

Resolution related to the University of Wisconsin-La Crosse's Sexual Misconduct Processes
December 5th, 2019

WHEREAS, sexual assault is a violent crime; and

WHEREAS, the University of Wisconsin-La Crosse's "Policy Against Discrimination, Discriminatory Harassment, Sexual Misconduct, and Retaliation" states that "The University of Wisconsin-La Crosse is committed to providing an educational, program, activity, and workplace environment that is inclusive and free of discrimination, discriminatory harassment (including sexual harassment), sexual misconduct, and retaliation, and to the prompt and equitable investigation and resolution of all complaints thereof"; and

WHEREAS, the University of Wisconsin-La Crosse's policy also states that "It is the policy of the University of Wisconsin-La Crosse, consistent with its efforts to foster an environment of respect for the dignity and worth of all students and staff of the University, that sexual harassment of students and employees of the University is unacceptable and impermissible conduct that will not be tolerated. Sexual harassment is a form of sex discrimination. It occurs in a variety of situations that share a common element: the inappropriate introduction of sexual activities or comments into the work or learning situation. Often, sexual harassment involves relationships of unequal power and contains elements of coercion—as when compliance with requests for sexual favors becomes a criterion for granting work, study, or grading benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work in the academic setting"; and

WHEREAS, the current processes for investigation of sexual misconduct are unclear; and

WHEREAS, the Faculty Senate has posed a number of questions about the current processes for investigation of sexual misconduct that remain unanswered; and

WHEREAS, the current processes for investigation, beyond the initial interview with a complainant, do not always include a victim advocate with professional expertise in sexual assault; and

WHEREAS, the current processes for investigation of sexual misconduct do not include the opportunity for faculty complainants to appeal, nor to reopen cases if their understanding of the event changes; and

WHEREAS, the resolution of sexual misconduct cases rarely results in dismissal, nor happiness with the results on either side, the accused and the complainant will likely need continued care after resolution occurs.

THEREFORE, BE IT RESOLVED that the University of Wisconsin-La Crosse Faculty Senate requests that a detailed description of the general investigatory process and data on number and types of sexual misconduct cases be made public.

BE IT FURTHER RESOLVED that the University of Wisconsin-La Crosse Faculty Senate requests the specifics about the process be shared with complainants and accused that includes the timeframe for a response and expectations regarding notification of progress.

BE IT FURTHER RESOLVED that the University of Wisconsin-La Crosse Faculty Senate recommends that the University of Wisconsin-La Crosse's Title IX Team members research model investigatory processes that include victim advocates and support for the accused and the complainant after the investigation is complete or if a formal investigation is deemed unnecessary, that they determine how to apply such best practices at the University of Wisconsin-La Crosse, and that they report their findings back to the Senate before the end of Spring 2020.

This resolution was endorsed unanimously by the UWL Faculty Senate on December 5th, 2019.