

Senate Input on Policy on Consideration of Sexual Misconduct in Prior Employment

Total submissions: 120

Status: terminated

Type: PDF Summary with Answers

ID: 8148066

1. Do you have any comments on how this policy was developed procedurally? Count

	Answered	Count
	Answered	47
	Skipped	73

1. No

2. No

5. no

7. no

9. no.

11. No

12. Jo

16. No.

21. None.

26. None

27. No

31. No.

32. No

33. None

35. N/A

36. I am concerned about the last steps of this, particularly the consultation with the senates portion and the implementation mechanics. On the former, the turn-around time for the senate input means that each senate may not have time for a full senate meeting to be deliberative in its feedback. On the latter, the implementation is still unclear to me--especially if this will be iterative. Will this be revisited annually and/or what compels attention to this policy at later dates? And does each campus still need to develop campus-specific policies?

39. no

40. no

51. Same comment as on previous policy: Thoughtful, systematic review by elected representatives of faculty and staff has not occurred.

52. no

54. No.

56. no

59. no

61. No

62. No

63. No.

65. No.

68. Appropriate

72. No

77. Under 2.0 above, it is stated, "The committee also performed polls of faculty, students, and staff, in order to determine what sorts of policies would be best supported by the Urbana communities." As I asked in the Intimate Relationships feedback, how were the individuals selected to receive these polls, what fraction of the fac/staff/employees were sent the polls?

79. This policy was also extensively considered, with the input of various relevant parties. I support it without reservation.

81. None

82. no

84. I think this policy was also developed with a lot of incredible work and insight and thought. It is likely to be easier to implement and obtain support from the Urbana campus stakeholders because it parallels the recommendations they've already considered re: developing a background check program. I think it will still be important to get stakeholder input at the implementation stage, to ensure people feel heard. But I predict it will be easy enough to move forward and pick up support and socialization and some useful ideas and input along the way. I would still recommend getting appropriate input from stakeholders through studies and input during the first year.

88. No

89. No

93. none

94. i just wonder how people get appointed to these committees?

96. No.

99. no

100. None

103. This seems fine.

105. This policy is more clear cut. A little more feedback time might have been beneficial but not essential.

107. None

112. No

113. No

117. Yes, it was overladen with administrative, legal, and HR people whose primary concern is providing legal cover for the Board and administrators in general, not with the consequences for students, staff, and faculty for either being victims or being mangled by administrative investigative processes. Surely the SEC can do a count to see how few faculty have been involved in these groups. From personal experience with groups involving similar kinds of policy developments, the faculty voices in such groups are invariably marginalized. So it is hard to have any faith in this policy.

2. Do you have any comments on how the Senate or its committees should study this policy and develop recommendations to improve local implementation over the coming year? Count

Answered	44
Skipped	76

1. No

2. No

5. Statutes and Senate Procedures will likely have to be involved if this policy creates changes that require language to be changed in senate documents.

7. no

9. no.

11. No

12. No

16. No.

21. None.

26. Not at this time.

27. No

31. No.

32. No

33. None

35. N/A

36. I would be good to include some attention to the impact of this via our Senate's GUP committee.

39. no

40. no

51. Urge that implementation be delayed for one year so that a policy of this importance can be considered absent an artificial deadline and without the presence of an unprecedented health crisis that prevents full debate and discussion.

52. no

54. No.

59. no

61. No

62. No

63. No.

65. No.

72. No

77. *It appears there was broad input on both counts.*

79. *n/a*

81. *Enough patience to generate an informed experience of the impact of the policies and the logistics of the process - giving adequate time before discussing/implementing modifications/improvements.*

82. *no*

84. *Yes, just get additional input from committees and other stakeholders via studies that allow for some voice in implementation and development of the policy as we learn more over the year.*

88. *No*

89. *No*

93. *none*

96. *No.*

99. *no*

100. *None*

103. *Abundant clarity. We should do what we are able to make sure that the policy is clear and executable.*

105. *As the policy is rolled out its impact should be assessed to see if any fine-tuning is needed.*

