



## Student Affairs Committee

June 19, 2020

### Minutes

The meeting, held virtually, was called to order at 10:25 a.m. by Governor Stancato. Secretary Miller called the roll. A quorum was present.

**Committee Members Present:** Governors Barnhill, Gaffney, Kelly, O'Brien and Stancato; Naida Simon, Faculty Representative, Victoria Dallas, Faculty Alternate Representative; Riya Chhabra, Student Representative and Danishi Bedi, Student Alternate Representative

**Also Present:** Governors Busuito, Kelly, Kumar, and Thompson; and President Wilson; Provost Whitfield; Vice Presidents Burns, Cooke, Lanier, Lindsey, Lessem, Schweitzer, Staebler, and Wright; and Secretary Miller

### APPROVAL OF MINUTES, JANUARY 31, 2020

**ACTION:** Upon motion made by Governor O'Brien, and supported by Governor Gaffney, the Minutes of the Student Affairs Committee were approved as submitted. The motion carried.

### UPDATE ON STUDENT SUCCESS

Governor Stancato noted before beginning the formal agenda for the meeting that today is June 19, which marks Juneteenth, a day to be celebrated and recognized for commemorating African American freedom. In turning to the first order of business, she advised that there is a lot of information in the upcoming presentation, and asked committee members to reserve their questions until after page 9 of the presentation.

Provost Whitfield introduced Senior Associate Provost Monica Brockmeyer to make the presentation. SAVP Brockmeyer advised that the government requires that the University report retention and graduation rates on undergraduate students who start college as full-time freshmen. Transfer students or students who start part time are not included in this data. As of 2019, the last formal recorded retention and graduation rates, the university's six year graduation rate was at 48%, up from 26% in 2011. The five year graduation rate is at 44% and the four year rate is at 29%. Retention into the second year has been flat, and there are improvements in retention into the third and fourth years.

She advised that the university can expect to see improvement in the four year graduation rate. The strategic plan goal of a 50% graduation rate was achieved more than a year

early, with the six year graduation rate now at 50.5%. Ms. Brockmeyer thanked the board, President Wilson, Provost Whitfield and all the other colleagues within the University for supporting student success. In light of Juneteenth and the pandemic crisis, there is a need to look at how student success is experienced by every member of campus, in particular the graduation and retention rates for black students. In fall 2019, the black graduation rate tripled from below 8% in 2011 to 24% in 2019 and there were upticks in the 5 and 4 year graduation rates. The five year graduation rate is at 25% already, way ahead of where we closed at 18% last year. That five year graduation rate for black students may actually be 27.5%. The question of how the five year graduation rate can be better than a six year graduation rate is explained by noting that they are different cohorts of students. The six year graduation rate is for students who entered in 2014 and the five year graduation rate for those who entered in 2015. That the five year graduation rate is higher than the six year graduation rate for black students is evidence of the rate at which there is improvement in support for black students and the outcome and the benefits that they receive.

Ms. Brockmeyer next discussed the data for LatinX students, white students and Asian students, where increases in 6, 5 and 4 year graduation rates were also seen, second year retention rates remained flat, and other fluctuations were described. She advised that graduation rates and other student success outcomes are only part of the story, and the number of degrees awarded to black students are also of interest. The number of students who received undergraduate degrees who characterize themselves as two or more races has continued to increase, not only at Wayne State, but across all of higher education. Governor Thompson asked for clarification of the five year versus the six year graduation rate for black students and for a description of some of the programs implemented for that class of 2015 that increased those numbers.

Ms. Brockmeyer noted that more than 150 to 200 projects devoted to student success have already been implemented. There are no precise ways to identify which were the most effective for those students. All gains in student success are an accumulation of more than a decade of improvements. When Marquita Chamblee joined the university as chief diversity officer and created the office of multicultural student engagement, it created a network that has provided strong support. The ability to provide that support earlier in students' academic careers has had a transformative effect on the students, the rest of the university and on the ways student success is delivered. There is also use of data and predictive analytics to deliver more targeted outreach. As an example, if registration for a group of students such as black or Latinx falls below expectations, more direct outreach is implemented through action teams, learning and change methodology. Governor Thompson asked whether it is possible to determine the five or six year graduation rate for black student athletes and whether there are there lessons from that data. Ms. Brockmeyer noted that the numbers are provided by the athletic department and can be made available. The lessons from athletics include earlier support and embedded practices into advising at the academic success center and other programs, such as the warrior vision impact program.

