

## NOTRE DAME STUDENT SENATE

### Executive Summary

DATE: 5 MARCH 2014

Notre Dame Room, LaFortune

#### I. Opening Business

- a. Nancy Joyce called the meeting to order at 6:00 *p.m.*
- b. CRISTIN PACIFICO led the invocation.
- c. 2 were absent; were late.
- d. Nancy Joyce entertained any motions to change the 26 FEBRUARY 2014 executive summary. *The 26 FEBRUARY 2014 executive summary was approved at 6:03 p.m.*

#### II. Officer Reports

- a. Mr. Alex Coccia, Student Body President
  - i. There are two students here visiting who go to Uganda Martyrs University, welcome!
- b. Ms. Nancy Joyce, Student Body Vice President
  - i. Please send Nancy the name and email of your successor.
  - ii. Financial literacy is happening in two weeks, details are on the poster. Please take a poster.
  - iii. There is also a poster on what it means to be at a Catholic University. Please take that poster.
- c. Mr. Juan Rangel, Chief of Staff
  - i. Finished their last event of their term for Immigration Taskforce, the workshop.

#### III. General Orders

- a. Dr. Stackman
  - i. He oversees the Counseling Center, is the title nine deputy coordinator, and oversees the alcohol and drug area.
  - ii. He sees this as a discussion, please ask during the presentation.
    1. His hope is that tonight that you will have a better view and understanding of his role on campus and the system.
  - iii. Last year, in sexual assault cases, there were 24
    1. 19 were alcohol related, 6 were non consensual intercourse, 6 freshman, 11 hearings, 8 unwilling to share, 3 graduate students, 3 international students, 5 male complaintants.
      - a. Michael Masi brought up that the alcohol culture jumped out at him.
        - i. Dr. Stackman said that alcohol is a challenging factor in these cases. What you do not see on here is at all but a few involved acquaintances. That supports the national statistic.
      - b. Rohan Andresen asked if all of the male were male male or were any male female?

- i. All male male.
- 2. He has had 21 cases so far this year.
  - a. He believes that there are more people reporting. A lot of the cases are from staff and faculty. He does get some directly from a student.
  - b. The statistics are similar to last year.
    - i. He has had no graduate students this year. The male complainant is lower, but he did have a male complainant for male female.

