

## Reports

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### Board in Control of Athletics Report (Colangelo Report)

- [News release, January 30, 2003](#)
- [Letter from the committee](#)

#### Introduction

The committee representing the Board in Control of Athletics (BICOA) was charged by President Willard Boyd on November 6, 2002, to review the Pierre Pierce case and to consider steps that should be taken to ensure that similar situations are resolved in the interests of the entire University. The Committee was instructed to recommend changes, based on its review, that it deems advisable to assure that resolutions in the future protect the interests of the University as a whole, as well as the interests of the students. The majority of the Committee members agreed with the conclusions and recommendations outlined in this report.

The Committee met three times and reviewed documents relevant to the case, including The University of Iowa Student-Athlete Handbook, The Big Ten Conference Handbook, The Policy Manual of the Board in Control of Athletics, the Office of Affirmative Action Policy on Sexual Harassment, and The University of Iowa Policies & Regulations Affecting Students. In addition, committee members interviewed persons who could provide relevant information either to the Pierce case or to procedures regarding student-athletes and misconduct. The following were interviewed:

- Steve Alford, Head Coach, Men's Basketball
- Bob Bowlsby, Athletics Director
- Anne Lahey, Assistant County Attorney and Prosecutor in Pierce Case
- Karla Miller, Executive Director, Rape Victim Advocacy Program
- Fred Mims, Associate Athletics Director for Student Services
- Lon Mueller, Office of the Ombudsperson
- Ann Rhodes, Former Administrative Liaison to Athletics
- Maile Sagen, Office of the Ombudsperson
- Mark Schantz, General Counsel and Administrative Liaison to Athletics
- Bonnie Slatton, Former Faculty Representative to Big Ten/NCAA
- J. Patrick White, County Attorney and Prosecutor in Pierce Case

Note: Others were interviewed, but stating their names may compromise the identity of the victim.

Based on the written charge from President Boyd and on discussions between the President, Nicholas Colangelo, and Linda McGuire, the Committee understood its charge to be primarily forward-looking,

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emphasizing recommendations that would permit procedural protection and equity in the future. Also, since this was a BICOA committee, the focus was on athletics issues and procedures.

We respect that the President has charged another University committee to investigate the more specific details of the Pierce case and the roles of University officials. We reviewed the specifics of the Pierce case only to the extent of informing our consideration of proposed changes to Athletics policies and procedures.

Our review indicates that errors in procedures, judgments, and communications were made in the Pierce case. Among them are:

- a. The University's involvement in the criminal settlement of the Pierce case did not include a range of University officials who could have provided consultation regarding the broader interests of Athletics, as well as the University.
- b. Representatives of Athletics made inappropriate statements while criminal proceedings were in progress.
- c. The amount and timeliness of protection and support given to the victim by University officials may have been insufficient.
- d. Pierce's status as an athlete appears to have dominated the concerns of some of those involved to the detriment of focusing on the broader interests of the University. It is inconclusive, however, whether he received preferential treatment because of his status as an athlete.

The Pierce case has put The University of Iowa in a negative light within both the University community and the wider community. We believe that the many friends and supporters of the University want clarity and closure in this case and an assurance that procedures are in place to protect students and the University in the future. To that end, we offer these recommendations.

### **Recommendations**

(These are made in no particular order.)

#### **1. The Department of Athletics should:**

- a. Write into the Student-Athlete Handbook (with BICOA) a suspension policy that specifies that 1. the Athletic Director (AD) must suspend a student-athlete from athletic activities when charged with a major crime or serious misconduct (e.g., felony charges and sexual assault charges); 2. the AD may, at his or her discretion, suspend a student-athlete pending final resolution of charges of lesser crimes or misconduct (e.g., misdemeanors) or in cases where criminal charges are not filed but where suspension is deemed the most appropriate institutional response to the actions of a student-athlete; and 3. the AD consult or notify the appropriate persons for each instance.

