

MISSOURI WESTERN STATE UNIVERSITY

Governance Advisory Council Report 2017-2018

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GOVERNANCE ADVISORY COUNCIL

August 29, 2017

GAC #17-01 – Student Code of Conduct

This proposal was distributed electronically on July 19 and responses were requested to be submitted by July 28. All comments received were positive and in support of the revision with the noted suggested change.

Source of Proposal: Student Affairs

Purpose of Proposal: Policy Revision

Current Policy or Procedure: Student Affairs web page

Proposed Policy or Procedure: <https://www.missouriwestern.edu/studentaffairs/student-code-of-conduct/>

GAC Summary: This proposal was distributed electronically for comments. No objections were received, thus, this proposal was forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 15, 2017.

A meeting was held August 29, 2017 to discuss the following proposals:

Attendees: Dr. Ben Caldwell, Dr. Jeanne Daffron, Sara Freemyer, Barb Harris, Dr. Mike Lane, Dr. Steve Lorimor, Dr. Gordon Mapley, Shana Meyer, Natasha Oakes, Dr. Kathleen O'Connor, Dr. Paul Orscheln, Dr. Bob Willenbrink.

Others Attendees: Marilyn Baker, Dr. Judy Grimes, Adam McGowan

GAC #17-02 – Bicycle, Scooter, Wheeled Device Policy

Source of Proposal: Student Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: None

Proposed Policy or Procedure:

Skateboards, rollerblades, bicycles, hover boards, scooters, and other wheeled device activity shall be conducted with courtesy toward all students, faculty, staff and visitors using the sidewalks. Motorized wheeled devices traveling at excessive speeds will limit travel to the sidewalks along Downs Dr. Such activity should be conducted away from University buildings and high traffic areas. Wheeled devices are not to be ridden inside University buildings.

Note: The term scooter does not include Mobility Scooters used for health reasons.

GAC Summary: It was determined that the second sentence should be removed. In addition, the Note should read: “The term scooter does not include wheeled devices used for health reasons.” It was also suggested that research be done on the current golf cart policy and that information could be incorporated into this policy at a later date.

With these changes, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 30, 2017.

GAC #17-03 – Suicide Awareness and Prevention Policy

Source of Proposal: Student Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: None

Proposed Policy or Procedure:

Missouri Western State University provides information to students and staff on suicide prevention programs available on and off campus that includes crisis intervention access, mental health program access, multimedia application access, student communication plans and post intervention plans. MWSU provides all incoming students with information about depression and suicide prevention and ensures that this information is available on the

Counseling website. Students, faculty and staff (including residence hall staff) are advised as to the proper procedures for identifying and addressing the needs of students exhibiting suicidal tendencies of behavior and additional training is provided as needed.

The Ask.Listen.Refer training program on the Counseling website provides important information on identifying people at risk for suicide; recognizing the risk factors; protective factors; warning signs of those potentially at risk for suicide; support services available; and appropriate actions to take. Anonymous reporting of unsafe, potentially harmful, dangerous, violent, or criminal activities or the threat of such activities will be maintained on the MWSU website.

GAC Summary: This policy should be added to the University Policies section of the Policy Guide as well.

It was suggested that in the second paragraph, "The Ask.Listen.Refer training program on" be removed and the sentence begin with "The Counseling website...."

With this change, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 30, 2017.

GAC #17-04 – Title IX Student Online Training Program

Source of Proposal: Student Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: None

Proposed Policy or Procedure:

TITLE IX STUDENT ONLINE TRAINING PROGRAM POLICY

Missouri Western State University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault, sexual harassment and stalking. The University promotes student health and safety through the use of a mandatory online training program for all new incoming students, transfer students, and student returning to their studies from a time prior to the Fall 2015 semester. A link to the course will be sent to students via their Missouri Western State University email.

As specific titles and programs may change from year to year, this mandatory training program will, at a minimum, cover the following topics:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct under university policy;
- b. Defines what behavior constitutes domestic violence, dating violence and sexual assault, sexual harassment and stalking in federal and state laws in Missouri;
- c. Defines what behavior and actions constitute consent to sexual activity in the state of Missouri;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, sexual harassment or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks;
- f. Provides information on campus and outside resources, reporting options and procedures for making a complaint; and
- g. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

COVERED STUDENTS

The required online awareness and prevention training is applied to all incoming, transfer, and returning degree seeking students who have not yet completed it.

REGISTRATION HOLD

To ensure that students complete the online course, registration holds will be placed on the student's account **three weeks prior** to the first registration date for the following semester or term. The hold will be released within 24 hours of completing the course.

The Title IX Coordinator will notify students, via their Missouri Western State University email, of this requirement before the course is made available to them, and again before the registration holds are placed on students who have yet completed the course. Students will be sent automatic email reminders to complete the course on a weekly basis.

