

Student Regulations Committee
Minutes
September 4, 2014

Membership 2014-2015:

Kingsley, Gordon	[14-17]	Public Policy	gkingsley@gatech.edu
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*Committee Chair for 2014-2015

**Vice Chair

† Secretary

#Without Vote

U = Undergraduate

G = Graduate

[xx-yy] service period

9 Voting members/5 required for a quorum.

Present: Richard Barke, Jung Choi, Al Ferri, Gordon Kingsley, Joe Montoya, Chuck Parsons, Reta Pikowsky, Bill Schafer, Laura Burbach, Jason Lupuloff, Marc Canellas,

Guests: John Stein, Peter Paquette

The meeting was opened at 12:10 PM.

1. A motion was made to approve Dr. Al Ferri as the Chair for this year. The motion was seconded and approved.
2. Dr. Chuck Parsons is willing to serve as back-up for Dr. Ferri and will serve as Vice Chair.
3. A motion was made to approve Reta Pikowsky as Secretary for this year. The motion was seconded and approved.
4. A motion was made to approve Dean of Students John Stein as a standing guest of the Committee. The motion was seconded and approved.
5. It was noted that having the Dean of Students added to the Committee as an “ex officio” member makes sense and should be referred to the faculty governance office. The Registrar noted that the question had been raised already through the Faculty Secretary. All Standing Committees of the Academic Faculty are under

- review, so this question will be taken into account as the process continues.
6. A proposed change in wording for the Georgia Tech policy on student sexual misconduct was discussed at some length. The end result was that the Committee decided to meet with the representative from Legal Affairs who is working on this. This would help to clarify the reason for the change and the consequences of changing the wording. Therefore, a meeting will be scheduled on Tuesday, September 16 at 12:00 Noon, if the Legal Affairs representative can attend, to discuss this proposed change and for the Committee to vote on it for presentation at the first Academic Faculty Senate meeting in October.

The proposed change is to replace the word “impaired” with the word “incapacitated” throughout the document.

The highlights of the discussion were:

- a. In response to why the change is needed, “impaired” is hard to define and prove where “incapacitated” means that the person involved is not *able* to give consent.
 - b. According to Peter Paquette, the institute has actually been using the standard for “incapacitated” rather than that for “impaired.”
 - c. Much of the discussion relates back to the meaning of “consent.”
 - d. Committee members asked whether this means that the burden of proof is placed more on the victim and less on the alleged perpetrator.
 - e. The legal definitions of these terms also include something called “substantial impairment.”
 - f. It was mentioned that the State of California has just issued a new definition of “consent.”
 - g. The “consent” aspect of the policy is the most difficult part to write and explain.
 - h. Generally, “incapacitation” is a much clearer threshold.
 - i. Some of these investigations take place months after the incident occurred. This would seem relevant to the discussion because the determination of impaired vs. incapacitated is typically dependent on recall of events happening quite some time ago.
 - j. It is the process of the investigation that that usually reveals if “incapacitation” exists. The investigation process involves a great deal of interviews with witnesses and other factors to determine this.
 - k. “Incapacitated” appears to be the common standard.
 - l. There is one case pending appeal at the Board of Regents under the existing policy.
 - m. It is very likely the case that more Federal laws, lessons learned, and further guidelines will be coming out this year, so we will need to continue our discussion of this policy.
 - n. Students can both file an internal complaint and an external complaint to the police. Both options are open.
7. The next meeting is Tuesday, September 16 at 12:00 Noon in Room 203 Student Services Building.
 8. Regular meeting schedule.

Thursday at 12:00 Noon seems to work for the Committee members. Therefore, if we scheduled a meeting once a month, the calendar would be the following. This needs to be confirmed at the next meeting. Student Affairs would need to confirm usage of the room on these dates.

Thursday, October 2, 12:00 PM, Room 203 Student Services Building

Thursday, November 6, 12:00 PM, Room 203 Student Services Building

Thursday, December 4, 12:00 PM, Room 203 Student Services Building

The Spring dates will be reconfirmed in December:

Thursday, January 8, 2015, 12:00 PM, Room 203 Student Services Building

Thursday, February 5, 2015, 12:00 PM, Room 203 Student Services Building

Thursday, March, 5, 2015, 12:00 PM, Room 203 Student Services Building

Thursday, April 2, 2015, 12:00 PM, Room 203 Student Services Building

Thursday, May 7, 2015, 12:00 PM, Room 203 Student Services Building

The meeting adjourned at approximately 12:45 PM.

Submitted by,
Dr. Al Ferri, Chair