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| **Report of the Board of Trustees****In the Matter of Professor Paul Schewe** |

March 17, 2022**Introduction**

 This matter is before The Board of Trustees of the University of Illinois (the “Board”) pursuant to Article X of the University *Statutes* to consider the possible dismissal of Prof. Paul Schewe. On January 20, 2022, the Board of Trustees held a hearing to consider the charges filed by President Timothy Killeen, received evidence and heard the presentations by legal counsel representing the University and legal counsel for Prof. Schewe, along with a presentation by the Committee on Academic Freedom and Tenure (“CAFT”) at the University of Illinois Chicago (“UIC”). The Board also received the personal testimony of Prof. Schewe. Upon consideration of the record from the hearing and the extensive materials submitted prior thereto, for the following reasons, it is the decision of the Board that Prof. Schewe be dismissed from the University of Illinois and, further, that such dismissal shall be effective immediately.[[1]](#footnote-1)

**Procedural Background**

 Paul Schewe is an associate professor in the Department of Criminology, Law, and Justice (“CLJ”), a part of the College of Liberal Arts and Sciences at the University of Illinois Chicago. On August 12, 2018, the Office for Access and Equity (“OAE”) received a series of written complaints from six former and current graduate students in the CLJ Department alleging improper sexual conduct by Prof. Schewe. Over the next several months, OAE conducted an investigation into those complaints. While OAE’s investigation was limited to the narrow question of whether Prof. Schewe’s conduct violated the UIC Sexual Misconduct Policy, OAE concluded that concerning behavior outside of OAE’s jurisdiction warranted further investigation by the University.

 In May 2019, the University retained outside counsel to investigate the concerning conduct uncovered by OAE. The outside investigation substantiated much of the misconduct discovered by OAE. As a result, on June 12, 2020, President Killeen consulted with the Faculty Advisory Committee (“FAC”) of UIC regarding the potential for written charges of dismissal against Prof. Schewe pursuant to Article X, Section 1(e) of the University *Statutes*. The members of the FAC recommended unanimously that the University move forward with Article X proceedings. On July 10, 2020, Chancellor Michael Amiridis then filed a written Statement of Charges for Dismissal pursuant to Article X.

 CAFT held seven days of hearings on March 18-20, March 29, March 31, April 1 and April 3, 2021. At these hearings, CAFT received evidence, heard testimony, and the presentations of counsel for the University and Prof. Schewe.

 On June 21, 2021, CAFT issued its Report in the Matter of Professor Paul Schewe. CAFT concluded: “A majority of the Committee on Academic Freedom and Tenure recommends that Associate Professor Paul Schewe be dismissed from his duty with the University of Illinois (“University”) for due cause and his tenure be terminated.” (CAFT Report at 1)

 Following CAFT’s issuance of its report, President Killeen timely submitted his recommendation to the Board of Trustees that Prof. Schewe be terminated pursuant to Article X of the University *Statutes.* Prof. Schewe requested a hearing before the Board of Trustees, as is his right under Article X. The Board of Trustees then held a hearing to consider the charges against Prof. Schewe on January 20, 2022. Having reviewed the record of the CAFT Proceedings, received the presentations of counsel for the University and Prof. Schewe, and having deliberated on this matter following that hearing, the Report of the Board of Trustees is as follows:

 **Standards For Dismissal Under Article X**

 Article X of the University *Statutes* provides:

Due cause for dismissal shall be deemed to exist only if (1) a faculty member has been grossly neglectful of or grossly inefficient in the performance of the faculty member’s university duties and functions; or (2) . . . a faculty member’s performance of university duties and functions or extramural conduct is found to demonstrate clearly and convincingly that the faculty member can no longer be relied upon to perform those university duties and functions in a manner consonant with professional standards of competence and responsibility; or (3) a faculty member has while employed by the University illegally advocated the overthrow of our constitutional form of government by force or violence.

University *Statutes*, Article X, § 1(d). The *Statutes* also provide that in the event the President refers charges to the Board, a faculty member may request a hearing before the Board and that at that hearing, the faculty member:

Shall have the right to appear at the hearing, with counsel if desired, to reply to the charges and to present evidence. Counsel for the University shall represent the university administration at the hearing and shall have the right to present evidence in support of the charges.