The suspension would last until the criminal case or misconduct

proceeding is completed. The AD would then either lift the interim suspension or institute a penalty. The same people (point a3) should be informed and/or consulted.

b. Expect coaching staffs to enforce team rules with appropriate discipline. For any alleged misconduct beyond team rules, such as violations of University policy, student-athletes are subject to University discipline first and foremost as students and secondarily as athletes. Therefore, the AD (or designee) must report all violations of University policy by student-athletes to the appropriate University office(s) for determination of additional proceedings. For violations of the Code of Student Life, the Office of the Vice President for Student Services should be contacted, and for cases of sexual assault or sexual harassment, the Office of Affirmative Action.

c. Provide all coaches and Department of Athletics personnel with training in how to make appropriate public statements regarding highly sensitive public issues. All comments in such situations should be reviewed by the AD. Also, the AD (or designee) and appropriate personnel should be available as a resource to Athletics personnel regarding public statements.

d. Develop a list of resources for addressing major crimes and misconduct. This should be presented annually in educational programs by trained University staff to student-athletes, coaches, and Athletics staff as part of their continuous training/education.

e. Develop, in conjunction with BICOA, a detailed "crisis or event management plan." Although such a plan would be useful in the event a student-athlete is charged with a serious crime, it would be equally useful in other serious situations (e.g., death or serious injury to a player or coach).

f. Identify a member of the Athletics senior staff as the sexual assault and sexual harassment compliance officer for the Department of Athletics. We recommend that the duties of this officer be similar to such duties as performed by University faculty and staff in other academic and administrative units who serve in this role.

2. The Board in Control of Athletics (BICOA) should reconstitute, as a standing committee, "The Student-Athlete Welfare Committee" to provide direction and advice on all policies regarding crime, misconduct, and the general welfare of student-athletes. The committee should work with Athletics and the University to develop a clear, concise, and uniform code of conduct for student-athletes. We recommend that the Athletics compliance officer for sexual assault and sexual harassment (see #1f above), a representative of the Office of Affirmative Action, and a representative of the Office of the Vice President for Student Services serve as ex-officio members on this committee.

3. We recommend that the Administrative Liaison to the Department of Athletics not be in the Office of the General Counsel due to the inherent dual

roles of legal advisor to the President and University and liaison to Athletics. We recommend that the President consult with BICOA and examine other Big Ten institutions and Division I administrative structures in determining where the position should be located, as well as the skills necessary for the person who assumes the position. We consider the position of Administrative Liaison extremely important to the University and strongly recommend that the Administrative Liaison be high in the administrative hierarchy and that he/she have ready access to the President.

### **Conclusion**

We believe that respect for and adherence to procedures protect both students and the wider interests of the University. We recommend that in any future criminal and misconduct cases involving student-athletes, University procedures be followed without exception, including the recommendations adopted from this report.

### **Committee**

- Nicholas Colangelo, Chair of Committee and Chair of BICOA
- Elizabeth Altmaier, Faculty Representative to Big Ten/NCAA
- Charles Lynch, BICOA, Faculty Representative
- Jane Meyer, Senior Associate Athletics Director
- Pamela Trimpe, BICOA, Staff Representative
- Advisors to the Committee
- Linda McGuire, Special Counsel to the President
- Charlotte Westerhaus, Director of Affirmative Action
- Phillip Jones, Vice President for Student Affairs\*

\*Vice President Jones did not participate in any deliberations or in the report due to his status on the Pierce case.

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### Report of the Ad Hoc Committee on the Pierce Matter (Raymond Report)

- [News Release, April 9, 2003](#)
- [News Release, June 6, 2003](#)

This report sets forth the findings and recommendations of the investigative committee (hereinafter "the Committee") appointed by Interim President Willard (Sandy) Boyd to investigate the university's involvement in the Pierce matter (hereinafter "the matter").

The members of the Committee were Professor John Allen, College of Law; Assistant Dean Madgetta Dungy, College of Medicine; Professor Philip Kutzko, department of mathematics, College of Liberal Arts and Sciences, and Professor Margaret Raymond, College of Law.

In performing its investigation, the committee met for more than 35 hours, reviewed voluminous documents, and interviewed numerous people, including (but not limited to):

- Sam Alford
- Steve Alford
- Elizabeth Altmaier
- Tom Baker
- Bob Bowsby
- Willard (Sandy) Boyd
- Jerry Crawford
- Philip Jones
- Anne Lahey
- Linda McGuire
- Jane Meyer
- Karla Miller
- Tom Miller
- Fred Mims
- Alfredo Parrish
- Julie Pottorff
- Mark Schantz
- Bonnie Slatton
- Rich Walker
- Charlotte Westerhaus
- Patrick White

The names of some interviewees are being kept confidential for privacy reasons.

#### I. Purposes of this Investigation and this Report

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The charge from Interim President Boyd asked our Committee to investigate the University's role in the resolution of the matter, and to make recommendations for future handling of similar situations based on our analysis of what happened here. Our report is therefore divided as the Interim President requested into factual findings regarding the handling of the matter and recommendations as to the future.

