

Senate Executive Committee Meeting (9/30/2021)

Attendees: Dinesh Pinisetty (Chair), Christine Isakson, Bets McNie (Vice Chair), Matthew Fairbanks (Secretary), Wil Tsai, Margot Hanson, Frank Yip, Lori Schroeder (Provost), and guests

- Meeting with Gender Equity Consultants
 - Consultants presenting:
 - Original scope of the consult was a quantitative climate survey. COVID and people not being able to be in their typical places made things change. Scope changed to qualitative – focus groups, interviews, etc. Original scope was focused on Title IX and its officials - how it interacts with students, faculty, etc.
 - The consultants' report is going to the Gender Equity committee and President Cropper's office first. What we found, what's positive, what could be improved.
 - Expanded to LGTQ+ issues and incidents as well as gender as well as race, because these things came up as they investigated their original focus. Also expanded to be more general - what is Cal Maritime and how does this identity impact these other issues. It became more of a general climate review.
 - Some concerns about roles, titles in Title IX. Also, the design of educational opportunities, quality of these, etc. One of the recommendations is going to be - be more intentional about educational programs. Also intentional about the roles within Title IX and who takes what role. And maybe not do things the same as 5, 10, 20 years ago, because the world has changed.
 - Their report will also include a smattering of Title VII, employment law covering gender, race, etc. Education industry is tricky, because IX and VII come into play when there's a complaint. Ultimately the rules are all the same, institution has a responsibility to respond, stop the behavior, and make the individual whole.
 - Often the reaction [to these inquiries and reports] is, why can't we just do things the way we used to? Short answer is that the world has changed. Gave an example involving domestic violence and how the law has changed very recently regarding expectations for reporting and arrests. The more the culture is steeped in certain traditions, the more working through these issues is uncomfortable.
 - Pinisetty thanked them for their explanation. Noted that administration and faculty are united in their commitment to examining these issues, and that's why we're happy to have you here.
 - Provost Schroeder asked about the report, whether a draft would be circulated, etc. Consultants noted that drafts tend to get distributed, and they want to be candid about their recommendations. They also noted that they needed to get a walk through the campus and particularly the ship, which has delayed the report, because they felt it was irresponsible to do the report without visiting physically.
 - Yip noted that he appreciates their commitment to visiting physically. We're quite unique, so a visit is warranted. Yip asked about how likely it is that we can address these issues if we can get commitment from President's Office on down. The consultants noted that they thought it was fundamental to speak to the President and make sure there's buy-in to be the basic process. They have not taken on clients in the past due to obviously not having commitment. They said that everyone they met seems interested in making Cal Maritime more welcoming and more equitable. The consultants also

delicately put across that roles sometimes are outside of the training and education of individuals that have to address these issues. People have generally said that they're committed to making the necessary changes. Talking more long-term, the cultural changes must come from us (from within the institution). Noted that we're quite open and willing on these issues, which is good.

- Yip noted that it's good we are being this way, because otherwise the long term viability of the institution is at stake. Consultants agreed and noted that if the change doesn't happen willingly, then the change might be enforced in a more uncomfortable manner – litigation, etc.
 - Yip asked what our chances of success is if certain constituents resist these changes. Consultants responded that it depends on the constituency. Yip – so, perhaps constituencies that shape the University and its policies. Consultants responded that they haven't heard that from any group, but a bit from individuals.
 - Committee thanked the consultants for their work and coming to the meeting to speak with us about the upcoming report.
- Health and Safety Discussion with Dr. Grace Chou (Health Center Director) and Mr. Craig Dawson (Campus Manager for Environmental Health and Safety)
 - Pinisetty said that we had questions about the daily health check and the contact tracing procedures – why aren't instructors notified if there's a COVID positive student in their class?
 - Dr. Chou – HIPAA is the basic answer. If they're identified as a 'close contact', then they would be notified. Student Health supplies student a letter that says they shouldn't attend class for X days. Student Health checks in with the student during that period, and then gives them clearance afterward. It's incumbent on the student to notify instructors, etc.
 - Pinisetty follows up – I don't understand the HIPAA violation if we're not handing out student names. Dr. Chou – because the instructor would know who was absent.
 - Isakson – we're making a lot of assumptions here about who is in close contact and that those students are the only ones not showing up. She noted that she's had students who are ill, then come to class, sneeze after taking their masks down. She doesn't know how other universities are doing these things [COVID contact tracing and notifications], but they are, and presumably not violating HIPAA.
 - Dr. Chou – said that she can't control what is going on in the classroom. Students should be filling out their daily health checks and not going to class if they are sick.
 - Yip – asked about the law around disclosing information in the context of contact tracing. Noted that contact tracing often prioritizes the people's right to know over privacy concerns. Is this different for COVID specifically? Dr. Chou – not that I know of.
 - Hanson – library masking enforcement is distinct from the classroom. There's a lesser differential in authority. Sometimes it's students asking students to do it. (the desk employees asking the library patrons) Michele van Hoeck (Library Dean) shared with her some info from other universities who have checks on daily health screening to gain admittance.
 - Dr. Chou thought that this could be workable, but the question is who would be checking. Faculty have in the past indicated that they don't want to be spending the time checking these in class. She doesn't want to wade into that issue.

