additional questions. There being none, she asked for a MOTION to APPROVE the proposed amended regulation – 1.0050R Sexual Misconduct and Title IX Sexual Harassment. Chair Hyde made a MOTION to Approve, and Trustee Lazzara SECONDED. The Committee unanimously approved the proposed amended regulation.

## Item 6 Proposed Amended Regulation – 1.0040R Non-Discrimination, Equal Opportunity and Inclusion

Mr. Sorrell presented the proposed amendments to the regulation, which included:

clarifications to the definitions of harassment and protected activity (clarified that harassment must be objectively offensive to violate the regulation; clarified definition of protected activity as applying more broadly than just to employment)

a re-write of the definition of retaliation consistent with federal law.

Trustee Davis stated that she had had the opportunity to meet with Mr. Sorrell and the team, and that they had done a great job of working on the proposed amendments to the regulations to bring them forth for the Board’s consideration.

Chair Egan asked if there were questions. There being none, she asked for a MOTION to APPROVE the proposed amended regulation – 1.0040R Non-Discrimination, Equal Opportunity and Inclusion. Trustee Joost made a MOTION to APPROVE, and Trustee Lazzara SECONDED. The Committee unanimously approved the proposed amended regulation.

## Item 7 Overview of *Degree Works*

Provost Karen Patterson introduced Rachel Broderick, Director of Academic Support Services in Undergraduate Studies, who described and demonstrated a new degree auditing software called *Degree Works*.

Mr. Broderick stated that *Degree Works* is a tool that will be utilized by academic advisors and students which will clearly identify the courses and requirements needed – and in what order – before the student can graduate.

She shared that not only will the new audit tool display all academic information relative to the student’s current major, but it will also allow the student to create “what if” scenarios to see how courses completed would fulfill the requirements of different majors and minors. Ms. Broderick highlighted that *Degree Works* also features a Student Educational Planner, which shows the student a term-by-term course sequence guide toward graduation. She relayed the Planner will help students clarify which courses they need to take next.

Ms. Broderick stated that *Degree Works* will go live at the University in May 2022 and, to make it seamless for current students, it will include academic history back to 2016. She provided a brief demonstration of *Degree Works* for the Trustees, which she stated will help not only UNF students but also the University with its metrics related to retention of students and their progression and graduation.

This agenda item was an informational presentation and not an approval item.

## Item 8 Adjournment

The meeting adjourned at 11:15 a.m.