107. *None*

112. *No*

113. *No*

117. *It is probably a good way for the Senate and its committees to waste time in working on these. The administration, along with a few complying faculty, and the Board are going to exactly what they and their legal team says. So the Senate would be accomplishing more by organizing a picnic.*

3. *Do you have any comments on the general policy statement, scope, or definitions section of this draft policy?* Count

Answered 56

Skipped 64

1. *No*

2. *No*

3. *Illinois law may be different from law in other states or other countries. Should this include alleged conduct that would be a violation according to Illinois law? What about retaliation? Is that within scope? By documented conclusion, does this include investigations that were inconclusive or that stopped full of complete exoneration, or still in progress? How will this be applied to foreign applicants? US applicants may have been at institutions subject to Title IX. Are foreign applicants exempt? What about court orders for stalking or domestic violence? Are those dealt with elsewhere? Does this apply to applicants who initiated complaints that were not validated?*

5. *no*

7. *no*

9. *It may be problematic to look at "previous findings of sexual misconduct" if the definition of misconduct varies from our local definition. Also, there is no way to investigate whether the procedure at the former institution was fair.*

11. No

12. No

16. No.

21. None.

26. None.

27. No

29. *Why are the following exempt from having to report being found against for sexual harassment or misconduct? "Excluded from this policy are extra help, academic hourly, graduate students, undergraduate student employees, pre- or postdoctoral fellows, volunteers, individuals appointed to non-paid positions, and contractors."*

31. No.

32. No

33. None

35. N/A

37. *Why would this exclude non-paid visitors?*

39. no

40. *Graduate workers are employees as well.*

41. *The intent here is good, but the potential consequences are dire and injurious to the university and those that Illinois interacts with. This comes from dealing with multiple claims against others and watching them play out. The institutional consequences of this policy are that nobody, once accused, would cooperate with a Title IX investigation at all. They would immediately hire legal counsel and fight to the death. The potential of actually adjudicating cases, getting individuals to admit guilt, and providing reconciliation for victims would decrease, all in the name of some abstract concept of "purity" that you would institutionally inflict on others. If I were a dean at another campus, I wouldn't allow you to have access to these records even if the applicant waived their right to confidentiality. The reason is simple - once it's out of my sight, I don't control it and it will interfere with other Title IX investigations I'm conducting once it is known. The "waiver" wouldn't get you diddly once my university's lawyers got ahold of it. In short, I don't really think you know what you're unleashing here. As a former administrator and a current one in some quarters, I don't think you understand how or where the structure of incentives will change, and the current Title IX system is a very flimsy basis for promoting a policy like this. VERY thin. Neither the rights of the accused nor the rights of the accuser will be served by this system. You won't be protected as a hiring university because, in fact, you won't get the data you ask for from the universities you contact. Once implemented and spread, nobody will cooperate with a Title IX investigation again, ever or anywhere. You won't be "protecting your community" from anything because you won't in fact get anything.*

47. no problem

48. *These definitions are very vague and rife for abuse inside the hiring process. You need to consider a strong qualifier: "a finding that resulted in termination, suspension, or disciplinary sanctions". Otherwise these definitions will bring in a morass of vague findings from informal processes that are impossible to adjudicate. It has to be concrete enough that their own institution acted in some significant way to discipline the individual. See the case of Laura Kipnis - your policy would probably render her unemployable.*

51. *Allegations shouldn't disqualify someone, but so many institutions allow violators to escape an actual finding of misconduct that these definitions become essentially meaningless in actual practice.*

52. *No*

54. *No.*

55. *My understanding is that a number of investigations by Universities related to Title IX have been declared illegal by state or federal courts. Would such an investigation be part of this definition. Suppose there was a finding by a University investigation that concluded sexual misconduct, but this investigation was declared by a state and/or federal court to have been illegal. Would this definition still apply?*

56. *no*

59. *no*

61. *No*

62. *No*

63. *No.*

65. *No.*

68. *Appropriate*

72. *No*

74. *Does anyone really want to delay the hiring process further?!*

77. *Under Scope, what's the difference between the postdoctoral fellow and the Post-Doctoral Research Associate in terms of having to abide by the same standards of behavior? Don't both have to abide by System policies?j If not, explain*