The resolution of this matter involved participation by many parties and individuals. Many of those persons are unaffiliated with the University. Consistent with our charge, we considered and addressed only the University's involvement with the matter. Accordingly, we did not investigate, and reserve judgment as to the propriety of, the behavior of any persons without any University connection who may have been involved in the matter.

## **II. Limitations on this Report.**

An investigation of this nature has the potential to uncover information which must as a matter of law or conscience remain private. The members of the Committee agreed that any such information, should any be uncovered, would not and could not be a part of this report. In some circumstances, what follows is necessarily less than a complete description of the facts that took place. We ask the community's trust that we have disclosed everything that we could under law and in good conscience, and that what has not been disclosed does not detract from the findings or conclusions set forth here.

## **III. Factual Conclusions Regarding The University's Involvement in the Resolution of the Matter.**

On or about September 7, 2002, a female student reported to a University employee that she had been sexually assaulted by a male student, Pierre Pierce. This information was transmitted to Athletic Director Bob Bowsby because the accused student was a student athlete. Athletic Director Bowsby, in turn, communicated this information to Mark Schantz. At that time, Mark Schantz played two roles at the University: he was the University's General Counsel, and, in addition, the Athletic Director reported to the President through him.

The Athletic Department imposed an interim suspension on the male student, which prevented him from participating in athletics pending the resolution of the matter. The Athletic Department had the authority only to suspend the male student from participation in athletics; he continued as a student during the interim suspension. The University officials imposing the interim suspension believed that the suspension from athletic participation was consistent with the practice of the Department in prior cases where student athletes had been charged with serious crimes. There are no formal rules, however, addressing how the Athletic Department should treat athletes who have been charged with crimes prior to the resolution of those charges.

Over the next few weeks, the female student consulted with a number of University offices as to how she might best proceed in this matter. She was considering the wisdom and desirability of proceeding with a criminal proceeding or with University discipline or both. It is our understanding that the student was not necessarily committed to criminal prosecution at this point, but sought advice as to her alternatives. At a minimum, her goal was to proceed with her studies and other activities without the possibility of encountering Pierce. In seeking advice on this matter, the student consulted

with the ombudsperson's office, with the Rape Victim Advocacy Center, and with the Vice President for Student Services. In addition, she consulted with University employees who were close to her in her role as a student; these various advisers were not as well informed as might have been desirable about the variety of options available to a student wishing to pursue a claim of misconduct against another student. In addition, there were some delays in securing advice and consultation to the student. For example, she consulted with the ombudsperson's office on a Friday. The office advised that she decide over the weekend what she wanted to do next. The victim considered her options over the weekend. When she contacted the office on Monday and indicated that she wanted to meet with Vice President Jones, that meeting was not arranged until that Friday.

At no time was it suggested to the student that the Office of Affirmative Action and its director, Charlotte Westerhaus, could be a valuable resource to her in pursuing her concerns, nor was it made clear to her by any of the University personnel she contacted that that office could investigate allegations of sexual wrongdoing by one student against another student, even if discipline was ultimately sought under the Code of Student Life. It is clear under the University Policy on Sexual Harassment, however, that physical assault can constitute evidence of prohibited sexual harassment, that a complaint of sexual harassment could have been investigated by the Office of Affirmative Action, and that some or all of the persons to whom the victim reported her complaint were mandatory reporters under Section 4(d) of the University Policy on Sexual Harassment, required to report such allegations to the Office of Affirmative Action. The Sexual Harassment policy had recently been revised at the time of this occurrence. The University Policy on Sexual Harassment and the Policy on Violence are both incorporated by reference into the Code of Student Life, see section (A)(16) of the Code of Student Life, and violation of these policies is a violation of the Code as well. Therefore, an allegation of a violation of the Sexual Harassment policy can be investigated by the Office of Affirmative Action, and then pursued as a disciplinary matter by the Vice President for Student Services.

In addition to these formal contacts, some contacts with the female student were initiated by persons who were not University employees, but who have an informal University relationship. In particular, individuals affiliated with Athletes in Action, a religious organization, contacted the victim to seek an informal resolution of the matter by asking the victim to meet informally for prayer with the perpetrator. One of those individuals had a longstanding relationship with the basketball program and its coach, which included traveling with the basketball team and conducting voluntary chapel and Bible study activities for the team and staff.

