

Contact: Andrea Anania

MINUTES OF FEBRUARY 28, 2014, TELEPHONIC BOARD MEETING

(host location)
BOARD OF REGENTS OFFICE
11260 AURORA AVENUE
URBANDALE, IOWA

Board Members

Nicole Carroll	Present at host location
Milt Dakovich	Connected
Robert Downer	Connected
Ruth Harkin	Connected
Larry McKibben	Connected
Katie Mulholland	Present at host location
Bruce Rastetter	Present at host location
Subhash Sahai	Connected
Hannah Walsh	Present at host location

Staff Members Present at host location

Andrea Anania, Bob Donley, Tom Evans

University of Iowa

Sally Mason

The corresponding memorandum for each agenda item, an integral component of the minutes, is available on the Board of Regents website: <http://www.regents.iowa.gov/>. Copies of these memoranda can also be obtained from the Board Office by calling 515-281-3934. Audio of the meeting is also available on the web site.

Call to Order for February 28, 2014

President Rastetter called the Board of Regents meeting to order at 3:00 p.m.

Roll Call:

<u>Regent</u>	<u>Carroll</u>	<u>Dakovich</u>	<u>Downer</u>	<u>Harkin</u>	<u>McKibben</u>	<u>Mulholland</u>	<u>Rastetter</u>	<u>Sahai</u>	<u>Walsh</u>
Present/phone	x	x		x	x	x	x		x
Absent			x*					x*	

* Regent Downer and Regent Sahai joined via phone during the discussion.

Statement of Explanation of President Sally Mason Regarding her Remarks on Sexual Assault

STATEMENT BY PRESIDENT RASTETTER

“As you know, the Board of Regents has a fiduciary responsibility to oversee the management of our public universities and special schools, a responsibility this Board takes very seriously. The safety and well-being of our students, faculty, administration, and visitors on campus is our top priority. I would like to call upon Pro-Tem Katie Mulholland for a few opening comments.”

STATEMENT BY PRESIDENT PRO TEM MULHOLLAND

“Many of you may recall that this Board conducted a comprehensive investigation by The Stolar Partnership following the alleged sexual assault on the University of Iowa campus and the University’s response. The investigation resulted in a series of recommendations to the Board of Regents that led to changes in the University administration and changes in the policy and procedures designed to guarantee the highest level of response.

As a Board, we must continue to rely on the great work of numerous individuals on all our campuses to ensure that we continue to be vigilant and that we do everything in our power to ensure student safety. Our campus communities and the people of this state deserve no less. We rely on our Presidents to provide the necessary leadership and take the appropriate and necessary measures to ensure campus safety – and that means zero tolerance regarding sexual assault.

As you are aware, President Mason, the Board has not had an opportunity to hear directly from you regarding your statements during this past week. The Board is, and continues to be, very concerned that student protestors on your campus characterized your comments as being hurtful and equally concerned that students and members of the University community are concerned about campus safety. We recognize that you have apologized for your comments, and given the gravity of the situation, your apology was appropriate.

One of the most important responsibilities we entrust to you, and all of our institutional heads, is that you are open and transparent with the Board and that you are able to communicate effectively to the University community and to the Board of Regents. By failing to communicate in a timely manner with this Board, you effectively gave us no other choice than to have this meeting today so we can hear from you directly rather than hear only news accounts about what is happening on your campus.

This Board has addressed communication challenges with you in the past. If you don’t communicate with us and ask us for advice and counsel, how can we possibly help you? During your last evaluation, we outlined our expectations and we believe we were clear that communication was an area that needed to be developed strongly. You agreed with this and the Board reprioritized your goals to reflect that communications was your top priority and you supported that.

Your comments this week were inappropriate and you have apologized. However, the larger issue today is this repeat pattern in not keeping the Board apprised of such issues as this most recent episode. We are here to support you, Sally. You have a Board that truly cares and takes this responsibility seriously. Our common goal is the safety of all of our students.

Part of our fiduciary role as members of the Board is to have a consultative partnership with our leadership. Our question is this, do you agree? Shouldn’t something as public as the events of last week warrant a Board discussion and consultation with us? We really appreciate this opportunity to hear from you.”

STATEMENT BY PRESIDENT MASON

“Let me apologize, first of all, on the communications issue and I hope we can have further discussion about that, both here and in private session. I know one of the things that we agreed on in December was to be having regular meetings, and one of my big disappointments is that we haven’t had those for a variety of reasons, but we can talk more about that in a bit.

I do want to say that talking about the problem of sexual assault and what we plan to do about it is my primary set of issues today so let me share with you our thinking, especially in view of the listening posts that we had yesterday on campus. It was very, very productive.

You’ve asked me to explain my remarks to the Daily Iowan and I’ll be as clear as I can be. What I meant, what I meant, was that we need to recognize that violence and crime are, unfortunately, things that we confront every day and that this makes this issue complex and difficult.

Several members of our campus community certainly let me know that my remarks were hurtful and I didn’t intend them to be. I’m sorry for the pain that they caused and I’ve apologized individually as well as publically for these remarks. And I’ve restated my position.

Yesterday, as I’ve mentioned, we had a listening session that was well attended by students, faculty, and staff. This was very helpful and I and my senior staff came away with many good ideas, some of which we’re already putting into action.

So I do want to make my position clear again. I believe there is no excuse for sexual assault. I have zero tolerance for sexual misconduct. And I know that sexual assault is never the fault of the survivor. The safety and the well-being of every student is an absolute priority.

The University will do everything in its power to prevent sexual violence, to support survivors, and to hold offenders responsible, and I invite all members of our campus to play a role in confronting this issue. I very much appreciate the comments and the suggestions that I’ve received.