79. *n/a*

81. *None*

82. *no*

83. *No*

84. *I've given some minor comments as part of the implementation committee. I think this is excellent and generally moving in the right direction. Suggestions for revisions are minor and should be considered part of implementation process.*

88. *No*

89. *No*

93. *This is all about timing - when to initiate background checks - and the policy strikes me as reasonable.*

94. *no*

96. *No.*

99. *no*

100. *None*

103. *This seems fine.*

105. *This looks fine.*

107. None.

112. No

113. No

114. "Conduct that violates current or FORMER employer's POLICIES." One is to become a registered sexual harasser for life for having supposedly violated an arbitrary set of norms set by a random entity with no standards for due process? Or the equivalent, whatever it means.

117. The major hole in this entire policy, and the condition that should send it back to be re-done has to do with "findings." While there a few words about "documented conclusion," no idea is provided to suggest what a "conclusion" or what constitutes "documentation." An even bigger gaping hole is there is nothing offered about what are the standards that are used to say how the "conclusion" can be arrived at. This opens up the door to a significant lack of due process.

4. Do you have any comments on these requirements relating to duties to disclose? Count

Answered	54
Skipped	66

1. No

2. No.

3. What if there is a nondisclosure agreement? Sealed court documents?

5. no

7. no

9. I think they should have to disclose this information.

11. No

12. No

16. No.

21. None.

26. None

27. No

31. No.

32. No

33. None

35. N/A

39. no

41. see page 3.

47. no

48. There is no acknowledgement here that you are dealing with matters outside the civil and criminal process, i.e. fundamentally of highly uneven quality in their findings. You need to set a concrete bar: what did their institution at the time do in response ?

51. *Same comment as before. Self-reporting of definitive findings is at best a net with many very broad holes in it.*

52. No

54. No.

55. *Again, how do you handle a case in which a state or federal court has ruled against an investigation conducted by a University. Does this finding need to be revealed or not, if the procedure was ruled illegal?*

56. no

59. no

61. No

62. No

63. No.

65. No.

68. *Appropriate*

72. No

74. *This all seems OK. No need for background checks here.*

77. No.

79. n/a

81. None

82. no

83. No

84. *Again, I have some minor ideas, but will pass them by implementation committee. I think this is excellent on the whole.*

88. No

89. No

93. none

94. *I am just a bit cautious based on the historical knowledge that these policies are sometimes used against minorities and sexual minorities... I would like an additional layer that is sensitive to these issues*

96. No.

99. no

100. None

103. *This seems fine.*

105. *This looks fine.*

107. None.

112. No

113. No

114. How far back will it go? How much will it cost? What good will it do?

117. The issue with "findings" arises here. If an employee were being hired from within the UI System, and if there were a proper solution to the definitional problems of "finding" and "conclusion" then it would be reasonable to ask a candidate to disclose such. However, when a candidate is from the outside, on what basis can we have confidence that some other institution's "finding" or "conclusion" made a decision comparable, above, or below our standards?

120. I'm confused about what appears to be an inconsistency between section B and section F on the consequences of failing to respond to an inquiry or signing the authorization. In Section B, it says failure *"*will* result in withdrawal of any contingent offer of employment and removal from further consideration."* Section F, meanwhile doesn't mandate removal from consideration, simply saying failure to respond *"will be *grounds for* removal of a candidate from further consideration."* Failure to respond or comply should automatically result in the withdrawal of the offer.

5. Do you have any comments on the requirements relating to findings and consideration of findings? Count

	Answered	54
	Skipped	66

1. No

2. No.

5. no

7. no

9. Again, it may be difficult to make sure the investigation at the previous institution was fair.

11. No

12. No

16. No.

21. None.

24. I am glad to see language about "good faith effort" and the candidate being permitted an opportunity to explain.

26. None

27. No

31. No.

32. No

33. In section e one bullet point seems to be missing from the pdf version we were emailed (rehabilitation)

35. N/A

39. no

41. see page 3

47. none

48. These are non-criminal and non-civil findings. The process seems unworkable to me. Unless the action taken by the institution was significant: termination, suspension, or financial sanctions

(and therefore somewhat clear and/or defensible against adverse reference litigation), I can't see how this process could be administered.

