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**The Associated Students of the University of Montana
Resolution Establishing the Excellence in Access to Education Award
September 3, 2021**

SB6-21/22

Authored by: Danielle Pease, Student-At-Large & Survivor; Emma Kiefer, ASUM Senator; Cierra Anderson, Student;

Whereas, In April 2021, the Associated Students of the University of Montana (ASUM), established the Committee on Equitable Education (the "Committee")¹;

Whereas, The Committee's foundations, implementation, and work have ASUM underpinnings as early as 1978 and have continued to present day²;

¹Associated Students of the University of Montana S. Bill 75, 2020-2021 S. (April 17, 2021) (Committee on Equitable Education Drafted by Danielle Pease)(the Committee was built as a continuation of the Associated Students of the University of Montana S. Bill 60, 2020-2021 S. (Feb. 24, 2021) (Title IX Ad Hoc Resolution Drafted by Christian Pfeifer, Cierra Anderson, Danielle Pease) and the work of graduate students Joy Barber, Alex Bascagili, Emma Kiefer, and Cameron Doran).

² Toni McOmer, *Resolution on Rape* (Nov. 15, 1978); Ed Tinsley & Paula Pelletier, *Endorsement of House Bill 451, "Sex Crimes" Bill, Exhibit F* (Feb. 6, 1991); Nancy Fitch, Inter-departmental Memo *On Sexual Assault Prevalence Survey* (April 15, 1992) (note ASUM funded a \$5,000 request to administer the survey); Associated Students of the University of Montana S. Bill 43, 2002-2003 S. (Feb. 5, 2003) (Resolution Supporting a Rape Free Zone by Thea Rae Delamater); Associated Students of the University of Montana S. Bill 21, 2004-2005 S. (Oct. 27, 2004) (Resolution to Initiate the Formation of an Ad Hoc Committee on Safety and Security by Brad Cederberg & Rob Welsh); Associated Students of the University of Montana S. Bill 37, 2004-2005 S. (Feb. 2, 2005) (Resolution in support of Representative Kevin Furey's House Bill 520 by Cassie Morton)(prosecutorial amnesty for survivors who report rape and used drugs or alcohol); Associated Students of the University of Montana S. Bill 08, 2004-2005 S. (Sept. 22, 2004) (Resolution to Read Letter Regarding Campus Safety to Board of Regents of Higher Education by Kimberly Pappas); Associated Students of the University of Montana S. Bill 17, 2010-2011 S. (April 2011) (Curry Health Center Fee by Katie Spika); Associated Students of the University of Montana S. Bill 30, 2011-2012 S. (Feb. 01, 2012) (Resolution Regarding Campus Safe Learning Environment by Jenifer Gursky & Mariah Williams); Associated Students of the University of Montana S. Bill 34, 2013-2014 S. (Oct. 2013) (Access to Sexual Misconduct Policy by Sean McQuillan); Associated Students of the University of Montana S. Bill 120, 2013-2014 S. (May 2014) (General Education Requirements by Shelby Ryann Dolezal); Associated Students of the University of Montana S. Bill 78, 2014-2015 S. (March 2015) (Resolution regarding LC2246 by Betsy Story); Associated Students of the University of Montana S. Bill 44, 2016-2017 S. (Dec. 2016) (Resolution Regarding Sex Assault Bills in the Sixty Fifth Legislature by Kenzie Lombardi); Associated Students of the University of Montana S. Bill 21, 2016-2017 S. (Oct. 2016) (Resolution Regarding ASUM Legislative Priorities by Matt Quist); Associated Students of the University of Montana S. Bill 39, 2017-2018 S. (April 2018) (Resolution Regarding Street Lights on Campus by Connor Fitzpatrick); Associated Students of the University of Montana S. Bill 20, 2018-2019 S. (January 2019) (Resolution Establishing the J. Doe Ad Hoc Committee by Danielle Pease & Cierra Anderson); Associated Students of the University of Montana S. Bill 01, 2019-2020 S. (May 2019) (Resolution Establishing the J. Doe Ad Hoc Committee by Abigail Belcher & Cierra Anderson)(this resolution is an exact copy of that drafted by Anderson and Pease in Jan. 2019, Pease was not cited or listed as an author); Associated Students of the University of Montana S. Bill 60, 2020-2021 S. (Feb. 24, 2021) (Title IX Ad Hoc Resolution Drafted by Christian Pfeifer, Cierra Anderson, Danielle Pease); Associated Students of the University of Montana S. Bill 75, 2020-2021 S. (April 17, 2021) (Committee on Equitable Education Drafted by Danielle Pease);

