

Arkansas State University
Board of Trustees
August 12, 2020

The Arkansas State University Board of Trustees met via conference call on Wednesday, August 12, 2020. Stacy Crawford, Chair of the Board of Trustees, called the meeting to order at 4:34 p.m. A roll call of the Board confirmed that Stacy Crawford, Price Gardner, Christy Clark, Tim Langford, and Niel Crowson were present by telephone.

ASU System Resolutions:

- Resolution 20-29 approving the ASU System to enact the new Title IX Regulations on each ASU System campus and to revise the ASU System Staff Handbook to incorporate the new regulations

Dr. Welch: On May 6 of this year, the U.S. Department of Education released revised regulations governing campus compliance with Title IX. As a result, we had to make changes to our Title IX policies before August 14 of 2020. These new regulations address ways in which Title IX cases are investigated and adjudicated and also make changes to Title IX jurisdiction. Because our Title IX policies are in our ASU System Staff Handbook, the changes require Board approval. These changes have been shared with and approved by each ASU System campus, and you have been provided with a document that outlined what those changes are. We are asking for your formal approval to comply with changes in the federal law and to update the ASU System Staff Handbook.

Mr. Gardner: Do any of these changes require any staffing changes or anything that affects the budget? Do we have all the people in place that we need to implement this?

Dr. Welch: We do not anticipate any additional costs or staffing needs. We may have to do some reorganizing and obviously change the way the procedures work, but at this time, we are not expecting any additional costs.

Mr. Gardner: And all of these changes have gone through shared governance and have been approved by all of the campuses before they were brought to us?

Dr. Welch: Yes, sir, that's correct. This is the final step. All of this is the direct response to a change in federal law, but because the Board is responsible for approving handbooks, it requires your approval. We have all of the appropriate necessary approvals at the campus levels.

- Resolution 20-30 approving the ASU System to mandate the use of face coverings by all persons on each campus within the ASU System

Dr. Welch: On July 16 of this year, Governor Hutchinson issued Executive Order 20-43, which requires face coverings to be worn in all indoor and outdoor settings, unless social distancing of six feet or more can be maintained. What this policy would do is require that each campus within the ASU System shall, at a minimum, require students, faculty, staff, and guests in University-operated and -controlled facilities to wear face coverings when social distancing of six feet or more cannot be maintained. However, this policy will actually go a bit further, in that all students and faculty shall be required to wear face coverings during all sessions of classroom instruction, regardless of social distancing. Certainly, we wanted to have some flexibility, so each campus within the System may develop exceptions to the policy if these exceptions are based on public health recommendations, intercollegiate athletic participation requirements, state or federal law, or other applicable state or federal regulatory guidelines. As you know, each institution has done outstanding preparation to welcome faculty and students back to campus this fall. And we are prepared for many scenarios and lots of flexibility as the semester begins. We are also very much committed to the safety of our employees, our students, and our visitors on campus. We think that it is important for all of our campuses to have clear direction with this policy, which is why we want you to, in effect, ratify what the governor's policy says, and we want to reinforce our support for the strong recommendations of health officials. We want to take that further though, as I mentioned, within the classroom setting. This is because, while we have worked to ensure physical distancing at all of our instructional settings, classroom safety must be a top priority for our System. In particular, we want to be very clear about mask expectations in the classroom. That is why our policy would require that masks be worn inside the classroom, regardless of the six-foot distancing requirement. I cannot say enough good things about the work that our campuses have done, the protocols that have been put in place, and just how prepared they are. We fully realize that we may have to adjust and pivot, but we are very proud of the work that they have done.

Upon a motion by Mr. Gardner, seconded by Mr. Crowson, Resolutions 20-29 and 20-30 were approved.

Ayes: Crawford, Gardner, Clark, Langford, Crowson

Nays: None

Adjournment

Upon a motion by Dr. Langford, seconded by Mrs. Clark, the meeting adjourned at 4:42 p.m.

Ayes: Crawford, Gardner, Clark, Langford, Crowson

Nays: None

Christy Clark, Secretary

Stacy Crawford, Chair