51. The procedure is overkill. Previous steps mean you're very unlikely to ever identify an actual problem. Multiple procedures for dealing with it seem meaningless.

52. No

54. No.

55. Same as before. What if the University finding was through a procedure that a state or federal court later ruled to have been illegal.

56. no

59. no

61. No

62. No

63. No.

65. No.

68. Appropriate

72. No

74. This does not seem agreeable at all. Ask someone, if there actions cause one to question their background, then start the search. We should not delay hiring approvals further.

77. No.

79. n/a

81. None

82. no

83. No

84. Excellent as a whole. I notice evidence of rehabilitation isn't on the list here--but I think it is on the document you sent out in pdf form to the Senate.

85. There is no basis to assume that former employers will be willing to provide the requested Findings to the University. In general, former employers will, typically, be other universities and research institutes. To effectively address this issue will require the organization of a concerted effort across a large group of universities and research institutes to formulate a protocol on which the group can obtain consensus. In this way, there will be a basis to obtain the Findings without the introduction of unnecessary delays. There is a second matter that will require the attention of the Senate. In cases of noncompliance to a Findings request, the reliance on University HR raises too many questions. This situation is one that calls for the Senate to formulate a set of guidelines of the procedure to be used by HR, to ensure that there is a consistent and fair process to deal with the missing information.

86. I am afraid the survey committee will predictably err on the side of caution by not hiring candidates with some kinds of a black mark against them. Perhaps some input from the hiring unit level may be helpful.

88. No

89. No

93. none

94. *if it occurred*

96. *No.*

99. *no*

100. *None*

103. *This seems fine.*

104. *I'm confused by this sentence: "Before extending an offer of employment to a final candidate, the respective human resources office will contact the appropriate prior employer(s), as deemed appropriate." What are the criteria for deeming contact appropriate? Shouldn't the policy just be that the HR office will contact all prior employers no matter what? And what about the huge amount of unpaid work academics tend to do: will we only contact employers or will we also contact folks who run internships etc?*

107. *None.*

112. *No*

113. *No*

117. *Without some significant amount of detail about the standards to which "findings" are found, it is a very dangerous move to be keeping a database like this. The suggestion of the database is very alarming, especially without any meaningful specifications for how its security will be maintained and its integrity assured. Given the uneven representation of faculty to administrators on the various committees, there is every reason to be suspect of this provision.*

6. *Do you have any comments on confidentiality and retention?*

Count

Answered

47

Skipped

73

1. *No*

2. *No*

5. *no*

7. *--*

11. *No*

12. *No*

16. *No.*

21. *None.*

26. *None*

27. *No*

31. *No.*

32. *No*

33. *None*

35. *N/A*

39. *no*

41. *see page 3. There is utterly no way this will stay confidential and you know it. This is one of the major reason for my observations in 3.*

47. *OK*

51. *This section actually says nothing.*

52. *No*

54. *No.*

56. *no*

59. *no*

61. *No*

62. *No*

63. *No.*

65. *No.*

68. *IS it lawful to maintain the candidate's record even U of I decline to hire the applicant?*

72. *No*

74. *If I were applying here, there is nothing that would "feel" confidential about this process. Nor, if one wants to appeal, would such a process.*

77. *No.*

79. *n/a*

81. *None*

82. *no*

83. *No*

84. *All good--knowing that the implementation committee will have small improvements to make.*

88. *No*

89. *No*

93. *none*

94. *no*

96. *No.*

99. *no*

100. *None*

103. *This seems fine.*

107. *None.*

112. *No*

113. *No*

117. *As with the document on intimate relations, the this proposal needs to name or reproduce the policies on confidentiality and retention that are being invoked here. Among other things, on what conditions, short of a subpoena, would the HR folks release information on investigations, findings, and conclusions that result from the process?*