15 Whereas, Every student in the Montana University System, including the University of Montana
16 (UM), has the right to an education free from discrimination, harassment, and retaliation³;
17

18 Whereas, UM has undergone four federal Office for Civil Rights Department of Education inves-
19 tigations for their failures to abide by Title IX, discouragement and punishment of survivors who
20 came forward, gross mishandling of complaints of sexual violence, and inadequate faculty and
21 staff training on responding to and assisting with the aftermath of sexual violence⁴;
22

23 Whereas, UM has a responsibility to undertake the recommendations outlined in the aforemen-
24 tioned federal Office for Civil Rights Department of Education investigations;
25

26 Whereas, Of these investigations, at least one has occurred under President Seth Bodnar's leader-
27 ship⁵;
28

29 Whereas, Being a student and a survivor is often unmanageable without the guidance and help of
30 others, including faculty, teaching assistants (T.A.s) and resident assistants (R.A.s)⁶;
31

32 Whereas, Approximately two-thirds of students who have experienced sexual violence report a
33 negative impact on their academic performance (i.e. lower grades, missing classes), and approxi-
34 mately 58% of students experienced a disruption in their academic timeline to obtain their de-
35 gree⁷;
36

37 Whereas, The dropout rate for students who have experienced sexual violence (34.1%) is higher
38 than the overall average university dropout rate (29.8%)⁸;
39

40 Whereas, All employees of UM are trained on compliance and reporting requirements, they are
41 not trained on trauma-informed care, the impacts of trauma on education, and ways to make the
42 classroom and campus more equitable for students experiencing the aftermath of sexual vio-
43 lence⁹;
44

45 Whereas, Some professors excel in ensuring their students have access to education and provide
46 opportunities to continue their education at an equitable and manageable rate as those of their
47 peers¹⁰;
48

³Mont. Code Ann. § 49-2-307 (2021); Montana Board of Regents of Higher Education Policy 507(1).

⁴Letter of Finding from the Department of Justice and Department of Education to Royce Engstrom and Lucy France, May 9, 2013, page 7—21.

⁵See *generally* Voluntary Resolution Agreement, April 9, 2013.

⁶See Danielle Pease, *Letter of Explanation on Award*, Appendix 1 (August 2021).

⁷Mengo, C., & Black, B.M. (2016). Violence victimization on a university campus: Impact on GPA and school dropout. *Journal of College Student Retention: Research, Theory & Practice*, 18(2), 234-248.

⁸Mengo, C., & Black, B.M. (2016). Violence victimization on a university campus: Impact on GPA and school dropout. *Journal of College Student Retention: Research, Theory & Practice*, 18(2), 234-248.

⁹Voluntary Resolution Agreement, April 9, 2013, 3.

¹⁰Pease, *Ltr. of Expl. On Award*, App.1.

49 Therefore, Let It Be Resolved, ASUM acknowledges the work that faculty, T.A.s, and R.A.s are
50 asked to do daily working with student survivors;

51
52 Therefore, Let It Be Further Resolved, ASUM expresses gratitude for the positive impact faculty,
53 T.A.s, and R.A.s have had on ensuring equitable access to education;

54
55 Therefore, Let It Be Further Resolved, ASUM establish the “Excellence in Access to Education
56 Award”, to recognize faculty, T.A.s, and R.A.s for exceeding best practices in accommodations
57 and working with survivors, promoting equity, understanding, and knowledge of sexual violence
58 and its impact, and providing safe environments that allow students to learn despite hardships
59 caused by sexual and interpersonal violence;

