

OFFICE OF LEGAL AFFAIRS FALL SYMPOSIUM

Barnhardt Student Activity Center Salons

October 26, 2017

AGENDA

- 8:30 – 9:00** **Continental Breakfast**
- 9:00 – 9:10** **Welcome and Introductions**
- 9:15 – 10:00** **Session One** (*choose one*)
- 1A. Making Sense of Student Suicide: Prevention and Response
 - 1B. Researchers Behaving Badly: Preventing, Recognizing, and Responding to Research Misconduct
- 10:00 – 10:10** **Break**
- 10:10 – 10:55** **Session Two** (*choose one*)
- 2A. Who You Gonna Call? Navigating Challenging Discrimination and Retaliation Issues on Campus
 - 2B. Is Anything I Say, Send, or Save at Work Private?!
- 10:55 – 11:05** **Break**
- 11:05 – 11:50** **Session Three** (*choose one*)
- 3A. The Essentials of Digital Accessibility: Making Instructional Materials and Websites Accessible to Persons with Disabilities
 - 3B. “You mean there are rules?”: A Guide to Record Retention, Destruction, and Archiving
- 11:50 – 12:45** **Buffet Lunch**
- 12:45 – 1:30** **Session Four** (*choose one*)
- 4A. Pardon the Interruption: Disruptive Behavior in the Classroom and Ways to Manage Those Behaviors
 - 4B. Fair Use in Academic Settings
- 1:30 – 1:40** **Break**
- 1:40 – 2:25** **Session Five** (*choose one*)
- 5A. Can You Hear Me Now? A Guide to Staying Connected to Students and the Office of Education Abroad During Study Abroad Programs
 - 5B. What is Reasonable? Challenges of Providing Employment Accommodations and Leave of Absences Under the Americans with Disabilities Act (ADA) and the Family Medical Leave Act (FMLA)
- 2:25 – 2:35** **Break**
- 2:35 – 3:20** **Session Six** (*choose one*)
- 6A. It’s My Campus and I’ll March/Protest/Demonstrate/Speak Out If I Want To: Student Activism on Campus and the University’s Response
 - 6B. Not Just Another Conversation: Learning Practical Skills for Responding to Sexual Assault Disclosures
- 3:20 – 3:30** **Break**
- 3:30 – 4:00** **Legal FAQ: Come Hear the Questions (and Answers!) that OLA Most Often Fields**

SESSION DESCRIPTIONS

1A. Making Sense of Student Suicide: Prevention and Response. *Jessalyn Klein, Psychologist and Suicide Prevention Coordinator.* In this session we will present information on suicide statistics, causes, risk factors, and warning signs. Strategies for preventing and responding to suicide-related concerns will then be discussed.

1B. Researchers Behaving Badly: Preventing, Recognizing, and Responding to Research Misconduct. *Sam Sears, Deputy General Counsel; Donna Eaton, Director of Research Compliance; and Tom Reynolds, Associate Provost and Dean of the Graduate School.* This presentation will first address what constitutes research misconduct, relying primarily on NIH and NSF regulations and guidance and University policy. The presenters will then share tips that will provide attendees with a framework they can use to develop or refine their field-specific practices to recognize, respond, and deter research misconduct in their departments.

2A. Who You Gonna Call? Navigating Challenging Discrimination and Retaliation Issues on Campus. *Sam Sears, Deputy General Counsel; Jeff Jensen, Senior Associate General Counsel; Jeanne Madorin, Executive Director of Human Resources for EPA Non-faculty Administration, Employee Relations, and Compliance; and Lori McMahon, Associate Provost for Academic Budget and Personnel.* In this presentation, attendees will receive training on their obligation to identify and respond to unlawful discrimination and retaliation on campus. Attendees will also be introduced to their colleagues who coordinate UNC Charlotte's response to discrimination and retaliation issues and complaints and who will discuss the services their offices provide in these challenging contexts.

2B. Is Anything I Say, Send, or Save at Work Private?! *Sarah Edwards, Associate General Counsel.* Have you ever wondered whether labeling an email "Confidential" really matters or how private your conversations with an attorney really are? This session will explore what expectation of privacy faculty and staff should have in their email communications, electronic files, and office space at the university as well as the factors that govern university legal counsel's confidentiality obligations.

