

TITLE IX AND CLERY ACT ADVISEMENT

TO: THE FACULTY SENATE PRESIDENT AND FACULTY SENATE EXECUTIVE COMMITTEE

FROM: THE DEPARTMENT OF VISUAL ARTS

OCTOBER 8, 2018

We acknowledge and appreciate that UMBC administration is currently listening responsibly to student, faculty, and staff concerns over compliance with both the Title IX guarantees of equal and free access to an education and with the Jeanne Clery Act, and that serious steps are being taken in planning restorative approaches. We acknowledge that some of the following items are being planned, but others are not, and in the spirit of community engagement and our dedication to assisting in the restorative process, the Department of Visual Arts collectively* states and advises the following:

1 – WE SUPPORT our students and their requests for remedies to flawed or dysfunctional supports, policies, and processes related to compliance with Title IX and the enforcement of the Jeanne Clery Act. This includes, but is not limited to: safe lighting and access to emergency phone kiosks, better access to trained caregivers to administer Sexual Assault Forensic Exam (SAFE) rape kits, well-resourced counseling and health care, and mandatory Title IX orientation for all campus members.

2 – WE URGE that UMBC take actions to make the campus fully compliant with USM and Title IX regulations, and with the Jeanne Clery Act. The aim must be to design and implement initiatives focused on building a robust and just climate of inclusiveness and safety for women, men, and non-binary people, including our LGBTQ communities. When incidents do occur, a humane process minimizing further trauma needs to be adequately resourced, well communicated, and fully in place. We should ensure that survivors/victims seeking counsel and pursuing due process proceedings will be fully and equitably supported.

3 – WE EXPECT TRANSPARENCY ON THE EXTERNAL REVIEW GROUP cited in the “Dear Members of the UMBC Community” message of September 21, 2018: *“President Hrabowski has begun initial steps necessary to engage an external review group. These experts will review our processes, facilitate dialogue, and help us move forward.”* The Department requests regular monthly reports on:

- a. The process for putting together this external group and where we stand in the process
- b. Who the reviewers will be and what their qualifications are
- c. The process by which the reviewing group will advise the campus
- d. How the results of this audit will be made available to the university community and public.

4 – WE ADVOCATE FOR AN ETHICAL INTERNAL REVIEW PROCESS AND EXTERNAL AUDIT. President Hrabowski first announced the appointment of an internal team, now called the “leadership committee,” in his September 21st message cited above. We assert that the “external review group,” which he also announced in this message, should guide the process of selecting members of UMBC’s internal leadership committee, and until that time, we advise that this committee be referred to as “interim.” We are concerned with perceived and/or actual conflicts of interest of the following members of the leadership committee as it now stands, based on the ethical foundation of our own Academic Program Review process required of all academic

departments and the Responsible Conduct of Research Training required for all graduate students at UMBC:

a - Nancy Young, Vice President for Student Affairs. During the campus-wide listening session of September 20, 2018, students noted with disbelief that Dr. Young dismissed and “talked over” their concerns in past meetings. Further, *The Baltimore Sun* published an Op-Ed by Aliya Webermann titled “UMBC Has Long Mishandled Sexual Assault Claims.” Dated September 28, 2018, the piece states:

“While it is heartening to now see the administration meet and hear out students, attempts were made to bring these issues to their attention as recently as last semester. Members of We Believe You, UMBC’s sexual assault advocacy group, met with Nancy Young and Kim Leisey — vice president and associate vice president, respectively, of student affairs — and Title IX coordinator, Bobbie Hoyer, on April 27. We shared a petition asking the university to: mandate sexual assault prevention education for all students, establish an office dedicated to serving survivors of sexual assault and ensure students know their rights under Title IX. Unfortunately, our concerns were dismissed outright, and we were told these asks were unrealistic and unachievable.”

The public testimony at the campus listening session, plus this opinion piece in the daily newspaper of record in the Baltimore metropolitan area, undermine trust in Dr. Young’s effectiveness as a leader in receiving testimony and listening to victims/survivors of sexual assault or predation, in reviewing the past climate of sexual misconduct and assault and Title IX compliance, and in making recommendations for change. Trust has been gravely compromised, and we do not believe that Dr. Young will be perceived as, or can be, an effective member of the leadership committee.

b - Lynne Schaefer, Vice President for Administration and Finance. To move forward, priority must be given to best practices that may have real financial impacts on the campus. Because of her role as the chief financial officer at UMBC, inherent or perceived conflicts of interest may arise related to expense. We urge that the campus “bottom line” not determine the framing of the very necessary dialogue and findings of both external and internal review processes.

c - Candace Dodson-Reed, Chief of Staff to the Office of the President. There is too high a risk that members of the leadership review committee, victims/survivors, and the broader university community will feel unable able to speak candidly and freely with Dr. Hrabowski’s Chief of Staff and surrogate presence on the committee.

We thus strongly advise the removal of the above team members who present perceived or real conflicts of interest. Further, we urge the inclusion of one additional tenured faculty person, one professional staff person, one undergraduate student, and one graduate student on the leadership committee.

5 – WE REQUIRE MANDATORY TRAINING – Title IX compliance training must be mandatory. The campus will ensure that all faculty, staff, adjuncts, and graduate students attend comprehensive face-to-face training. Streamlined and clear training must be informed by nationally recognized best practices on how to support survivors/victims of sexual misconduct and violence, or in cases of the disclosures of child abuse and neglect.

6 – WE REQUEST IMPROVEMENT OF POLICE LIAISON SYSTEM - Trust is clearly damaged. A clear path toward community-engaged policing is needed. The campus expects that community-informed changes to policing are now underway. How will we create input on new policing support and reporting strategies and be kept apprised of what they are? We expect that the UMBC Police force will comply with the Jeanne Clery Act and enforce relevant Maryland statutes.

7 – WE REQUEST REGULAR COMMUNICATION - In addition to benchmark reports on the progress of outside auditors, the Visual Arts Department requests regular reports on steps taken by the UMBC administration to remedy all requests, including student, campus, and public concerns. We urge that these reports be communicated as updates by President Hrabowski at monthly Faculty Senate meetings. We believe that at regular Faculty Senate meetings we can listen to the President’s reports, account for and question our progress, and help to guide our community forward as stewards of the university.

** Email excerpt from Dr. Hrabowski to the campus from September 21, 2018: President Hrabowski has named a team to lead this work in collaboration with student, faculty, staff, and alumni leaders, effective immediately. This team includes Vice President for Student Affairs Nancy Young; Vice President for Administration and Finance Lynne Schaefer; Assistant General Counsel Morgan Thomas ‘13, political science; Chief of Staff Candace Dodson-Reed ‘96, English; Women’s Center Director and We Believe You Advisor Jess Myers; and psychology professor Christopher Murphy, whose research focuses on abuse and violence in intimate adult relationships. This group will be responsible for working with campus partners, thoroughly reviewing the recommendations we have heard, and keeping the campus informed of action steps.*

* Of the 32 Visual Arts Department members, the following ___ signatories are in full agreement with this advisement to the Faculty Senate President and Faculty Senate Executive Committee, and ___ are in agreement with all items listed above except for those noted alongside their signatures.