60
61 Therefore, Let It Be Further Resolved, The following language shall be added to the Equitable
62 Education Committee section in the ASUM Bylaws:

63
64 *“C. The Committee may recommend the conferral of the Excellence in Access
65 to Education Award upon receiving a nomination for a worthy current or past
66 faculty member, teaching assistant, or resident assistant.*

67 *1. At any time, the Committee may call for nominations.*

68 *2. The Committee may accept a motion for nomination from a Commit-
69 tee member or accept a nomination from a community member to recognize a
70 faculty member, teaching assistant, and/or resident assistant for exceeding best
71 practices in accommodations and work with survivors, promoting equity, under-
72 standing, and knowledge of sexual violence and its impact on education, and/or
73 providing safe environments that allow students to learn despite hardships
74 caused by sexual and interpersonal violence.*

75 *3. After receiving nominations, the Committee shall review each nomi-
76 nation and make an informal recommendation, summarization of the nomi-
77 nation, and collect and compose the necessary documents to establish the award
78 criteria has been met before forwarding the packet to the Executives. The
79 packet should include the Committee’s opinion on the conferral of the award.*

80 *a. The Committee is not limited to a single annual award and
81 may award more than once a year.*

82 *b. The Committee is not required to open nominations each year
83 and may award as sees fit.*

84 *4. Upon deciding a candidate is worthy, the Executives shall present the
85 candidates and supporting documentation, including nomination paperwork, to
86 the Senate.*

87 *5. To confer the award, the Senate must confirm the nomination by a
88 simple majority.*

89 *6. If the Senate confirms the nomination, the Committee shall produce a
90 summary of the recipient’s qualification and the date of conferral. This infor-
91 mation must be forwarded to the Vice President within 48 hours of conferral.*

92 *7. The Vice President shall notify the nominated party by letter and cer-
93 tificate, and provide the Committee’s developed summary to Faculty Senate,*

94 *Staff Senate, President's Office, the respective Department Chair, and local me-*
95 *dia sources, as recommended by the Committee.*

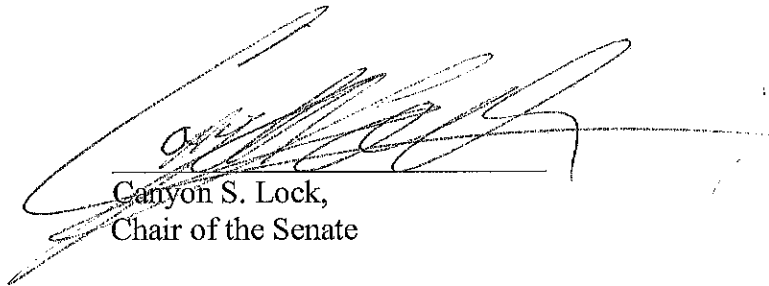
96 *8. The award may not be granted to University staff members, any indi-*
97 *vidual who has been named as a defendant in a federal Title IX lawsuit, Title*
98 *IX staff, or any member of the President's cabinet.”;*
99

100 Therefore, Let It Further Be Resolved, A copy of this resolution be sent to Danielle Pease, Chair
101 of Committee on Equitable Education; Kate Kolwicz, Executive of the Graduate and Profes-
102 sional Student Association; Jamie Pollard, President of the Student Bar Association; Christopher
103 Muste, Ph.D.; Gillian Glaes, Ph.D.; Soazig Le Bihan, Ph.D.; Jeff Wiltse, Ph.D.; Michael Mayer,
104 Ph.D.; Andrew King-Ries, J.D.; Kimber McKay, Chair of Faculty Senate; Dr. Alison Pepper,
105 Chair of P.E.A.C.E. Committee; Jen Euell, MSW, Director of SARC; Sarah Swager, Vice Prov-
106 ost of Student Success; Nathan Lindsey, Vice Provost for Academic Affairs; Reed Humphrey,
107 Acting Provost; Kelly Webster, President Chief of Staff; Alicia Arant, J.D., Director of Equal
108 Opportunity; Seth Bodnar, President of the University of Montana.
109
110

111
112 Passed by Committee: September 5, 2021
113

114 Passed by ASUM Senate: September 8, 2021
115

116 
117 _____
118 Elizabeth Bowles,
119 Chair of Relations & Affairs
120



Canyon S. Lock,
Chair of the Senate

121
122 Passed Unanimously.
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Appendix 1

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137

138 The creation of this award should not underscore the impact that faculty and teaching assistants
139 have had on students before the award's implementation

140

141 This award was informed and developed out of the experiences of a student survivor on campus,
142 who at times, could not have completed assignments without the assistance of faculty members
143 guiding her hand.