*Id.* at §1(e)(7). Finally, the *Statutes* provide:

The board will give due consideration to the findings, conclusions, and recommendations of the Committee on Academic Freedom and Tenure, and the remainder of the record relevant to the charges before said committee, and in all cases where a report was made by the committee will invite a member of the committee designated by its chair to attend the hearing and make a statement before the board.

*Id.* At the January 20 hearing, the Board invited Prof. George Papadantkonakis, the former Chair of CAFT and a member of the CAFT Hearing Committee, to attend the hearing before the Board. Prof. Papdantkonakis did so, and provided a report on CAFT’s deliberations and conclusions.

**Factual Background of Charges**

 The numerous acts of misconduct by Prof. Schewe that formed the basis for the written charges before the Board of Trustees included: 1) social interactions with graduate students that involved physical touching in anticipation of sex; 2) texting pictures to graduate students of sexually suggestive situations in order to encourage them to attend social events with Prof. Schewe; 3) hosting boat parties with a focus on excessive levels of drinking and marijuana; 4) displaying pictures of naked women on his University computer in full view of University students; 5) storing pornographic images and videos on his University computer; and 6) hiring or attempting to hire a post-doc student with whom Prof. Schewe was romantically involved.

 The record presented at the CAFT hearing established that each of the events had occurred as charged. Specifically, testimony and documents demonstrated that Prof. Schewe used a friend’s boat and his own apartment for a series of parties and events beginning in the summer of 2016. The testimony established that the events on the boat and at the boat dock involved alcohol and marijuana and often had a “carnival atmosphere” that was like a “nightclub” or “block party.” CAFT received testimony and documents establishing that attendance at these events went beyond occasional voluntary participation. Instead, Prof. Schewe actively solicited students to attend and would then repeatedly follow up when students politely declined. As CAFT stated: “It’s the responsibility of the faculty to establish boundaries and to monitor them and to enforce them if they need to. If in the case that a student wasn’t enforcing them, it’s the responsibility of a faculty member to establish and reinforce boundaries.” Here, Prof. Schewe not only did not establish appropriate boundaries, he repeatedly encouraged students to violate the boundaries they had set for themselves. This is the polar opposite of the behavior we expect and demand of our faculty.

**Discussion**

 Pursuant to Article X, the questions which this Board must determine are whether Prof. Schewe has been “grossly neglectful” of his duties and/or whether he “can no longer be relied upon to perform [his] university duties and functions in a manner consonant with professional standards of competence and responsibility.” In considering these questions, we must also determine that the evidence supports any conclusions we reach by “clear and convincing” evidence.[[2]](#footnote-2) Finally, while any conclusions we reach must be those of this Board alone, we must give “due consideration to the findings, conclusions and recommendations” of CAFT and the record before that Committee.

 Taking all of the evidence submitted to the Board into consideration, we conclude that the record clearly and convincingly establishes that Prof. Schewe has been grossly neglectful of his duties and that he can no longer be relied upon to meet the standards of competence and responsibility required of our faculty members. We further agree that this conclusion has been established clearly and convincingly by the materials submitted to us and the testimony we have heard.

 We agree, therefore, with the conclusion of the CAFT majority:

Professor Schewe’s inappropriate interactions with Graduate Students were a result of (i) gross negligence in the performance of the faculty member’s duties and functions within the University of Illinois System, and demonstrate clearly and convincingly that (ii) Professor Schewe can no longer be relied upon to perform his duties and functions within the University of Illinois System in a manner consonant with professional standards of competence and responsibility.

CAFT Report at 4. We also agree with the CAFT majority concerning Prof. Schewe’s use of computers provided and maintained by the University to store and display materials of a pornographic nature. Specifically, we agree with the CAFT majority when it stated:

Professor Schewe abused university resources and technology when using his university owned desktop computer. After examining evidence, the majority determined that downloading and storing pornographic images and videos, and engaging in inappropriate Skype communications that includes a sexually explicit video chat screenshot on the university owned desktop computer constitutes a misuse of the University’s resources and technology.