STUDENT EMPLOYEES

All employees, including student employees, will be presented online modules on an annual basis that cover the above listed topics as well as information on their reporting responsibilities as responsible employees.

PERSONAL WELLNESS CONSIDERATIONS

Students who may have experienced sexual violence and believe this training may be harmful to their well-being may be exempted from the training by contacting the Counseling Center (816-271-4327) to schedule an appointment with a Counselor. During this time, the student will review highlights of the Missouri Western State University Sexual Misconduct Policy, while learning about helpful campus and community resources, within a confidential setting.

ACCESSIBILITY

Students with disabilities who find this training to be inaccessible, please contact the Title IX Coordinator (816-271-4432, amcgowan@missouriwestern.edu) to request an accessible format.

GAC Summary: This policy should be added to the Student Employment Handbook also.

It was recommended that under "Registration Hold," the last sentence in the second paragraph be changed to read: "Students will be sent automatic email reminders to complete the course."

Under "Student Employees," the paragraph should be changed to read: "Student employees will be presented an additional online module on an annual basis that covers the above-listed topics as well as information on their reporting responsibilities as employees."

With these changes, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 30, 2017.

GAC #17-05 – Title IX Pregnant and Parenting Students Accommodation Policy

Source of Proposal: Student Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: None

Proposed Policy or Procedure: (includes revisions discussed at GAC meeting)

Missouri Western State University is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendment of 1972. Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities. Missouri Western State University hereby establishes a policy and procedures for ensuring the protection and equal treatment of pregnant persons, individuals with pregnancy-related conditions, and new parents.

SCOPE OF POLICY

This policy applies to all aspects of Missouri Western State University's program, including, but not limited to, admissions, educational programs, activities, and extracurricular activities.

DEFINITIONS

- a. Caretaking: caring for and providing for the needs of a child.

- b. Medical Necessity: a determination made by a health care provider (of the student's choosing) that a certain course of action is in the patient's best health interests.
- c. Parenting: the raising of a child by the child's parents in the reasonably immediate postpartum period.
- d. Pregnancy and Pregnancy-Related Conditions: include (but are not limited to) pregnancy, childbirth, false pregnancy, termination of the pregnancy, conditions arising in connection with pregnancy, and recovery from any of these conditions.
- e. Pregnancy Discrimination: includes treating an individual affected by pregnancy or a pregnancy-related condition less favorably than similar individuals not so affected, and includes a failure to provide legally mandated leave or accommodations.
- f. Pregnant Student/Birth-Parent: refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.
- g. Reasonable Accommodations: (for the purposes of this policy) changes in the academic environment or typical operations that enables pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of Missouri Western State University.

REASONABLE ACCOMMODATIONS OF STUDENTS AFFECTED BY PREGNANCY, CHILDBIRTH, OR RELATED CONDITIONS

- a. Missouri Western State University and its faculty, staff, and other employees will not require students to limit their studies as the result of pregnancy or pregnancy-related conditions.
- b. The benefits and services provided to students affected by the pregnancy will be no less than those provided to students with temporary medical conditions.
- c. Students with pregnancy-related disabilities, like any student with a short-term or temporary disability, are entitled to reasonable accommodations so that they will not be disadvantaged in their courses of study or research, and may seek assistance from the Title IX office and should do so as soon as they are aware they are pregnant or may need an accommodation.
- d. No artificial deadlines or time limitations will be imposed on requests for accommodations, but Missouri Western State University is limited in its ability to impact or implement accommodations retroactively.
- e. Reasonable accommodations may include, but are not limited to:
 - 1. Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or pregnancy (such as allowing the student to maintain a safe distance from hazardous substances);
 - 2. Making modifications to the physical environment (such as accessible seating);

3. Providing mobility support;
4. Extending deadlines and/or allowing the student to make up tests or assignments missed from medically necessary pregnancy-related absences;
5. Offering remote learning options;
6. Excusing medically-necessary absences (this must be granted, irrespective of classroom attendance requirements set by a faculty member, department, or division);
7. Granting medically necessary leave or implementing incomplete grades for classes that will be resumed at a future date; or
8. Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible. Bathroom stalls do not satisfy this requirement.
 - a. Dedicated, permanent lactation spaces may be found in:
 - i. Third floor of Hearnese Library
 - ii. Second floor of the Looney complex
 - b. Other available space:
 - i. Esry Student Health Center, Blum Student Union

Nothing in this policy requires modification to the essential elements of any academic program. Pregnant students cannot be channeled into an alternative program or school against their wishes.