Our University has made some dramatic strides in developing resources and streamlining procedures that combat all matter of sexual misconduct.

- ◆ *I appointed a sexual-misconduct response coordinator, Monique DeCarlo, who reports directly to the President and is empowered to take action to protect survivors and to assure that all parts of the University are working together on this issue.*
- ◆ *We’ve improved our website to share information about options for survivors, including reporting and support services.*
- ◆ *For students, we’ve required mandatory education on consent and risk reduction. And for staff and faculty, we’ve required mandatory training and provided clear instruction on reporting responsibilities.*
- ◆ *We’ve stepped up bystander intervention training to help make prevention part of our University culture and we are issuing timely warnings whenever we receive a report of sexual assault or other offenses that can pose a threat to our campus.*
- ◆ *In addition to sexual assault, we’ve expanded our efforts to prevent domestic and dating violence, stalking, and harassment. These are behaviors that can lead to sexual violence.*
- ◆ *We’re also addressing the connection between high-risk drinking and sexual misconduct and we’re taking every opportunity to confront sexual misconduct directly to talk openly about the problem and together to offers solutions.*

Yesterday, at the listening post, we learned that we have more to do on what we are already accomplishing, and many new ideas were proposed as well. So I've called on all of us at the University of Iowa to help protect each other and to create a culture where offenders are held accountable and survivors are supported and empowered. We won't stop working on this problem until every person on our campus is safe.

Now, while I'm proud of the progress that our campus has made over the last six years, we still have a lot to do. Our students have made that abundantly clear to me over the last week. And today, what I'd like to do is announce a six-point plan to combat sexual assault.

The first point, cracking down on offenders. We have to hold all offenders responsible for their actions. We do that now and we are looking for additional ways to make sanctioning an even more effective tool. We heard yesterday from our students that they want to see, in the most severe cases, that the offender is expelled. We already act to suspend offenders and ban them from campus, but I think that the use of expulsion will make it clear that we do not tolerate rape. And I will need the Board's assistance in helping us assess the system-wide policies and procedures to assure that we can make this work.

Point 2 – Increasing support for survivors. We'll expand services for people who are long-term survivors of sexual assault because we know the effects of this crime can persist for years. Make sure that every staff member that comes in contact with survivors has the right training so that they can respond compassionately and effectively. And we'll advocate at the federal level to protect funding for the nurse examiners who conduct the initial medical examinations. This allows important evidence to be collected in a compassionate way. And our medical doctors and law enforcement staff have told me that it makes a big difference.

Point 3 – Improving prevention and education. We'll expand our education and outreach efforts by adding staff so that we can provide more in-person training. We heard this over and over again yesterday. Workshops and dialogues. We'll implement a campus-safety walk so that students can point out to us areas where we need to add lighting or trim back shrubbery – and we'll do this regularly. We've done it before in the past, but we haven't done it regularly – and we'll promptly carry out the changes we identify. Earlier this week I authorized funding to add a second van to the popular Nite Ride service, which gives students a safe ride home.

Point 4 – Improving how we can communicate. After hearing yesterday that students found it difficult to find information on-line, we added more information on our home page and we tuned our internal search engine so that, we hope, it's easier to find this information. We're working right now to improve the web pages on this topic. And, right at this minute, my senior staff is meeting back in Iowa City to review the language of our timely warning emails and find a way to address the concerns of our students while still meeting our obligations under federal law.

Point 5 – Adding funding. I'll look for every available source of dollars to support this action plan, including savings from the efficiency projects that the Board's consultants will be assisting us with. And I'm confident that, with help from this Board, we can find a way to expand our resources to address the problem of sexual assault.

And then finally, point 6 – Listening and more reporting back. I'll form a student-advisory group to meet regularly with me and my senior staff to make sure we hear directly from our students on this important issue. And I'll use the President's website to provide updates on the progress that we're making as we implement this six-point plan. And, most importantly, I will keep this Board fully informed. And I welcome future opportunities to report back on our progress.

Now, as we do all of this, I'm asking the Board to provide guidance and support. I welcome it. Your commitment and attention to this issue are very much appreciated.

In closing, I want to say thank you for the chance to speak about sexual assault. Let me express my appreciation for the work that you are doing, and will be doing, on this very important issue and I'd be happy to answer any important questions or add any additional comments."

Further comments were made on looking at the issue of sexual assault across all Regent universities and communication issues between President Mason and the Board.

- **MOVED** by WALSH, **SECONDED** by MCKIBBEN, to enter into closed session pursuant to Iowa Code section 21.5(1)(i) upon the request of an individual whose performance is being considered. The individual has requested that her performance be discussed by the Board in closed session.

<u>Regent</u>	<u>Carroll</u>	<u>Dakovich</u>	<u>Downer</u>	<u>Harkin</u>	<u>McKibben</u>	<u>Mulholland</u>	<u>Rastetter</u>	<u>Sahai</u>	<u>Walsh</u>
Aye	x	x	x	x	x	x	x		x
Absent								x	

MOTION APPROVED by ROLL CALL.

The Board convened in closed session at 3:23 p.m.

The Board reconvened in open session at 4:38 p.m.

Roll Call:

<u>Regent</u>	<u>Carroll</u>	<u>Dakovich</u>	<u>Downer</u>	<u>Harkin</u>	<u>McKibben</u>	<u>Mulholland</u>	<u>Rastetter</u>	<u>Sahai</u>	<u>Walsh</u>
Present/phone	x	x	x	x	x	x	x		x
Absent								x	

Adjourn

President Rastetter adjourned the meeting at 4:41 p.m.