3A. The Essentials of Digital Accessibility: Making Instructional Materials and Websites Accessible to Persons with Disabilities. *Susan Burgess, Chief Compliance Officer; Khaleel Eksheir, Assistive Technology Specialist, Office of Disability Services; Caryl Gordon, Technology Support Analyst, Center for Teaching and Learning; and Jeff Meier, Tech Team Manager, Center for Teaching and Learning.* Digital accessibility refers to types of adaptations made in the design of digital, electronic and multimedia instructional content so it is accessible to all persons, including persons with disabilities. Join us for an informative session in which we explore the landscape of laws, standards and guidelines that pertain to the design and use of accessible course materials. Learn the basic techniques for making your course materials accessible from the experts in UNC Charlotte's Center for Teaching and Learning and the Office of Disability Services.

3B. "You mean there are rules?": A Guide to Record Retention, Destruction, and Archiving *Tina Dadio, Legal Specialist/University Public Records Officer, and Katie Causier Howell, University Archivist.* Learn the ins and outs of the records retention schedule that governs the destruction or other disposition of university records. Who must retain them? How long must they be kept? Who determines what records to keep and what records can be destroyed? Join us for a refresher on the public records law, best practices related to the retention and destruction of records, records management, and the University Archivist's role in the preservation of records and artifacts of the university's historical records.

4A. Pardon the Interruption: Disruptive Behavior in the Classroom and Ways to Manage Those Behaviors. *Larry Gourdine, Associate Dean and Director of Student Assistance and Support Services; Michelle Reinken, Associate Director of Student Conduct; Leigh Norwood, Licensed Clinical Social Worker/Referral Coordinator; and Captain Joshua Huffman, Police and Public Safety (moderated by Catherine Mitchell, Assistant General Counsel).* The classroom should be the home of intellectual discussion, curiosity, and dialogue. However, student behaviors – from rude and annoying to seriously concerning – can sometimes disrupt that environment. In this session we will discuss ways to address the wide spectrum of behaviors that students may present in the classroom, including classroom management strategies, when behaviors should be reported, how to recognize distressed students, and how to differentiate between classroom disruption and concerning student behaviors.

4B. Fair Use in Academic Settings. *Kate Dickson, Copyright and Licensing Librarian.* This presentation will give an overview of copyright, with a focus on fair use. Attendees will learn the four-part fair use analysis and practice applying it in several hypothetical examples, in order to gain confidence working with fair use in everyday situations.

5A. Can You Hear Me Now? A Guide to Staying Connected to Students and the Office of Education Abroad During Study Abroad Programs. *Amy Kelso, Senior Associate General Counsel, and Brad Sekulich, Director, Office of Education Abroad.* This session covers the importance of staying connected with students and the Office of Education Abroad during study abroad programs, legal responsibilities of faculty program directors, and program decision-making in light of the current global unrest.

5B. What is Reasonable? Challenges of Providing Employment Accommodations and Leave of Absences Under the Americans with Disabilities Act (ADA) and the Family Medical Leave Act (FMLA). *Jeff Jensen, Senior Associate General Counsel.* This presentation will review and discuss cases, including but not limited to: (1) whether an employee's ability to handle stress and get along with others is an essential function of their job; (2) whether regular attendance and punctuality can be an essential function; and (3) whether an employee's ability to work full-time can ever be an essential function of a job. In addition, a range of leave of absence scenarios will be explored, including requests for intermittent leave due to a medical condition, and recommendations for how and when to request medical documentation, and other best practices, will be shared.

6A. It's My Campus and I'll March/Protest/Demonstrate/Speak Out If I Want To: Student Activism on Campus and the University's Response. *Catherine Mitchell, Assistant General Counsel; Jonathan Adams, Associate Dean and Director of Student Conduct; Chief Jeff Baker, Police and Public Safety; Christy Jackson, Director of Communications, Business Affairs; and Stephen Ward, Executive Director of University Communications.* In this session, campus partners will discuss the approach to student activism on our campus and how the University responds. Much like universities across the country, our institution strives to educate our students and preserve free expression on campus, while also balancing the importance of inclusivity and the safety of our campus community. Topics of discussion will include basic first amendment principles, how the University communicates with its constituents, and the roles of student affairs and campus police when it comes to demonstration activities on campus.

6B. Not Just Another Conversation: Learning Practical Skills for Responding to Sexual Assault Disclosures. *Annelise Mennicke, Assistant Professor, Social Work; Jennifer Newell, Title IX Coordinator; and Terri Rhodes, Associate Director Counseling Center (moderated by Sarah Edwards, Associate General Counsel).* How will you respond when students disclose their traumatic experiences to you? Join our panel to discuss best practices for handling sensitive information and responding to students with empathy while taking responsibility for your role in managing the information provided.