CAFT Report at 4.

 Finally, the Board must address Prof. Schewe’s objection to the inclusion of allegations involving his conduct at a November 2, 2017, party at his home. Prof. Schewe contends that these allegations were not specifically part of the written charges against him, which he contends were limited to allegations involving “boat parties.” Prof. Schewe further contends that the primary accuser against him lacks credibility and should not be accepted as truthful. Given that this was the bulk of Prof. Schewe’s defense, we wanted to address these two points directly.

 First, while the specific events of November 2, 2017, were not addressed directly in the written charges, the general subject matter of Prof. Schewe’s inappropriate behavior with students was made explicit and provided sufficient notice to Prof. Schewe that a defense on those matters was in order. Second, the University’s presentation to the Board made clear that it was not relying on the credibility of any witness other than Prof. Schewe himself. Counsel representing the University made clear that it was relying solely on Prof. Schewe’s own statements regarding his conduct that evening and his subsequent emails regarding his behavior. Accordingly, the accuser’s credibility was not at issue. Prof. Schewe was more than capable of explaining his own statements and emails and thus he cannot contend to this Board that he was denied the opportunity to prepare a defense.

 As the governing body of a University System consisting of more than 90,000 students, our paramount concern must be the safety, well-being and development of those students. We demand of our faculty that they make the appropriate decisions and model the appropriate behavior to protect our students. By any measure, Prof. Schewe’s behavior fell far short of the standards we demand of our faculty. Prof. Schewe’s misconduct demands that his tenure be terminated immediately.

**Consideration of Immediate Termination**

 Having found that due cause exists for Prof. Schewe’s termination, we must next consider whether Prof. Schewe’s termination shall be one-year from the date of this report or whether “an earlier effective date is justified by the gravity of the appointee’s conduct in question.” University *Statutes,* Article X, § 1(e)(7). We find that the conduct charged and demonstrated here by clear and convincing evidence is of sufficient gravity to warrant Prof. Schewe’s immediate dismissal.

 Specifically, we strongly agree with the CAFT majority’s statement:

The faculty-student relationship stands as one of the principal pillars of the student learning experience. It is a relationship that is built on confidence, respect, and trust. . . . A charge of inappropriate interactions with students strikes at the core of the faculty-student relationship. The facts presented to the CAFT suggest that Professor Schewe is unfit to be a role model and mentor for the students, nor can he continue as a representative of the University. Regrettably, the majority concluded Professor Schewe lacks integrity, is not trustworthy, and is unreliable.

CAFT Report at 2-3. The Board of Trustees has reached the same conclusion. Prof. Schewe’s misconduct goes to the very core of the University’s mission. He has violated the trust and security of our students; we cannot imagine misconduct of deeper gravity or of more fundamental importance to the University. Prof. Schewe’s termination must be effective immediately.

**Conclusion**

 WHEREFORE, the Board of Trustees of the University of Illinois concludes that the record before us clearly and convincingly requires the dismissal of Prof. Paul Schewe for cause. Further, given the gravity of the misconduct in question and its impact on the University and our students, we unanimously conclude that this dismissal should be effective immediately. The Board further directs President Killeen to take all such administrative actions necessary to enforce the terms of this directive.

1. The three student trustees did not participate in the consideration of this matter as it involved issues of tenure. See 110 ILCS 310/1. [↑](#footnote-ref-1)
2. We note that the *University Statutes* appear to provide two evidentiary standards for the consideration of “due cause”: a conclusion that a professor “may no longer be relied upon . . .” must be demonstrated “clearly and convincingly”; a conclusion that a professor has been “grossly neglectful” in the performance of his or her duties does not require this additional evidentiary burden. The *Statutes* do not offer any explanation for why past misconduct might be evaluated under a different evidentiary standard than is to be applied to a professor’s potential for future misconduct. Whatever the basis for this distinction might be, however, we do not find this distinction important here. We find that the evidence establishes “clearly and convincingly” that due cause exists for Prof. Schewe’s dismissal under Section 2 and Section 3. [↑](#footnote-ref-2)