144

145 These experiences are outlined below.

146

147 I hold eternal gratitude for the professors who counseled me through conversations on withdraw-
148 ing, absences for hearings, allowed me to make up work, and gently guided me to earn a degree
149 from the University of Montana. While these experiences may seem small and no-brainers to
150 many, their acceptance and understanding provided me the comfort of participating in the crimi-
151 nal justice system, attending necessary medical exams, having access to school supplies, pro-
152 vided necessary mental health days, allowed extensions on completing Incompletes, and ad-
153 vanced accessing my legal education from a safe and protective environment. To these profes-
154 sors, the impact you have had on my education is unexplainable. Thank you.

155

156 *Professor Christopher Muste* served as my advisor but provided me so much more. He walked
157 me through the pros and cons of withdrawing, checked in weekly and anytime I missed class,
158 communicated with other professors inside the Political Science department and outside of the
159 department to ensure I was keeping up on my work and listened to me when I needed help the
160 most. He talked to me about which professors would be most accommodating and encouraged
161 me to translate my frustrations with Title IX into academic research for my advanced writing re-
162 quirement. He was an influential part of my education.

163

164 *Professor Gillian Glaes* met with me what felt like almost weekly for 18 months, she did not fail
165 me when my electronics were subpoenaed and I was taking her online course, she went out of
166 her way to communicate with my advisor on missing assignments, allowed me to miss classes
167 for order of protection hearings, and makeup work when I had dropped the ball. She too was a
168 fundamental part of my education, and I could not have graduated without her encouragement.

169

170 *Professor Soazig LeBihan* offered to let me borrow her children's laptop when all of my elec-
171 tronic devices were subpoenaed, invited me into her home to discuss law school, understood
172 when I needed to take days off for hearings, and frequently checked in on me. Her compassion
173 and understanding allowed me to feel like I belonged on campus.

174

175 *Professor Jeff Wiltse* allowed me to take an incomplete day before the final. When I disclosed
176 the need because I had been raped, he replied, "the human spirit can be strong and resilient."
177 This response profoundly impacted me. In the following semester he readjusted my grade to re-
178 flect my academic ability because I had taken an exam without testing accommodations, he met
179 with me to check-in and took the time to listen to me cry. His acknowledgment of my trauma and
180 understanding of its long-term effects enabled me to complete my academic coursework in a
181 manner that was consistent with my needs.

182
183 *Professor Michael Mayer* allowed me to take 2 years to complete my incomplete, without rush-
184 ing me. We would have frequent check-ins and he even advised me on the best plan of action for
185 my legal education. He talked to me about the history of Title IX on campus and the criminal
186 justice system. His shared academic knowledge eased my concerns. His knowledge and patience
187 encouraged me to consider my future and challenge the systems survivors work with.

188
189 *Professor Andrew King-Ries* reassured me that my fear and stress rooted in my PTSD was im-
190 portant enough to consider when determining my educational modality. He guided me through
191 my options to discontinue my legal education at the University of Montana and provided fre-
192 quent and brief check-ins. Without his encouragement, I would not have acknowledged my
193 trauma as valid and access to my graduate education is just as important as my peers.

194
195 While many of these professors may never be able to grasp the impact that their actions had on
196 my education, together, they are the sole reason I was able to graduate. Their actions allowed me
197 to access an education that often felt so far out of my reach. For that, I and the institution, owe
198 them recognition for their humanity.

199
200
201 With gratitude,
202
203 Danielle Pease.