7. Do you have any comments on the section on external inquiries made to the University? Count

Answered 52

Skipped 68

1. No

2. No

3. *What does submission of its own authorization documents mean?*

5. *There should be a mention of good faith to share relevant materials with external parties, in particular after our failure to do so in the past.*

7. --

11. No

12. No

15. *I think it is very important that we be a responsible former employer and release findings as appropriate to other institutions. We need to avoid and no longer employ NDAs. While they were a useful tool in the past, the create a culture of secrecy that perpetuates further victimization.*

16. *I am somewhat concerned that a powerful person within the University might have influence over SHRO to deflect an inquiry. If you limit the places where one can inquire, you make it easier to cover up.*

21. None.

26. *I think the last sentence might require some clarification. There may need to be some clarification as to the conditions upon information can and will be disclosed to external parties.*

27. No

31. No.

32. No

33. None

35. N/A

39. no

41. *How many hundreds of thousands of dollars are you prepared to spend to defend yourself here?? This requires that our Title IX system be absolutely rock solid.*

47. *could have faculty and staff participation*

48. *See earlier comments on adverse reference legal precedents and legal liability this raises for the institution.*

51. *No far from being meaningless.*

52. No

54. No.

55. *"applicable laws and authorizations provided": Whose laws?*

56. no

59. no

61. No

62. No

63. No.

65. No.

68. *Appropriate*

72. No

74. *So--we can slow your request down to protect our processes, and one should expect others will do the same. Especially ones that may not have been requested of such information before.*

77. No.

79. n/a

81. None

82. no

83. No

84. Nope.

85. *I replay my comments here for an earlier item, as they are equally appropriate for this matter. There is no basis to assume that former employers will be willing to provide the requested Findings to the University. In general, former employers will, typically, be other universities and research institutes. To effectively address this issue will require the organization of a concerted effort across a large group of universities and research institutes to formulate a protocol on which the group can obtain consensus. In this way, there will be a basis to obtain the Findings without the introduction of unnecessary delays. There is a second matter that will require the attention of the Senate. In cases of noncompliance to a Findings request, the reliance on University HR raises too many questions. This situation is one that calls for the Senate to formulate a set of guidelines of the procedure to be used by HR, to ensure that there is a consistent and fair process to deal with the missing information.*

88. No

89. No

93. none

94. *not sure what this means? for example that professor who moved on to another position because our university did not disclose... is this what this means?*

96. No.

99. no

100. None

103. *This seems fine.*

107. *None, this sounds perfect.*

112. No

113. No

117. My prior comments have all touched on shabbiness of the processes outline around the reporting. We should not entrust the decision on such releases to outside unless there is specific, ongoing faculty consultation involved in the implementation of this part of the process.

8. Do you have any comments on the section on implementation responsibility? Count

	Answered	Count
	52	
	Skipped	68

1. No

2. No.

5. no

7. --

11. No

12. No

16. No.

21. None.

24. This will definitely add work for departmental human resources staff, and I wonder how any findings would be communicated to search committees or other hiring groups/individuals who are involved in selecting candidates.

26. None

27. No

31. No.

32. No

33. None

35. N/A

39. no

41. Candidates, in fact, have no control over the information you have in (1) and no university in their right mind would grant it to them. It will harm the future conduct of their own title IX investigations.

46. I am confused as to why Equity and Diversity is involved.

47. OK

48. You can't curate information that is of such irregular quality. These are not civil or criminal findings. Disciplinary actions maybe but these investigations will likely be very uneven in quality.

51. A huge loophole in privacy is created in the third bullet of the last section.

52. No

54. No.

55. What do you do if a finding by a University is the subject of an ongoing law suit in state or federal courts?

56. no
59. no
61. No
62. No
63. No.
65. No.
68. Appropriate
72. No
74. No, no, no. Without cause, I don't think one should require permission to invade ones privacy.
77. No.
79. n/a
81. None
82. no
83. No
84. Fine.
85. *I believe that the Senate may wish to provide a set of guidelines for access, use and cyber security of such data. I further question the need to store such data in a central depository. Certainly, it makes the job of a hacker easier but the need for centralization is questinable.*
88. No
89. No
93. *none, except to emphasize the need for tight cybersecurity concerning the centralized database for findings [but this is generally true for all personnel matters].*
94. *I do wish this were being done by a body independent of the university*
96. No.
99. no
100. None
103. *This seems fine.*
107. None.
112. No
113. No
117. *If, the substantial problems identified in my comments for 1-7 were not so great, these implementation responsibilities would be reasonable. But given the imprecision of the other elements of this policy proposal, the implementation responsibilities should be deferred until the rest of the problems are fixed.*

