

To: President's Cabinet
From: Denise M. Trauth
Subject: President's Cabinet Meeting
July 21, 2014

Title IX (#704)

Dr. Gilda Garcia met with President's Cabinet to discuss a proposed TSUS Sexual Misconduct Policy recently distributed by Vice Chancellor and General Counsel Fernando Gomez. She noted five major differences between our existing policies and the proposed policy: The scope is much larger than many current policies and includes many areas we have not had in our policies before. The reporting responsibilities under this policy are much broader than current policy. The investigation process is different under the proposed policy than under current policy. The definition of consent in the proposed policy is a critical issue. The timing, i.e., the current policy places limits for filing whereas the draft policy does not. President Trauth spoke of the potential value of publishing a set of example cases of what has and has not been considered sexual misconduct under this policy. Dr. Garcia discussed issues related to maintaining the confidentiality of a complainant's identity and to the time limits.

Cabinet members discussed the integration of this new policy into our current handbooks and policy statements, and recommends that following a finding of sexual misconduct for faculty, sanctions be imposed by the Dean, not the Chair/Director, and that all appeals of sanctions for students, faculty, and staff go to the appropriate vice president. Drs. Gratz and Garcia agreed to draft an email for President Trauth to send to Vice Chancellor Gomez sharing the concern about the locus of sanctions and appeals. President Trauth observed that the increasing demands on Equity and Access that this policy will create reconfirm the need for at least one new staff position in that office, noting that this need will be high on her list when we consider budget increases after the fall semester begins. Cabinet members agreed that we will send the policy as distributed by the System to be included in the training slide set for students that Dr. Smith is developing.

Tobacco Policy (UPPS 04.05.02) (#174)

Dr. Smith discussed the City of San Marcos' non-smoking ordinance and implications for the Texas State policy, offering a series of steps recommended for Texas State. Cabinet members agreed that our policy should be aligned with the City's, and Dr. Smith agreed that she will check to be sure that electronic cigarettes are included in our policy. We will continue to review this situation and review as part of next year's consideration of Regents *Rules*' changes.

RTA 2/1/15 Review the status of continuing implementation of Texas State's policy, including the relationship of this policy to implementation of the City of San Marcos ordinance.

Coordinating Board Meeting (#5)

Dr. Gratz reviewed items on the July 2014 Coordinating Board meeting agenda, noting that the major item related to Texas State is the approval of our proposal to offer a master of science degree with a major in engineering. Other items of interest include additional authorization for four-year degrees to be awarded by community colleges and allocations of TRIP matching funds for FY 2015. President Trauth noted that she plans to attend the meeting because of the engineering degree program proposal.

Door Access Upgrades

This item was withdrawn from the agenda and will be returned at a later date.

UPPS 07.04.03, Solicitation on Campus (#684)

Dr. Smith shared a revised draft of this UPPS, discussing a number of key changes. Because several Cabinet members were absent, this item will be returned to a later agenda for further consideration. However, issues discussed at this meeting included:

- Changes in section 02.01.a.1 related to the distribution of publications and in section 2.02 g. President Trauth asked for further discussion of these changes as well as other University policies related to First Amendment considerations.
- Changes in section 2.02.01 a 1 c establishing links to vendor contract provisions.
- Section 04.01 where the Cabinet asked whether an exemption should be added for tailgating.
- Section 04.01 a where Cabinet members asked about a possible prohibition of grills.
- Concern about a section permitting activities in the “Campus Expression Area” and a question about whether this reference should be changed to “The Quad.”
- A question regarding a possible future naming of the Bobcat Trail area and whether some language needed to be added in section 4.01.
- Section 04.01 i. where Dr. Breier agreed to review this section for possible elimination.
- Section 04.03 that is a new section on co-sponsorship.

Dr. Smith will add language indicating that the policy applies to both the San Marcos and the Round Rock Campuses and, where necessary, identifying appropriate areas on the Round Rock Campus. At the next meeting, we will continue discussion of proposed revisions, including related UPPSs dealing with free speech issues (to be identified by Dr. Gratz).

RTA 8/4/14 Follow-up on the Solicitation Policy.

Commencement (#143)

Provost Bourgeois shared information regarding management of transportation at the August 2014 Commencement ceremonies. He noted that we will continue use of the dashboard signs for special reserved parking, but recommended no early release for staff because of the smaller size of the ceremonies. He also noted that several improved communication efforts began in May 2014 will be continued. Cabinet endorsed these recommendations.

President's Update (#556)

President Trauth had no additional items to discuss.

Significant Issues (#01)

Provost Bourgeois reported that Dr. Alexander Vladimir Kornienko, a faculty member in the Department of Chemistry and Biochemistry, has received a \$475,000 three-year award from the National Cancer Institute. He also announced that the ALERRT Center has received a \$7 million award as part of the VALOR appropriation for FY 14. We also expect to receive a \$3.5 million award from the Emerging Technology Fund for STAR Park expansion.

Dr. Breier reported that we will conduct a crowd funding pilot project in September 2014. The project will attempt to raise travel funds for our national championship Enactus team (formerly SIFE) for their trip to the international competition in Beijing, China, in October 2014, and will target SIFE alumni.

Enrollment Management (#9)

Provost Bourgeois noted that fall enrollment is looking good and housing is still filled to overflow capacity.

DMT:ta

Posted to web at <http://cabinet.president.txstate.edu/> on September 16, 2014.