- McNie noted that the email clearance does have a date stamp and is green, so could be checked at the library like a badge or sticker that other health check systems use.
- Provost Schroeder asked about the onus of notifying faculty (and others) being on the students. She wondered about maybe Student Health asking students for permission to disclose. Dr. Chou responded that that's not their role. They're stretched thin. Provost Schroeder – then perhaps someone from Cadet Leadership and Development. It seems like an issue that would logically be handled through that division.
- Dr. Chou proceeded to tell us about the 96% vaccination rate and the small numbers of COVID positive tests. Said we have herd immunity and that the COVID positivity rates in tests are dropping. Educated us that vaccines are primarily to prevent death and hospitalization.
- Isakson – I would hope that the bar is higher than preventing hospitalization and death, because we should care more than that.
- Dr. Chou – of course, but we need to realize that we're in a very low risk environment. I understand concern in wanting to be notified. It's not something that we're able to do.
- Craig Dawson – incredibly important, Christine, to all of us that we're safe. He feels that we've gone above and beyond in our efforts to get vaccinated and have appropriate safety protocols. We have these contact tracing processes in place. Very diligent and aggressive when we have a failed daily health check. Also have testing program in place. Have spent a lot of time making sure that the testing program is enforced. On the building side, we've been able to maintain the single feed ventilation (no smoke days). No recirculation of air. Also have portable scrubbers in the places where we don't have the more modern ventilation. Also have the fit testing for N95 masks. Trying to make as many decisions to make our community as safe as possible. Communications about students and the classroom becomes very tricky. He notes that there's near 100% certainty that someone somewhere on campus is positive for COVID, and that's the reason for all the additional requirements (masking, etc.).
- Dr. Chou – we're doing weekly PCR testing. Very sensitive. Preference would be for antigen testing, because they're catching asymptomatic cases. The threshold is very low for testing - will test anyone who wants a test, basically.
- Hanson – how are we determining who is a close contact in contact tracing?
- Craig Dawson – it's difficult. We go through a structured interview with the positive case. Basically anyone within 6 feet for 15 minutes indoors, regardless of masking. Because of privacy issues, they can't interview others that might have been in contact. They've been quite conservative with the protocols. Have had zero cases that are connected to a contact tracing process.
- Isakson – have you tested the close contacts to be sure of this? We know asymptomatic people can transmit it.
- Craig Dawson – noted that the asymptomatic transmission can happen, but the literature shows that the more symptoms, the more potential for transmission. With a 14 day quarantine, then there's no post-symptoms test. For others (vaccinated), there's recommended testing 3-5 days after exposure.
- Isakson – I would be interested in reading about the science on that issue.
- Dr. Chou – I'm not sure there's good data. The potential for transmission being lower for asymptomatic cases is based on expert opinion. Craig Dawson cited to Dr. Matyes (Solano County Health Officer)

- Open Floor
 - Hanson – faculty statement on diversity and inclusion. Wil [Tsai] and I have been looking at similar statements from other Senates. We should have something to discuss during the next General Senate meeting.
 - Yip – I’ve also been talking with Colin Dewey about this idea. We thought it should be resolution.
 - Hanson – great, and we can all meet shortly after the next Senate meeting.
 - Meeting minutes were discussed. I noted that I’ll start prioritizing the more recent ones so that they’re simpler to recall and review.
 - A special meeting for minutes review and approval was suggested and seems like a good idea.