MODIFIED ACADEMIC RESPONSIBILITIES FOR PARENTING STUDENTS

- a. Students with child caretaking/parenting responsibilities, in the immediate reasonable postpartum period, who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth may request an academic modification period during the recovery time established by their physician. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking/parenting responsibilities.
- b. During the modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration among the Title IX Office, the student's faculty members, and the appropriate academic department(s).
- c. Students seeking a period of modified academic responsibilities should consult with the Title IX Office to determine appropriate academic accommodation requests. The Title IX Office will communicate all requests under this policy to student's faculty members and coordinate accommodation-related efforts with the advisors. Students are encouraged to work with their advisors and faculty members to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate, once authorization is received from the Title IX Office.

- d. If, for any reason, caretaking/parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the Title IX Office as soon as possible, and the office will help facilitate needed accommodations and modifications.
- e. Students can request modified academic responsibilities under this policy regardless of whether they elect to take a leave of absence.
- f. While receiving academic modifications, students will remain registered and retain benefits accordingly.
- g. For other, non-medically necessary leave, absence, or extension is needed, students can make the request directly to their faculty member, who may grant such leave, absence, or extension and/or make other modification depending on the circumstances of the request.

LEAVE OF ABSENCE

- a. As long as students can maintain appropriate academic progress, faculty staff or other Missouri Western State University employees will not require them to take a leave of absence, or withdraw from or limit their studies as the result of pregnancy, childbirth, or related conditions, but nothing in this policy requires modification of the essential elements of any academic program.
- b. Intermittent leave may be taken with the advance approval of the Title IX Office and student's academic department(s), when medically necessary.
- c. To the extent possible, Missouri Western State University will take reasonable steps to ensure that upon return from leave, the student shall be reinstated to his or her program in the same status as when the leave began, with no tuition penalty.
- d. Continuation of the student's scholarship, fellowship, or similar university-sponsored funding during the leave term will depend on the student's registrations status and the policies of the funding program regarding registration status. Students will not negatively impact or forfeit their future eligibility for their scholarship, fellowship, or similar university-supported funding by taking leave under this policy.
- e. The Title IX Office can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

RETALIATION AND HARASSMENT

- a. Harassment by any member of Missouri Western State University's community based on sex, gender identity, gender expression, pregnancy, or parental status is prohibited.

- b. Faculty, staff, and other Missouri Western State University employees are prohibited from interfering with a student's taking leave, seeking reasonable accommodation, or otherwise exercising her rights under this Policy.
- c. Faculty, staff and other Missouri Western State University employees are prohibited from retaliating against a student for exercising the rights articulated by this Policy, including imposing or threatening to impose negative educational outcomes because a student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the Policy.

DISSEMINATION OF THE POLICY AND TRAINING

A copy of this Policy shall be made available to faculty, staff, and employees in their required training and posted on the Missouri Western State University Title IX website (www.missouriwestern.edu/TitleIX). Missouri Western State University shall alert all new students to this Policy and the location of this Policy. The Title IX Office shall make preventative educational materials available to all members of the Missouri Western State University community to promote compliance with this Policy and familiarity with its procedures.

COMPLIANCE

Reporting: Any member of the Missouri Western State University community may report a violation of this policy to any supervisor, manager, or to the Title IX Coordinator. All mandated reporters are responsible for promptly forwarding such reports to the Title IX Office. The Title IX Coordinator is responsible for overseeing complaints of discrimination involving pregnant and parenting students.

Complaints of discrimination based on pregnant or parenting status will be addressed under Missouri Western State University's Sexual Misconduct Policy and Procedures.

The Title IX Coordinator for Missouri Western State University is:

Adam McGowan (he/him/his)

Blum Student Union 228

816-271-4432

amcgowan@missouriwestern.edu

Complaints may also be filed with the United States Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481.

GAC Summary: After discussion, the following changes should be made:

Under "Modified Academic Responsibilities for Parenting Students," letter (b), "...the student's academic advisor" should be changed to "...the student's faculty members."

Under the same section, letter (c) should read "Students seeking a period of modified academic responsibilities **should** consult with the Title IX Office to determine appropriate academic accommodation requests. The Title IX Office will communicate all requests under this policy

to the student's **faculty members** and coordinate accommodation-related efforts with **them**. Students are encouraged to work with their advisors and faculty members to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load as appropriate once authorization is received from the Title IX Office."

The following section should be added under letter (c) as (d):

"If for any reason caretaking/parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the Title IX Office as soon as possible and the office will help facilitate needed accommodations and modifications."

Original bullets (d) and (e) should be re-lettered to (e) and (f). Bullet (g) should be added as follows:

"If other non-medically necessary leave, absence, or extension is needed, students should make the request directly to their faculty member, who may grant such leave, absence, or extension and/or make other modification depending on the circumstances of the request."

With these changes, this proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on September 11, 2017.