9. Do you have any comments on the section on period review and assessment?

Count

Answered	47
Skipped	73

- 1. No
- 2. No.
- 3. *The initial review could be sooner, say initially after one year and every three years thereafter*
- 5. no
- 7. --
- 11. No
- 12. No
- 16. No.
- 21. None.
- 26. None.
- 27. No
- 31. No.
- 32. No
- 33. None
- 35. N/A
- 39. no
- 47. good
- 51. *Why not review it BEFORE it is implemented instead of this sort of half-review of doing a web poll?*
- 52. No
- 54. No.
- 56. no
- 59. no
- 61. No
- 62. No
- 63. No.
- 65. No.
- 68. *Appropriate*
- 72. No
- 74. *The background check "revue" was not accurate nor honest. The policy has had more detrimental effects upon hiring than claimed. I would not trust this review to be anymore useful as politics will demand it determine there's been "no harm done" regardless of what the policy actually accomplishes.*
- 77. No.
- 79. n/a

81. None

82. no

83. No

84. *This is important. Also important to bring in as much stakeholder input to this process as possible to help maintain widespread support and socialization of the policy. I don't think this will be very controversial, given the Senate support of 113-1-5 on needing such a policy.*

88. *Good idea to conduct period reviews.*

89. No

93. none

94. no

96. No.

99. no

100. None

103. *This seems fine.*

107. *I appreciate the requirement to review the policy every 3 years. I am glad that this policy requires a report to be collected and presented and I hope that this particular point is heavily enforced.*

112. No

113. No

117. *The shallowness of the review process for the existing background policy gives little confidence that periodic review of this new layer of background checks will be sufficient to ensure its integrity. The review should be external and not driven by the HR and legal folks who are the ones who will be doing the ongoing implementation of the policy. We do not need more foxes guarding the hen house.*

10. *Below, please check up to four sections that you think need or deserve the most Senate or faculty input at the implementation phase, both in the short term and over the next year, as these high-level policies are given concrete implementation.*

Percent

Count

	Percent	Count
Policy Statement, Scope, and Definitions	20%	24
Duty to Disclose	24%	29
Findings and Consideration of Findings	45%	54
Confidentiality and Retention	31%	37
External Inquiries Made to the University	33%	39
Implementation Responsibility	37%	44
Periodic Review and Assessment	22%	26

11. Do you have any other comments on the policy in general or any of its provisions? Count

Answered	48
Skipped	72

1. No

3. *It may work well with domestic applicants who are subject to Title IX but may need to consider alternative procedures from non-US applicants.*

5. *All of the above are equally important, without focusing on all, a ball will be dropped.*

7. --

11. No

13. *No - again, thanks to all for the dedication and careful work that has already gone into this policy.*

16. *This seems like a very good idea, provided one can trust people to follow it.*

21. None.

26. None

27. No

29. *Unless I am missing something, in V.4 of the policy it seems that faculty and graduate student relationships are prohibited when the individuals are in the same department or program. But the policies on relationships between faculty and graduate students in different departments or programs are not specified - is this intentionally left vague?*

31. No.

32. No

33. *It seems that weighing various considerations will be difficult--how much (and with how much integrity) would 'subsequent conduct and work history' or 'rehabilitation'--NB this appears to be missing from the survey version--have to be in order to outweigh how much bad previous conduct?*

34. *This is all fine!*

35. N/A

36. *I didn't see in this web version IV.f, "Failure to Respond, Disclose or Dishonesty" which is a catch-all that could be used to penalize someone who has been hired but had an issue prior to employment that they might not believe rises to the level of this policy. I'm not overly concerned, but with this item and the whole policy, I'm curious how severity of the offense, time since it occurred, steps taken to rehabilitate, etc., factor in.*