The female student's reaction to this contact was concern that the University was improperly involving itself in trying to resolve the matter. For her, this confirmed her fears that the University would act to protect its athlete and would not effectively pursue her interests in a disciplinary matter. Her response was to pursue criminal charges against the student athlete.

A criminal prosecution is not a matter between two private parties; the State--through its lawyer, the county attorney--brings a prosecution against an individual and pursues it to its conclusion. It is not ordinarily the case that the decision to pursue a criminal prosecution is solely that of the victim of the crime. However, in some situations, the cooperation of the victim is essential to the successful conclusion of a criminal prosecution. In addition, victims of sexual assault have historically been reluctant to pursue criminal charges against their alleged assailants because of fears that they will be

publicly embarrassed and that injury will be done to their reputations in the trial of such charges. In light of those factors, the County Attorney in this case assured the female student that the state would pursue criminal charges in this case only if it were acceptable to her for the State to do so, and further assured her that his office would at any point honor her decision not to proceed with the criminal case. In light of that assurance, the female student agreed to pursue criminal charges against Pierce. A formal charge was instituted, charging Pierce with Sexual Abuse in the Third Degree.

Coach Steve Alford was asked for comments by the press numerous times in the Pierce matter. He was advised by Bob Bowsby that he should show support for his player but indicate that he was awaiting the resolution of the legal matter. The distinctions required in the direction he received were difficult to draw, however, and on at least one occasion, the Big Ten media day, he stated with regard to Pierce that "I totally believe he's innocent. I believed it from Day 1 and I still believe it."

The possibility that criminal charges would be brought caused the student athlete to consult an attorney, Alfredo Parrish of Des Moines. After the institution of criminal charges, the female student also felt the need for representation, and engaged Jerry Crawford of Des Moines.

Some time after formal charges were instituted, lawyers for the victim and the perpetrator began to consider whether a resolution of the matter could be achieved that would satisfy the wishes of the victim and would be acceptable to Pierce. Such discussions necessarily involved the County Attorney, Patrick White, since it was his agreement that the criminal charges would be dropped or reduced, rather than the female student's desire to drop or reduce them, that would make such a resolution possible.

At some point in this process, White was diagnosed with heart disease which necessitated emergency open-heart surgery. He therefore stepped out of his active involvement with the case for some time. Assistant County Attorney Anne Lahey represented the County Attorney's office in the case.

The proposed venue for resolution of the matter was a so-called "mediation" session which the two students would attend along with their lawyers, various support persons, a representative of the County Attorney's office, and a "mediator," Roxanne Conlin. This meeting was conducted over a period of several hours in Des Moines. No representative of the University attended the meeting or, it appears, was consulted about the wisdom of the process. It is unclear whether any university employee was aware of the planned meeting before it took place. Such a "mediation" was a highly unusual way to proceed in a sexual assault case.

Once it began, however, participants at the meeting contacted Mark Schantz. A conversation with Schantz was held during the meeting, and in the week following additional conversations were held between Parrish and Schantz, Bowsby and Head Basketball Coach Steve Alford. Some of those conversations involved the participation of Crawford as well. The substance of those conversations was informational. The subject of those conversations was whether Pierce could somehow continue to play basketball as part of the resolution of the case. Several distinct issues are subsumed in the issue of whether the athlete could continue to "play," including whether he would play in games, would practice with the team, would engage in training at Carver-Hawkeye Arena, would dress in uniform or sit on the bench for games, would travel with the team to away games, or would eat at the "training table" with the other members of the team. In addition, Pierce was

concerned that he retain the maximum number of years of eligibility as an athlete and that he retain his athletic scholarship. At some point, the notion that Pierce might "redshirt" was raised, and Mark Schantz, Bob Bowsby, and Steve Alford were contacted to clarify what it would mean for him to "redshirt."

In addition, during this time Parrish had correspondence and communication with Vice President for Student Services Philip Jones. In correspondence, Jones stated to Parrish that any resolution of the criminal matter did not foreclose Jones' ability to seek disciplinary sanctions against the student for violations of the Code of Student Life.

Ultimately, Pierce and the female student and their attorneys arrived at an agreement. This Committee did not see a copy of the signed agreement, but was informed that the terms of the agreement provided that Pierce would plead guilty to a reduced misdemeanor offense, would apologize to the victim, and would observe a no-contact order requiring him to stay away from her; he would "redshirt" for a year from the basketball program, but would retain his full eligibility and would not lose his athletic scholarship during the year of the redshirt. Both students also agreed not to discuss the case further.

