

Board Meeting  
November 14, 2019

RESOLUTION CONCERNING SEXUAL MISCONDUCT, FACULTY/STUDENT  
RELATIONSHIPS AND RELATED MATTERS

WHEREAS, on October 29, 2018, President Killeen commissioned a System-wide Task Force comprised of faculty, staff, and students to “examine [the University’s] respective and collective efforts regarding education, prevention, and response to sexual harassment, sexual assault, and other categories of sexual misconduct”; and

WHEREAS, members of the Task Force have met regularly since December 13, 2018, and have focused their review primarily on three related areas:

- Education and Training;
- Responsiveness to Incidents;
- Investigations and Outcomes; and

WHEREAS, the Task Force has produced and sent to the President a set of Recommendations, which are attached hereto and incorporated by reference and which have been shared and vetted with various stakeholder groups; and

WHEREAS, the Task Force makes a number of recommendations, including:

- Adopting a system-wide set of definitions for various forms of sexual misconduct and reviewing policies to ensure consistency with those definitions; and

- Instituting a system-wide policy that prohibits faculty from engaging in sexual or amorous relationships with any undergraduate student; with any graduate or professional student who is in the same academic unit or department; or with any other UI student over whom the faculty member has or may reasonably be expected to have any supervisory or evaluative authority; and
- Instituting a system-wide policy that prohibits any staff member in a role of academic, extracurricular, or work place authority over a student from engaging in a sexual or amorous relationship with that student; and
- Requiring each university and system office to review and update their sexual misconduct policies to ensure they are consistent with the system-wide definitions, are robust and enforceable, and allow for early intervention and progressive responses to complaints of sexual misconduct, up to and including dismissal; and
- Adopting a system-wide policy that requires all candidates in employment searches to allow the release of any findings of sexual misconduct or harassment from current or previous employer(s), should they become a finalist in a search; and
- Instituting a system-wide policy pertaining to separation, resignation, and/or settlement agreements that generally prohibits the inclusion of confidentiality or non-disclosure provisions that would limit the release of findings of sexual misconduct; and
- Establishing a system-wide council to provide ongoing coordination of education, intervention, and response efforts across the three universities and in the system offices.

THEREFORE, BE IT RESOLVED:

1. THAT the Board accepts the preceding recommendations by the Task Force; and
2. THAT the Board hereby (“Board”) deems the issue of faculty/staff/student relationships to be of sufficient importance and urgency that the proposed policies identified above should be created and implemented expediently and as soon as possible; and
3. THAT any violation of any of the above-referenced policies shall constitute grounds for appropriate restorative and/or disciplinary action in accordance with established

university policies and procedures, which include shared governance processes as well as collective bargaining agreements; and

4. THAT the Board further requests that the Task Force complete its work promptly; and
5. THAT the Board directs each of the three universities in the UI System to work collaboratively and independently to support the Recommendations of the Task Force, including reviewing and updating their sexual misconduct policies, adopting comprehensive education and training that is consistent with empirical research, implementing investigatory procedures that are consistent with the Task Force's Recommendations; and instituting continual evaluation of these efforts; and
6. THAT the Board requests that it be updated regularly on the progress of the Task Force and universities in the UI System concerning their progress in this area vital to students' safety and well-being.