39. no

41. *This one needs work. SERIOUS work. The consequences of doing this wrong are millions of dollars in litigation and no adjudicated sexual harassment claims. I'm seriously disappointed. We don't live on a desert island. This plan is written as if we do.*

47. *OK except as noted*

48. *Administrative capacity (i.e. ability to handle complex administrative processes) is low within higher-education settings. This policy is way beyond the administrative capacity of most universities including UIUC. In my view this is a critical issue we need to address (prior sexual*

harassment findings) but the policy needs to be much much clearer and capable of being implemented.

50. Overall, I am not enthusiastic about this policy. I doubt it will work effectively because it expects job applicants and past employers to divulge very private information that often is not formalized. You can be sure that the level of candor will vary widely, and so we are inviting unequal treatment among our job applicants.

51. Why single out sexual misconduct. ANY misconduct is grievous -- misappropriation of resources, fabrication of research, abuse of students or employees. Are these somehow less significant to the university?

52. No

54. No.

56. no

59. no

61. No

62. No

63. No.

65. No.

72. No

77. In another document (Tentative Procedures Overview) I was sent to read over, under the first section entitled "Recruiting Process," it states, "If the applicant refuses to sign the "Authorization to Release Information" form, they will not be allowed to move forward in the search process." I would add a qualification to the end of this sentence: . . . , until the Authorization form is signed." This makes it clear that not signing the waiver was unintentional. It could simply have been an oversight. This can easily happen with online applications and there should be a safety net for someone who mistakenly did not see the required form or simply forgot to sign it before submitting the application. Of course, this depends on how the "Authorization to Release Information" form is presented to the applicant. If it is presented as a separate page at the end of the application and it's highly unlikely that the page was not seen, then one would consider that the applicant refused to sign the form. Anyway, I can see a slight ambiguity in the original statement.

79. n/a

81. None

83. None.

86. How much trust do we put in the ability of other institutions to investigate sexual misconduct? It seems we are relying on them being thorough and fair, while having no control over their procedures.

88. No

89. There should be serious consequences if an individual does not truthfully disclose information prior to signing a contract and that disparaging information is later discovered.

93. none

96. No.

99. no

100. None

107. *Reporting is essential with this policy. We as students do not want to be blind-sided by reports from external inquiries that reveal information that would have been good for us or faculty to know. It is unfair and unreasonable to hope that information remains "confidential" when that information could potentially put students at risk. It is therefore essential that as much as is appropriate and lawful that regular reviews and reports be made available to the Senate to allow information to be disseminated to students.*

108. No

112. Nope

113. No

117. *We need a policy that somehow deals with instances of employment-related sexual abuse of a person prior to appointment. But this policy has too many rough edges to be given much trust. It reads as if written to maximize the ability of administration to do it all. That is not something shared governance should be associated with.*

12. *Do you have any comments on the tentative procedures overview relating to the proposed policy on consideration of sexual misconduct in prior employment?* Count

	Answered	53
	Skipped	67

1. No

2. No.

3. No additional comments

5. no

7. --

11. No

12. No

15. *Thank you for this policy. It is so long overdue. We have electronic databases and an ability to fully vet candidates before we hire. This sort of thing should be expanded to include other employees who were terminated for cause.*

16. No.

21. None.

26. *The "Consideration of Findings" section might need a little tweaking and clarity.*

27. *Under "Collecting Information", I do not understand why tenure system faculty positions should be handled any differently from the other employment categories.*

31. No.

32. No

33. None

35. N/A

36. *In general, this is much needed and hopefully complementary with other aspects of our pre-employment background check policies.*

39. no

47. no

49. *All of this is fine unless you are the one falsely accused*

51. *I don't sign blank checks and I won't enforce "tentative" anything. Nor should anyone be expected to.*