That agreement, as made clear above, could not alone resolve the criminal charges; the agreement of the County Attorney's office was also necessary. The County Attorney contacted Bob Bowsby and asked if the Athletic Department could "live with" the negotiated settlement if the county attorney decided to proceed by its terms. Bowsby asked for time to consult with Mark Schantz, did so, and responded to the county attorney that the Athletic Department could "live with" the terms of the resolution. This determination was based in part upon a conclusion by Schantz that if this negotiated resolution failed, that the matter would go to trial, which would be distressing to the victim and would result in her identity being disclosed. It was also based on the conclusion that the consequences within the Athletic Department of a conviction for a misdemeanor were not clearly outlined anywhere and depended on the circumstances, providing considerable room for the exercise of discretion on the part of the Athletic Director and his staff.

On November 1, 2002, Pierce pleaded guilty to a reduced charge of assault causing injury. The allegations to which Pierce pleaded guilty were that he, on or about September 7, 2002, "did an act or acts of physical contact meant to be insulting and/or offensive to another, and which caused injury to the other person, to-wit: the Defendant had unwanted intimate contact with another, which caused the person bruising and lacerations." The athletic department lifted its suspension, and began treating Pierce as a "redshirt," which permitted him to practice with the team and participate in team activities, but not to compete. Some collateral opportunities ordinarily made available to "redshirt" students, such as the opportunity to eat at the "training table" or to dress for home games, were also denied him.

The university's limited participation in the formation of the negotiated settlement that led to the plea agreement in this matter did not mean that the University had waived its right to bring a disciplinary proceeding against the student athlete under the Code of Student Life. Because of the unique circumstances of this case, however, there was a possibility that Pierce could have opposed such a disciplinary proceeding. The Attorney General advised the Committee that such resistance could produce litigation which might have revealed the identity of the female student.

On February 24, 2003, Interim President Sandy Boyd issued his decision that no Code of Student Life proceeding would be brought against Pierce.

#### IV. Concerns Raised by the Committee's Factual Conclusions, and Recommendations in Response to those Concerns

The facts of this situation give rise to numerous concerns on the part of the Committee.

(A) The needs of victims who come forward under such circumstances must be attended to better than they were here. The victim was not always offered timely referral to appropriate persons; she was apparently not advised by University personnel that she had the option of having her complaint investigated by the Office of Affirmative Action even if discipline was later sought in a complaint brought to the Vice President for Student Services; and she was approached by persons with an informal relationship to the University in a way that caused her to perceive the University as adverse to her interests. Moreover, it appeared that the many dedicated and committed persons with whom she spoke were not adequately informed about the resources available to her in her situation. Even central administrators with whom she spoke were unaware of all the potential avenues for seeking University redress in sexual assault cases. And some took what might be described as a "legalistic" rather than victim-sensitive approach to the victim in this case. This is partly a function of the somewhat confusing and overlapping jurisdiction of different University offices and personnel in responding to such complaints.

The Committee recommends that further training be provided to ensure that all those to whom students in this situation report are fully able to guide such students to appropriate services. It further recommends that, to facilitate and streamline the investigation of complaints of sexual assault or violence, those functions be centralized in and coordinated by the Office of Affirmative Action, as part of its responsibilities under the campus Sexual Harassment policy. The Vice President for Student Services should remain as the sole authority to impose discipline against students arising from founded complaints of harassment, as well as the authority to impose interim sanctions in furtherance of the public safety. Such coordination and clear apportionment of functions will better serve to meet the needs of victims and will clarify for University personnel where to refer their students should such a situation arise.

(B) The University was only peripherally involved in the agreement that led to the resolution of the criminal charges. Because the University was a passive, responsive participant in a proceeding dominated by the lawyers for the victim and the perpetrator, their concerns, rather than the University's, became paramount. This led to a discussion with the Athletic Department, which focused on Pierce's participation as an athlete rather than his well-being as a student.

This procedure created a risk that it might commit the University to abide by the terms of an agreement to which it was not a party, short-circuiting appropriate University procedures. A promise to permit a student to continue to participate in a varsity sport could be viewed by some to include an implicit promise to permit the student to continue as a student, a condition necessary to participation in a varsity sport. While there might be a difference of opinion as to whether that was the case here, any participation by the University in such processes runs the risk of interfering with the University's ability to pursue its ordinary and established procedures in

addressing its students.