GAC #17-06 – Accredited Vocational Transfer Credit

Source of Proposal: Academic Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: MWSU Admissions web site and the Undergraduate Catalog

The MWSU Web site states the following on the Admissions – Transfer Policies and Information page

TRANSFER APPEALS PROCEDURE

Missouri Western typically accepts transfer credit from regionally accredited institutions. However, Missouri Western does not generally accept technical or vocational credit.

See <https://www.missouriwestern.edu/admissions/transferpolicies/>

The MWSU Undergraduate Catalog states the following in regard to “Transfer Admission”
– see italicized bullet 4

Transfer credit is:

- Awarded if it was completed at the prior institution after they received accreditation or during the period that they were granted candidacy status from a regional accrediting body as stated above.
- Not awarded for coursework completed at institutions not accredited as stated above. Exceptions may be approved through the transfer appeals process. See “Appeal Procedure for Transfer Credits.”
- Awarded to graduate level students for graduate coursework approved by the head of the appropriate graduate program or the Dean of Graduate Studies.
- *Not awarded for vocational-technical programs or practical training. Exceptions may be approved for specific programs or degrees through articulated agreements or by approval of the appropriate academic department chair and the Admissions and Graduation Committee.*
- Awarded for a limited number of religion courses that are substantially similar to courses offered at Missouri Western. Courses in mission, theology, doctrine, and religious education are not accepted.
- Awarded to students only if they enroll at Missouri Western subsequent to completing coursework at other institutions (exceptions may be approved by the Registrar’s Office).

See <http://catalog.missouriwestern.edu/undergraduate/university-information/admission/transfer/#collegetransfer>

Proposed Policy or Procedure:

It is proposed that the statement on the Admissions Web site regarding transferability of “vocational” courses be changed to read as follows:

Missouri Western typically accepts transfer credit from regionally accredited institutions. However, Missouri Western does not generally accept technical or vocational credit.

Exceptions may be approved for specific programs, degrees, articulated agreements, or by approval of the appropriate academic department chair, dean or the Admissions and Graduation Committee. The Bachelor of Science in Technology (BST) has been designed to incorporate AAS degrees from regionally accredited institutions.

It is proposed that bullet 4 from the “Transfer Admission” section of the undergraduate catalog be changed to read as follows:

Typically nNot awarded for vocational-technical programs or practical training. Exceptions may be approved for specific programs, or degrees, ~~through~~ articulated agreements, or by approval of the appropriate academic department chair, ~~dean or and~~ the Admissions and

Graduation Committee. **The Bachelor of Science in Technology (BST) has been designed to incorporate AAS degrees from regionally accredited institutions.**

GAC Summary: This proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 30, 2017.

GAC #17-07 – Sexual Misconduct Policy Update

Source of Proposal: Student Affairs

Purpose of Proposal: New Policy

Current Policy or Procedure: MWSU Policy Guide and Title IX Website

Proposed Policy or Procedure:

Replace Sally Sanders' name and email with Sara Freemyer as Director of Human Resources/ Equal Opportunity Officer under Section III. TITLE IX STATEMENT.

Add the following to the end of Section IV. E. Definition of Consent for clarity.

For purposes of this policy, coercion is defined as unreasonable pressure that overrides a person's ability to freely choose to engage in the activity in question. Examples of unreasonable pressure include the use of physical force, threats of bodily harm to a person, threats of bodily harm to family members or friends, restricting a person's movement, and threats to reveal private or damaging information. Merely persuading someone to engage in sexual activity is not coercion. Similarly, the mere fact of asking someone to engage in sexual activity more than once is not coercion. However, repeated requests to engage in sexual activity after such requests have been rejected may rise to the level of coercion, particularly if there are aggravating factors, such as a power differential. Irrespective of whether such repeated requests constitute coercion, such requests may constitute sexual harassment, as defined herein.

Add the following as section VI. F. Limited Amnesty

The University recognizes that an individual who has been drinking alcohol or using drugs may be hesitant to report sexual misconduct arising from the same setting where the alcohol or drugs were consumed. To encourage reporting, the University will not take disciplinary action under the conduct code for drug or alcohol use against an individual who makes a good faith report of sexual misconduct, either as a reporter/complainant or as a witness, or against an individual who is an alleged victim of the sexual misconduct reported, provided that the conduct violations did not and do not place the health or safety or any other person at

risk. The University may, however, require such individuals to participate in non-punitive measures intended to prevent the recurrence of such conduct in the future, such as counseling, training, or a behavior plan. The University's commitment to amnesty in these situations does not prevent action by local police or other legal authorities against an individual who has illegally consumed alcohol or drugs.

GAC Summary: This proposal will be forwarded to the President for his approval.

Presidential Action: This proposal was signed by the President on August 30, 2017.

Respectfully submitted,

Jennie McDonald
Secretary