The most powerful benefit that athletes have that non-athletes don't have is NCAA eligibility, a powerful motivator. It speaks to the importance of delivering support and care

for all students because when students know that a college will meet their deepest needs, it is incredibly motivating and students will work harder and accept help in ways that might not happen otherwise. It is not something that can be replicated program by program, but more in the practice of those programs. President Wilson added that from the support standpoint, the amount and resources available for students in most athletic programs exceeds what is available on the larger scale. That is one part of it, but another factor is that student athletes in general, throughout the country and not just here at Wayne State, do better than non-student athletes and the NCAA criteria is part of that effect. There is a strong financial motivator for students to continue to go to school and finish because they will lose their athletic scholarship if they fall behind.

Governor Thompson pointed out that it was not just about athletics, but also programs like the center for Latinx studies, that have developed methods to support students of color and help them to graduate at greater levels than students who are not in these programs. Ms. Brockmeyer added that similar support programs include the Warrior VIP vision and Impact program that have helped to eliminate black and white disparities with respect to retention. Programs in the VIP Coalition, which includes the center for Latinx/Latin American studies, the Rising Scholars Program and other programs have long supported students of color and other historically excluded populations. They share practices, learn from each other and the University learns from them and has used those lessons to improve the warrior VIP for students, though the VIP program is not yet large enough to support all the students who could benefit from it. Governor Thompson asked how many students benefit from these programs, and whether there was a hindrance to expanding it. Ms. Brockmeyer estimated current capacity at 125 to 200 students a year. She believes upwards to 800 incoming students could benefit from it, and not just minority students.

The challenges to expanding the program are both the scale and the resources needed to accomplish the expansion. They have several funding proposals submitted that would provide nearly \$1 million in resources if funded. Governor Kelly applauded the positive movement in graduation and retention rates but noted the University is behind many other universities. Ms. Brockmeyer acknowledged the need for continued improvement. President Wilson noted that the goal was set at 50%, which was on par with public urban universities at that time in that cohort. Urban research and public urban universities have traditionally not done as well as some suburban or metropolitan universities so 50% is actually good. Governor Kelly asked what could be done to break through that 50% mark and raise the rate for everyone.

Governor O'Brien asked for clarification regarding undergraduate degrees awarded to black students and how the university tracks two or more races data from 2005-2010. The numbers presented differed from the University fact books, which do not track that specific demographic. Ms. Brockmeyer noted that the data is provided by the Office of Institutional Research and Analysis which provides the best information available at the time. There are occasionally changes to reporting, not this data, but for example sometimes cohorts are updated because a student has died where they are removed from the cohort. She noted that her data are the official numbers provided by Institutional Research, but she cannot speak to the accuracy of fact books from 2005 -2009, which were created by older

computers and people who are no longer part of the University. Governor O'Brien then asked about the budget for Diversity and Inclusion, as she doesn't believe it is as robust as it should be for what is expected of that office.

Ms. Brockmeyer next turned to the University's efforts in response to the Coronavirus, as they relate to student success. These efforts include the faculty's pivot to remote instruction and the creation of continuity plans for advising and other academic support services. Professional development plans and website resources for the advisors and other support for our students were also created. Student reengagement monitoring was implemented, and more than 70,000 data points came from faculty to identify which students had reengaged in a new environment and which had not. This student monitoring continued into March and April, and included monitoring student social media to understand student concerns, and to make improvements on the delivery of student success resources in this new environment.

The assessment reviews are now in round four, examining the impacts of the coronavirus on undergraduate students during the winter semester. Areas examined included impact on student performance, whether progress was delayed, identifying student needs, and assessing how well services were delivered remotely. The plan is to build on that data and move forward in July and August to continue to deliver new forms of intervention and support. Investments made in student success by the Board over the past ten years have allowed the University to support those student needs not visible before the crisis in ways that other universities have not. Sustained investments and new programs and support have multiplied and have reinforced each other to drive the numbers up to the 50% graduation rate discussed earlier. Investment is not only on the change in the graduation rate, but also on the size of the university's undergraduate population. The relationship between student success and overall undergraduate enrollment is codependent and Ms. Brockmeyer highlighted the ways that student success changes in graduation and retention rates affect the overall enrollment.

Students enter the University either as new students or as returning or continuing students and leave the university, successfully as graduates, or unsuccessfully. The entering class of both freshmen and transfers tracked down for some years after the beginning of the student success initiative, and has continued upward until the largest full-time freshman class in 2018. That number has continued upward and contributes to the number of continuing students. There was a decline in the number of students who leave the university each year without a degree and while some leave for good reasons, they should leave knowing that they are better for the time that they spent at the University. The University has been graduating students more rapidly and there are fewer continuing students.

Overall retention rates are up 10 to 12% - investments in student success are not just investments in the size of the undergraduate population but in the sustainability of the University. Ms. Brockmeyer then discussed culture, momentum and equity as it relates to future efforts in supporting student success. The University is committed to narrowing and eliminating educational disparities, not just the numbers, but the whole student experience.

