

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE
PRE-FILED RESOLUTION
(Final; Action)

RS.20.01 Resolution to Produce Information on Sexual Harassment Cases

WHEREAS, one of the University's missions is to foster a campus environment that is free from all forms of discrimination, sexual harassment, and other forms of sexual misconduct;

WHEREAS, the Senate's primary source of information regarding complaints of sexual misconduct by faculty has come from recent media reports, which have identified seven members of the faculty or staff who have been subjected to complaints of sexual harassment or assault in recent years;

WHEREAS, these media reports were based largely on information obtained from interviews and/or FOIA requests, and so cannot be relied upon to paint a complete picture of the University's current climate with respect to sexual harassment by faculty and staff;

WHEREAS, the University has created several task forces, including a Committee on Faculty Sexual Misconduct, to review and develop campus policies to address sexual harassment and related forms of sexual misconduct more aggressively, expeditiously, and fairly;

WHEREAS, the Senate will likely need to play a role in helping implement some of the recommendations of these task forces;

WHEREAS, the Senate will be in the best position to determine how to play such a role if it understands the nature and extent of any problems with the current response system;

WHEREAS, the University's annual climate surveys provide a rich and empirically well-validated source of data to understand many issues relating to campus climate, but these standard surveys have not yet separated out complaints against faculty and staff from other data;

WHEREAS, the University's methods for handling complaints of sexual misconduct by faculty can raise special questions and considerations;

WHEREAS, the Chancellor has agreed to provide historical data on reports of sexual misconduct to help the Senate understand the current state of the campus climate relating to sexual misconduct by faculty, consistent with any governing laws and in manners designed to prevent dissemination of any personally revealing or identifying information about complainants; and

WHEREAS, the Committee on Faculty Sexual Misconduct's Report and Recommendations will include recommendations that the University begin producing regular, statistical reports on how cases of sexual misconduct have been handled;

THEREFORE, be it resolved, that the Senate, in order to help it play a supportive role in understanding and implementing any needed policy reforms that are needed, formally requests the Chancellor of the Urbana-Champaign, or his designee, to:

1. Create a report containing aggregate statistics relating to sexual misconduct reports against faculty or staff by academic year starting from July 1, 2014 and ending on June 30, 2019 and designed to help the Senate understand the nature and extent of any historical problems;
2. To be maximally useful, the report should aggregate reports of sexual misconduct by the categories found in the Sexual Misconduct Policy, i.e., sexual assault, sexual exploitation, sexual harassment, stalking, and domestic/dating violence. See <https://cam.illinois.edu/policies/hr-79/>.
3. For each such category, and to the extent that historical data permits, the report should ideally indicate what percentage of cases reported (1) were formally investigated; (2) were handled informally (i.e., without a formal investigation); or (3) led to no action against the respondent.
4. For cases that led to formal investigations, and to the extent that historical data permits, the report should ideally indicate what percentage of cases led to findings of (1) violations of the Sexual Misconduct Policy; (2) violations of the Campus Code of Conduct; or (3) findings of no violation.
5. For cases that produce formal findings of misconduct, the report should indicate what percentage resulted in (1) negotiated settlements, (2) sanctions involving only letters of expectation, (3) sanctions involving suspensions, and (4) sanctions involving termination and/or non-renewal. This data should be split as between tenured or tenure stream faculty respondents and other employee respondents.
6. For cases that were handled informally, and to the extent that historical data permits, the report should indicate what percentage produced (1) negotiated settlement agreements; (2) educational talks; (3) remedies to work or academic access; or (4) other informal results. To the extent that historical data exists, the report should indicate whether informal resolutions were requested by the complainant.
7. For cases where no action was taken, the report should indicate the reason why: e.g., complainant requested no action, complainant chose not to participate in an investigation, the report was anonymous and there was insufficient evidence to proceed.

8. For cases that involved settlements, the report should indicate the percentage that included (1) temporary separations, (2) permanent separations, and/or (3) confidentiality agreements.
9. For all cases, the report should indicate that time from report to the time of a formal or informal resolution; and, in cases of a formal finding of a violation, the time from finding to sanction. The report should indicate whether the respondent was or was not paid during that time;
10. Such a report should be produced in time for review by the Senate meeting held on December 9, 2019.

Submitted by senator
John Bambenek