The Committee's response to these two concerns is that the University, in future, should simply not participate in the resolution of criminal matters. Any procedure that commits the University to treating a student in a particular way to facilitate the resolution of a criminal proceeding involving a student should be off limits. We recommend, instead, that a firewall be instituted, in which the University awaits the conclusion of criminal charges before deciding what the consequences of the resolution of those charges will be in any aspect of the University. The University's representatives should and in our view must decline the opportunity to participate in procedures like that utilized here.

All students, regardless of their academic concentrations or their extracurricular involvements, should face the same possibility of uniformly considered and imposed University discipline when convicted of wrongdoing, and should be able to anticipate that such proceedings will go forward in a predictable and reproducible way. The University should impose a firewall to make it impossible to circumvent those procedures.

It is of course understandable that students or their representatives would like information from the University about the likely University consequences to them of entering a guilty plea to a specific criminal charge. Such information should be provided only in the form of a set of published rules or a description of past cases, not promises or assurances of likely future treatment in the case under consideration. This will emphasize the need for transparency and accountability in University procedures. In order to prevent variability or miscommunication in the process, the Committee recommends that any entity imposing discipline create a system of published rules and/or a compilation of cases of misconduct and resulting discipline that is available for review. It should be made clear, however, that information about how previous cases have been handled is not a commitment to similar prospective treatment in any individual case.

The Committee recognizes that in any given case there may be costs to such a firewall. Most participants in the mediated agreement in this case were of the opinion that the resolution of the case was the best possible outcome under the circumstances, protecting as it did the victim's privacy while imposing some sanction on Pierce. The Committee's view is that, in the long run, preserving the integrity, autonomy and predictability of University decision-making will do more justice than facilitating tailored resolutions of individual criminal matters.

(C) The fact that the University representative who was consulted was both the General Counsel and the administrator to whom the Athletics Department reports had the potential to create serious confusion. Regardless of what is said to the participants in such a resolution about which role the individual is playing when he or she speaks, the fact that an individual is the University's counsel gives his statements authority that statements from a departmental administrator may lack. The possibility of uncertainty and confusion, and the difficulty of reconstructing what happened after the fact, suggests that having one person play both roles creates potential ambiguity that should be addressed. It is critical in such situations that University personnel be able to speak unambiguously from University interests, rather than interests of particular areas of the University.

The Committee concurs in the recommendation of the BICOA subcommittee that these functions in future be and remain divided.

(D) While Coach Alford believed he was acting as he had been directed in making the statements he made to the media, one set of those statements--confirming his certainty in Pierce's innocence--implied that he disbelieved and discredited the claims of the student victim, and his words were perceived as reflecting insensitivity to issues of sexual assault and sexual violence. In future, faculty, coaches and other personnel should be given adequate instruction in media discourse. Furthermore, the Committee recommends that in future such situations, all comments with the media regarding the situation should be directed to a designated media spokesperson.

(E) The involvement of the persons affiliated with Athletes in Action in attempting to resolve this matter, while perhaps well-meaning, had unintended consequences for the University community. The desire to facilitate an informal resolution of the matter may have had the opposite result. The Committee recommends that the Athletic Department take steps to limit the involvement of outside advisers, religious or otherwise, in University matters and to maintain the confidentiality of departmental information.

(F) The Athletic Department's lack of clear rules created the opportunity for a significant exercise of discretion in this case. First, there was no clearly articulated policy regarding the interim suspension of an athlete charged with a felony. Second, the Committee was told that had Pierce been convicted of a felony, he would definitely have been removed from the basketball team; had he been acquitted of all charges, he would return as a player in good standing; but that since he pled guilty to a serious misdemeanor, there was no policy in place that made clear or predictable what sanction within the Athletic Department might apply to such behavior. While this level of discretion maximizes the flexibility available to the Department to deal with such cases as they arise, it opens the door to complaints that the Department is not dealing evenhandedly with all of its students and makes it difficult for students or their advisers to predict the likely consequences of a conviction for the students, futures as University of Iowa athletes. This is particularly the case should the University impose the firewall advised in recommendation (B); in that case, such a protocol would provide clear guidance to students and their advisers as they contemplated their responses to criminal charges.