52. No

54. No.

56. no

59. no

61. No

62. No

63. No.

65. No.

68. *Appropriate*

72. No

75. None

77. *In the Tentative Procedures Overview, under the first section entitled "Recruiting Process," it states, "If the applicant refuses to sign the "Authorization to Release Information" form, they will not be allowed to move forward in the search process." I would add a qualification to the end of that sentence: ". . . in the search process, until the Authorization form is signed." This makes it clear that an applicant may have unintentionally forgotten to sign the form. There should be a safety net for someone who mistakenly did not see the required form or simply forgot to sign it before submitting the application. Of course, this depends on how the "Authorization to Release Information" form is presented to the applicant. If it is presented as a separate page at the end of the application and it's highly unlikely that the page is not seen, then one would assume that the applicant refused to sign the form. Anyway, I can see a slight ambiguity in the original statement. I find the section Collecting Information unclear in part. It states: "If the candidate will be in a civil service, academic professional, post- or pre-doc, or non-tenure system faculty position: o Answer "No" to the disclosure questions = previous employers will not be contacted. The hiring process may proceed." But in the third bullet it states: "For all employee groups, the U of I reserves the right to make inquiries even if the candidate has not disclosed anything." Doesn't this contradict the earlier statement?*

79. n/a

80. *Yes. Under the heading "Collecting Information" it states: "If the candidate will be in a civil service, academic professional, post- or pre-doc, or non-tenure system faculty position: o Answer "No" to the disclosure questions = previous employers will not be contacted. The hiring process may proceed." Why is it an automatic "no" for these employment categories? That does not make sense to me.*

81. None

82. no

83. No

86. *I would suggest using the same process for tenure-line faculty as is currently outlined for postdocs etc..*

88. *This is long overdue.*

89. No

90. Will there be an appeals process for units once a decision has been made by the university committee?

93. none

94. we need external independent body-- I do not trust the university no matter what the policy

96. No.

99. no

105. I would split these (sexual misconduct and personal relationships) into two different informational documents.

107. None.

108. No

112. No

113. No

115. none

117. The procedures overview is a helpful way of quickly understanding the process. That is a good thing. But it only repeats the flaws of the policy, especially related to the data repository and the weak process for periodic review. Nor does it solve the issue of standards for what can be accepted as a "finding" or "conclusion."

13. Do you have any comments on the tentative procedures overview relating to the proposed policy on intimate relationships? Count

Answered	49
Skipped	71

1. No

2. Yes. Addressed in the other survey.

5. Yes, primarily will these rules be delineated fully before recruitment as some decide to work in a university where their significant other may have the ability to enroll in courses at a discounted rate, this presumably would prevent that without a great deal of paperwork.

7. --

11. No

12. No

16. Not to the overview per se. I said quite enough on the other survey.

21. None.

24. Will students be permitted to report relationships with employees?

26. None at this time.

27. No

31. See other survey.

32. No

33. None

35. N/A

36. *I will add much on this in the other survey, but the proposed intimate relationship policy is a flawed document in many ways, not least because it presumes that employees only hold one job type for their careers at the University, and gives no consideration to changing titles, position types, and work duties. Further, it changes the working conditions for all employees in the system and was not drafted in consultation with the many labor unions whose members are now impacted, which means every one of them will need to bargain the impact of the policy.*

39. no

47. *when evaluation & judgement of allege offense are made should have faculty & staff participation. Should not be left to HR alone to make judgements of guilt or innocence*

51. *Wait a year, until we're not all stuck at home in fear of COVID-19, and discuss this properly.*

52. No

54. No.

56. no

59. no

60. No

61. No

62. No

63. No.

65. No.

68. *Appropriate*

72. No

75. None

77. No.

79. n/a

81. None

82. no

83. No

88. *Hopefully, we are not going to go overboard now, stripping people from their livelihood and career for their intimate relationships. I am not sure we need such strong language on this issue, but I would give it a try.*

89. No

93. none

94. *we need external independent body-- I do not trust the university no matter what the policy*

96. No.

99. no

105. *See above. Having a single document describing both conflates sexual harassment and misconduct with consensual relations.*

107. *None.*

108. *No*

112. *No*

113. *Concerned about the confidentiality aspect*

115. *none*

117. *I have already commented in the separate survey about the Intimate Relations policy, so I am not sure why this question is being asked here.*