Ms. Brockmeyer discussed the effects of the pandemic on black and brown communities, the significance of Juneteenth, and Wayne State's student success gains with other University leaders. She commented that solutions here will involve innovation and compassion from the campus for the students. Progress in supporting student needs include a program for foster care youth, a food pantry, improved technology and remote and online instruction. Governor Thompson commented on the decrease in the number of black students with 3,918 in 2013 and 2,695 currently, and asked why these students are not graduating. Ms. Brockmeyer noted success programs exist and have proven effective, but they are not yet at scale. It will take the entire University community to assist with that change. Governor Thompson agreed that change was needed at the societal and entire University level but also asked President Wilson about particular plans and investments to address the issue.

President Wilson noted that under an initiative of a previous Board of Governors and WSU President, a goal of 40,000 students was set, and under this initiative many black students were admitted to the university without appropriate support systems in place. The results included poor graduation rates. President Wilson went on to note that the data presented by Ms. Brockmeyer showed tremendous progress has since been made. Governor Thompson noted that until the black student graduation rate is on par with white students, 13% is not good enough and there needs to be an actionable and specific plan in place including how much money for investment will be needed. President Wilson responded that an answer to that specific question will be addressed. Governor Thompson stressed the urgency of the problem. Governor Stancato agreed with the urgency expressed by Governor Thompson. President Wilson noted that the University's current student success efforts are a model for the country and among the very best in terms of the rate of improvement for black students. Governor Thompson asked whether the University could get to a 50% six year graduation rate for Black students within one year. President Wilson advised that it would not be possible to achieve in one year. Governor Stancato noted that there should be acknowledgement of where the University is, what it is doing, what is possible to do in this area, and the next steps needed to move forward. The institution has a collective responsibility to close the gaps in African American students, Latino students and others.

Governor O'Brien cited enrollment figures from ten years prior, when university enrollment was 31,786, compared to the current 26,844, and commented on the drop in black students from a past high of 8420 to a current number of 3923. She commented that receiving a national award for graduating 21% black students does not reflect on how well the University is performing, but is more a referendum on higher education as a whole. She suggested that the University could adopt some of the successful initiatives used by the Center for Latin/a Studies and Athletics to the University as a whole. Governor Stancato commented that the black and latinx graduation rates have to improve but believes the University is moving in the right direction.

Governor Barnhill added that it is important to celebrate the progress that has been made. He noted that while 13% was not suitable, there was not the same level of concern expressed about these issues under President Gilmour and he takes issue with a black President being taken to task over recent success about Black students. He believes that

successes should be celebrated to further encourage improvement. Governor O'Brien responded that she feels it is the job of the board to hold the president accountable.

## **AMENDMENTS: STUDENT CODE OF CONDUCT**

Governor Stancato called on VP Lessem to talk about two changes in the Student Code of Conduct. They are unrelated to one another and are taken separately. Section 4.20 deals with Covid and reopening and specifically with the requirement that students engage in social distancing and a series of requirements that students specifically, are expected to engage in. Examples include completing the campus questionnaire to come to campus, following the campus health center instructions, and wearing a mask or facial covering or the like in public areas. Public areas are defined in a separate section of the Code of Conduct, 2.19 and gives the ability for the university in those hopefully very few cases where necessary, to act to enforce the refusal to engage in these kinds of practices as a violation of the Student Code of Conduct. There is hope that in a year, this section can be repealed. This section covers most areas on campus, other than the student's own residence, it allows for the notion that somebody might have to take off a mask while eating and so forth. But that is the purpose of the first amendment.

Governor Kelly asked about the consequences for a student who refuses. VP Lessem noted that the Code of Conduct provides a series of either formal or informal administrative sanctions and they deal with nearly all forms of nonacademic misconduct. There is in an extreme case a process for a hearing and theoretically, the process for suspension or expulsion. Governor Kelly asked what other measures will be taken if someone refuses. VP Lessem noted that somebody would probably have to refuse to engage in it more than once or twice, then at some point that individual will receive a letter or communication from the Dean of Students inviting the individual to come see the Dean within a certain date in order to discuss the conduct, and advising that a charge is being filed under this provision of the Code of Conduct. There is a possibility under the Student Code of Conduct for an interim suspension. While not added, it deals with an urgent health and safety issue.

Governor Kelly asks where a student can complain of for example, another student not wearing a mask. VP Lessem noted the complaint would realistically be made to a professor but can be made to the Dean of Students. Governor Kelly asked if a warning letter would be issued. VP Lessem noted that no provision specifically provides for a warning letter. The Student Code of Conduct tends to be very case specific, but in most cases a professor could direct a student to put on the mask or socially distance and if that failed then the student would more likely receive a warning email. The process in this specific provision has been discussed and reviewed by the Dean of Nursing who heads the Public Health Committee on reopening, and through the Provost, with the Academic Policy Committee. VP Lessem noted that he and the Dean of Students have discussed it with the Student Senate and it has been generally well received.