The Committee accordingly recommends that the Athletic Department establish a policy regarding interim suspension and a clearly articulated protocol indicating the likely disposition of a student convicted of a crime of sexual or other violence. The Committee notes with approval that the Athletic Department has a clearly stated three-step protocol for alcohol or drug offenses, which provides much-needed clarity and predictability for students and others. While the Committee hopes that incidents of student-on-student violence will be extremely rare, a protocol advising students, University personnel, and the University community how such situations will be dealt with in the future would be advisable.

In establishing its protocol, the Athletic Department should consider the community's sentiments regarding whether persons convicted of assaultive behavior towards others in the University community should continue to be the recipients of University privileges and scholarships. The Committee recommends that the President devise a suitable vehicle for structuring input by the University community into the protocol.

(G) The many discussions and conversations we have had about this incident and its aftermath suggests that our community must face and deal with

issues of sexual assault and violence as an educational matter. The many intense responses this incident inspired in our community suggest that it has produced a "teachable moment"--a time when the doors are open to more profound consideration of how members of our community can treat each other with mutual respect and compassion. To their credit, many persons with whom we spoke expressed willingness, indeed, eagerness, to participate in this "teachable moment" by expanding the training that is offered on such matters and by building relationships with members of our community who can guide us and our students to a fuller understanding of these concerns. These are not simply matters for the Athletic Department, but pervade our community. We invite and encourage further movement in that direction. More specific training within the Athletic Department on sexual harassment and violence for both personnel and students on at least a yearly basis, preferably separated from the initial orientation training, would be beneficial to all concerned. The resources of the Rape Victim Advocacy Program would, the Committee believes, be available to the Athletic Department in developing and presenting this training.

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**UNIVERSITY OF IOWA COMMITTEE ON CAMPUS CLIMATE FINAL REPORT**

(The associated UI news release can be viewed at  
<http://www.uiowa.edu/~ournews/2003/october/102403climate-release.html>)

SEPTEMBER 30, 2003

Members:

Prof. Jennifer Glass, Department of Sociology, Committee Chair

Wayne Angel, Women's Cross Country Coach, University Athletic Department

Michelle Choe, Student, College of Law

Sam Cochran, Director, University Counseling Service

Nick Herbold, Student, President of UISG

Judie Hermsen, Assistant Director, University Human Resources

Prof. Peter Nathan, Dept. of Psychology and College of Public Health

Prof. Judy Polumbaum, School of Journalism and Mass Communication and UI Human Rights Committee

Carissa Swanstrom, Student and UI Human Rights Committee

Jan Waterhouse, Compliance Officer, Office of Equal Opportunity and Diversity, and Chair, UI Human Rights Committee

ex officio:

Monique DiCarlo, Director, Women's Resource and Action Center

Peter Hubbard, Senior Assistant Director, Academic Programs and Services, College of Liberal Arts and Sciences

Karla Miller, Executive Director, Rape Victim's Advocacy Program

Charlotte Westerhaus, Assistant to the President and Director, Office of Equal Opportunity and Diversity

**CAMPUS CLIMATE COMMITTEE FINAL REPORT**

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Part IV. Response to Charge #3

- A. discussion of possible special event lectures or workshops
  - 1. Commentator, or performer to discuss sexual assault with entire campus community/UI Lecture Committee will sponsor
  - 2. Coordinate a possible campus event or speaker with the Spring Sexual Assault Awareness Month

Part V. ConclusionsLIST OF APPENDICES**CHARGE TO CAMPUS CLIMATE COMMITTEE**

February 24, 2003

Goal: The goal of the committee's work is to examine the campus climate regarding issues of personal safety and freedom from harassment and assault.

Through its policies on personal harassment and violence, the University states unequivocally its values. These policies are among the strongest on campuses around the country. Recent events have given the University an opportunity to reevaluate the way it responds to violations of these policies. The details of the response are just one measure of whether our campus climate is a welcoming one for all members of the community, including women and people of color.

Although appropriate policies exist and appear, in general, to be operating well, we need to insure that every member of the campus community knows how to get help when it appears that the policies may have been violated. Furthermore, we must do all we can to encourage individuals to conduct themselves in ways that reflect the values embodied in the policies.

#### Specific Charges:

The committee is charged to make recommendations concerning:

1. How best to communicate the existence and details of existing policies.
2. What training, resource development or other measures may be necessary, in addition to those presently available, to reduce assault and harassment on campus and to fairly deal with alleged victims and offenders.
3. Whether the campus could benefit from a series of campus-wide discussions, or perhaps a conference, to fully air issues raised by recent cases, and other important factors.