iv. Title Nine

- 1. This covers more than just athletics now
  - 2. The department of education said that anyone who is a victim of sexual assault is deprived of educational opportunities.
  - 3. Dear Colleague letter
    - a. Need to publish grievance procedures
    - b. Must take immediate action after the report, and it must be resolved within 60 days.
      - i. Even if the name of the respondent is not given, the resources must be given to the complainant.
        - 1. As long as both students are at the University of Notre Dame, the case can be reopened.
          - a. He wants to empower that person, because in these situations they have lost power in being a victim.
          - b. If he doesn't have the name of the respondent, he closes the case.
    - c. Kyle McCaffery asked about the Dear Colleague letter
      - i. The department of education felt that universities were not doing a good job in handling sexual assaults, so they made a federal mandate that schools educate students, investigate, and complete the case within 60 days. These mandates all schools that receive federal funding must adhere to. He feels that Notre Dame is doing a great job in this.
  - 4. Sexual Misconduct is broken into three categories
    - a. Non consensual sexual intercourse
    - b. Non consensual sexual contact
    - c. Other forms of sexual misconduct
  - 5. One of the first things he does is ask for the date, where it happened, and ask enough information to find out if it fits into one of these three categories.
  - 6. Their process is an administrative process, not a legal process.
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- a. Process and standard of proof is different.
  - 7. These must be sexual in nature and no consent.
  - 8. Michael Murphy asked if there was ever a case in which it was required to be a criminal process?
    - a. No, it is up to the complainant. He has only had one that has chose to go through with the criminal process.
  - 9. He is notified when there is a report. Faculty and staff are required to notify him.
    - a. Once he is notified, he is required to meet with both the complainant and the respondent. They have a no contact order, are not allowed to go into each other's dorms, separated in class, and are not allowed to send messages through friends. They are given a resource coordinator (RC).
      - i. Toni Schreier asked if both are given an RC?
        - 1. Yes, both are given an RC.
  - 10. If you are contacted by someone about this, take the matter seriously, validate the feelings, remain impartial, suggest resources, respect their right to not report, and you are not required to report unless you are faculty and staff.
    - a. There are three confidential resources on campus: counseling center, health services, and campus ministry.
      - i. Rectors are not a confidential resource.
      - ii. SOS is also confidential
  - 11. There are two women attorneys ND grads from in town who meet with the complainants, respondents, and witnesses and write up a report.
  - 12. If it goes to a hearing, he sends the report to OCS and they handle the disciplinary process.
    - a. The first meeting they write statements, and in the second meeting they hear both students statements. There is a disciplinary hearing. The decision is told to both students in private. There is an appeal process.
    - b. There are exit meetings
  - 13. Blue Book
    - a. This has all of the procedures and resources.
  - 14. Challenges that he sees
    - a. Consent is a huge issue.
      - i. The hook up culture and alcohol combined complicates this. When this happens, there is not good consent and not clear consent, and communication is poor. Often what happens, communication breaks down.
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- ii. Intoxication is not an excuse for failure to obtain consent.
      - 1. Indiana law says you can still have consent with alcohol involved.
      - 2. Incapacitated cannot give consent. Asleep or unconscious are considered incapacitated.
  - 15. 1 in 5 women and 1 in 16 men will experience some kind of non consensual sexual activity
    - a. 90 percent involve an acquaintance
    - b. 71 percent of rapes are planned
    - c. less than 5 percent are reported.
  - 16. Bystander intervention
    - a. Check your email, they are doing bystander intervention training soon. If you are interested in being trained, please sign up.
  - 17. Questions
    - a. Kyle McCaffery asked if there are any other plans in the next 5 or 10 years to address this?
      - i. They are working with CSAP, and would like to work with education and awareness. He loves what student government is doing now with their program. When he goes into the halls and talks to students, it is okay it helps. Students taking action and talking to their peers can change the culture more than anything. He would encourage you to think about programs, and would put his office behind you purse and power. Talking about it and having meetings and discussions is good. He has had more honest conversations in the halls about what they think and feel happens on campus. If you see behavior that is concerning, address it. This is why they want to do the bystander intervention training.
    - b. The secretary of education of University of Uganda Martyrs suggested that besides writing down a sentiment is good, but it is also would be good to have a voice recording that would work. Quite often, you find what is written in down is different that what he or she is saying. Then, he thinks you should build more student confidence within student government. If you believe that there are many more cases that aren't being reported, it is because it is maybe faculty centered. Maybe if the student government is more involved, it will help.
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- i. The statement that they use is written by the investigator. The student has the ability to edit or add to it, and then signs it.
  - c. Bob Pak asked of the cases reported, how many what were the decisions of the cases? Is he allowed to say?
    - i. Those that go to a hearing, like he said that those that you do not have the name you cannot take to a hearing, and of those that have the name some actually chose not to take it to a hearing. Of those that went to a hearing, at least half these were found responsible. In cases of rape, these result in permanent expulsion. Not all of these cases have been rape that have gone to a hearing.
  - d. Erin Killmurray asked what other outcomes would be assigned?
    - i. Community service or other remedial things.
      - 1. Dr. Stackman may also start writing an article with some outcomes, not specific to people but just to let people know what is happening. There is also not an alert done if it is off campus or not a timely alert. These can still be more forward, just there is not email.
  - e. Rohan A. asked what the policy was about the he said she said kind of thing?
    - i. There is a lot of information gathered. You must think about what the information is, what is believable, what is the information gathered? A lot of information is gathered.
  - f. Scott Moore asked where this 5 percent aren't reported came from?
    - i. This is a national statistic. In talking to his counseling center director, he has become aware that many students have not reported. He does not know the specifics. It is safe to say that there is activity that he doesn't know about. In his survey that he did last year, he asked if you were involved in a case would you report and if not why? Why would some not want to report?
      - 1. Marisel Wilbur said that if you knew the person.
      - 2. Cristin P. said it becomes very real once the case starts.
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- a. Dr. Stackman said it can be overwhelming to some to move forward. It is a lot of time. Other reasons people share is that they feel to some degree responsible, they feel shame and "Catholic" guilt. They do not want other people, parents, friends to know. What he says to people is that there is neither a right or wrong. It may not be the right thing for that person to go through with the process. They also do not have to make the process all at once.
  - ii. Kyle M. asked for us moving forward, as far as we hold conversations do you have any suggestions?
    - 1. Really listening and understanding each other, being respectful, honest and real. He has heard it all. When he goes into mens dorms, they are different than what he hears in womens. What was shocking to him was that many men felt that if they are named they are "nailed". This is not the case. They are not assumed guilty. He also hears making a decision and regretting it. The women are often concerned about how the men are treated. He would say to be real and honest with each other. And the dating and the culture, he does not know how our numbers compare to other schools. He does not think we have as many numbers, but what we have is horrible. And, he does not just think it is just about the culture. We do have predators. There are people who do this deliberately and he has seen cases.
18. The prayer services have been so powerful. Please continue your great work.
- a. CSAP is also doing a lot of activity.
  - v. Thank you so much Dr. Stackman for coming in and speaking to the senate.
  - b. Approval of 2014-2015 Judicial Council President
    - i. Michael Masi presented Kathryn Peruski as his nominee for his successor.
      - 1. Kristen Parkinson asked if she would change her name to Michael.
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- a. No.
  - 2. Erin K. motioned to vote, Toni S. seconded.
    - a. Kathryn Peruski was appointed.
  - c. Resolution SS1314-20
    - i. Toni Schreier introduced Melissa who presented this resolution. She is on Academic Affairs, and works very closely with the Snite Museum. Their group works very closely with publicity and would like to create a student advisory board.
      - 1. Tom R. asked if they are a voting member of senate?
        - a. No just of the board.
      - 2. Michael M. asked if what if the president decides to have it not be on the Academic Affairs?
        - a. It depends on the president. The department also benefits, plus they already have the relationship with the snite.
    - ii. The resolution passed unanimously.
- IV. New Business**
- a. There was no new business.
- V. Announcements**
- a. Puppy days is Thursday, take posters
  - b. There is no senate next week
  - c. Cristin P. asked to please email the HPC account because they will need to extend the hall of the year presentations. Also, there will be an introductory meeting for Smart Securities. This is a national organization. It is meant to empower women about finances. This will be in Mendoza at 5:30 pm.
    - i. Men can come if they want.
    - ii. There will also be keynote speaker talks
  - d. Sarah Price said that there will be free pizza in this room at midnight.
  - e. Morrissey Beach Party is coming soon, hopefully it is warm
  - f. Michael Lindt announced 51 days until the Regatta.
- VI. Adjournment**
- a. Without objection, *the 5 MARCH 2014 Senate meeting adjourned at 7:00 p.m.*

Respectfully submitted,

Alexandria Chloe Wellman  
Student Union Secretary

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