VP Lessem noted that the Department of Education released the final rules on sexual misconduct on May 9, with hard compliance in place by August 14. The changes are

vastly different from the University's existing policy and the proposed revision that would have been brought to the board on May 1. Due to pandemic restrictions, key stakeholders are not available for discussion but consist of students and faculty largely represented by the Academic Senate. VP Lessem went on to note that it is not possible to expect Wayne State or other Universities to engage in appropriate consultation with the stakeholders who are most affected in the timeframe indicated. It also is not possible in this time period to give the Board the information it would need to understand the differences it would be voting on. Another option is to not adopt anything, and that will have two major failings. The University will not be able to prosecute any case under Title IX, and it will not be able to enter into institutional guarantees which are assurances that we are required to do for purposes such as receiving grants, title IV funding, student scholarships, federal scholarships and loans.

VP Lessem also noted that in addition to not having enough time to draft a new policy, he believed there are three law suits pending asking for injunctive relief which could delay the effective date past August 14. Given these circumstances, the administration is asking for interim authority for a six month period from the effective date, whether that is August 14 or October 1, depending on the outcome of pending litigation for an interim policy. Adoption of the interim policy will mean the university will be in compliance with the final rule. In that period the university will have the opportunity to reengage in a more robust discussion of what the final policy should look like and report back to the Board by the middle of February or presumably the next meeting after that.

In response to a question by Governor Busuito about where he could find the interim guidelines language, VP Lessem noted that they have not yet been drafted. There is a small committee consisting of the Dean of Students, the Office of Equal Opportunity, the Title IX director, and individuals from the Office of the General Counsel office. It is headed by Nikki Wright. That committee is now in the process of drafting interim guidelines. The policy itself, the final rule, is 26 pages long with 2,030 pages of commentary and is radically different in very substantial ways than the university's current policy. In response to a request for clarification from Governor Busuito, VP Lessem explained that the board is being asked for the interim authority to implement a policy for six months, if it is necessary to do that. Following that period, the Board will then will be asked to vote on a policy that they will have an opportunity to review carefully, ask questions and receive answers to those questions. The interim policy will be published by the administration in the Administrative Policies and Procedures Manual, probably between, August and February.

The final rules are subject to challenge but they are presumably going to be valid on August 14. So the University must act on the assumption that they will be in effect. If the Board approves, the interim policy would track very closely to the final rule. VP Lessem then thanked two members of the Academic Senate and specifically thanked Professor Roth. Ms. Simon asked why there was no Senate representative on the committee to create the interim guidelines. VP Lessem noted that no Senate representative will have the time over the summer, but Professor Roth has asked to be kept informed as to the progress of the committee.

Governor Kelly asked for the date of the planned proposal after the interim authority is passed. VP Lessem noted by August 14, depending on the effective date of the final rule. Governor Kelly commented that it is a time of extraordinary uncertainty and that VP Lessem is making a very practical and sensible recommendation. Governor Thompson asked for an understanding of the final rule. VP Lessem proposed to go into more detail during the executive section because of the nature of the cases. He noted that the final rule very substantially weakens current policy and narrows the definition in his view of what is a Title IX complaint, requires significant procedural obstacles to the filing of a complaint and to the maintaining of a complaint, and requires a certain kind of case to be dismissed.

VP Lessem then reiterated that the board is being asked to give authority to the administration to adopt interim guidelines that will be published in the administrative policy and procedures manual and they would be effective for six months, assuming that this policy does take effect, after which a final policy would have to come back to the Board. Governor Thompson noted that the board will not have a chance to know what those interim guidelines are because they have not yet been drafted. VP Lessem confirmed that he is not asking that the Board vote on the specifics of the interim guidelines that are being discussed. The board is being asked to allow the administration to impose such guidelines in six months. In the meantime, current policy would remain in effect.

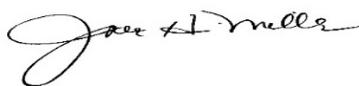
Professor Roth wanted to clarify that he did volunteer on behalf of the Senate Policy Committee to be a part of the drafting of the interim guidelines and he has been in touch with VP Lessem and Ms. Wright, but it is important to have Senate representation within that committee regardless of his role. Governor Kelly thanked Professor Roth for the work done up until now.

**ACTION:** Upon motion made by Governor Kelly and supported by Governor Gaffney, the Student Affairs Committee recommended that the Board of Governors revise the Student Code of Conduct to respond to the issuance of the Final rule of Title IX, recently issued by the United States Department of Education, and to reflect student social distancing requirements for the reopening of the Wayne State University campus. The motion passed.

## ADJOURNMENT

There being no further business, the meeting adjourned at 12:26 p.m.

Respectfully submitted,



Julie Hearshen Miller  
Secretary of the Board