Summary: Through a careful reevaluation of the methods by which our campus policies are communicated, and otherwise exploring the climate for victims of assault and harassment, it is hoped that the committee's work will promote trust, healing, and growth within the campus community.

Note: This report is divided into two sections. The Executive Summary is first, which sets forth the Campus Climate Committee's recommendations in abridged and concise manner. Next, the report provides a comprehensive and in-depth account of all the information the Committee gathered and used as the foundation for its recommendations.

#### **EXECUTIVE SUMMARY**

The Campus Climate Committee was convened at the University of Iowa by Interim President Willard Boyd in March 2003 for the purpose of investigating ways to better communicate and uphold the University's policies on sexual harassment and violence. The Committee contained appointees from all the major constituencies on campus: undergraduate and graduate students, faculty, staff, the Office of Equal Opportunity and Diversity, University Athletics, counseling services, and advocacy services for women: Women's Resource and Action Center (WRAC) and Rape Victim Advocacy Program RVAP).

The Climate Committee met throughout the remainder of the spring semester of 2003, focusing on collecting information from key administrative officers on both the scope of the problem of communication and accountability within their areas of responsibility, and possible solutions that could be implemented effectively in their unit. We also obtained information on the systems used by several other CIC institutions to educate members of their campus communities and to enforce their policies. On the basis of the Committee's review of the information collected, we offer the following core recommendations to raise awareness of the University of Iowa's policies on sexual harassment and violence among all members of the campus community, and ultimately reduce the incidence of harassment and violence on campus.

Our recommendations are divided into four areas: (1) Administrative Leadership and Training, (2) Raising Education and Awareness within the University Community, (3) Collaborating with External Constituencies, and (4) Improving and Enforcing Policies and Procedures.

1. The President and other senior administrators should set the standards and expectations for communicating and upholding the University's policies on sexual harassment and violence.
  - A. The President should send a letter to the parents of incoming freshmen students, prior to the beginning of the fall semester, advising the parents of the University's policies relating to alcohol abuse,

drug abuse, sexual harassment, and violence, and the consequences for behavior in violation of those policies. The letter should also advise parents on the steps they can take to prepare their sons and daughters to act responsibly.

B. The University should notify all faculty, students, and staff annually about the policies on sexual harassment and violence, as it does for workplace drugs and alcohol by federal mandate. The President of the University could send a letter and/or email each fall to all faculty, staff, and students reminding all community members of the importance of following these University policies, and providing information about resources available to bring complaints or obtain more information.

C. All Academic and Administrative Officers, as defined by university policy, should receive training when they assume their position at the University and at regular intervals thereafter. The President should issue directive invitations to all new AAOs to attend training each year. The training should cover both general education about what behavior constitutes sexual harassment and violence, as well as the specific procedures to be followed under the University's Policy on Sexual Harassment. AAOs should receive posters, magnets, buttons, etc. with information about sexual harassment and violence to display in their units. Academic and Administrative Officers should have a magnet to post in their office that lists the Office of Equal Opportunity and Diversity's website URL. It is vital that these mandatory reporters have immediate access to information that will help them assess the victim's safety issues and proceed in a timely manner with university process.

D. Academic and Administrative Officers, especially Deans of instructional units, should be encouraged to provide orientation programs annually for new faculty and teaching assistants that include information on the University's Sexual Harassment and Violence Policies.

2. A variety of research and educational efforts should be implemented to raise awareness about what constitutes sexual harassment and violence under our policies, involving various departments and organizations and using a variety of marketing and media techniques

A. The University of Iowa should replicate the Campus Survey on Sexual Harassment (or a similar survey) which was last performed in 1993. Without information on the large number of units within the University, it is difficult to target resources where they would be most effective in reducing sexual harassment and violence.

B. The University should create a poster or poster series with an appealing design and pertinent information about what constitutes sexual harassment and violence, and what resources exist to assist victims. The University of Illinois has a free poster series that could be used or slightly modified for this campus. The University could use existing academic departments (marketing, design, etc.) to sponsor a poster contest to generate new displays. Posters should be disseminated for display on campus bulletin boards, restrooms, and the Campus.

C. The University of Iowa should create and disseminate maps of the campus and downtown area with sexual harassment/assault information on the back to assist in creating familiarity with the community and with resources available to victims. Maps and other handout information should include where to report an assault or case of harassment, explain the steps involved in a campus investigation through the use of a flow chart, include information about the informal resolution of complaints, and provide information about retaliation protection.

D. The University should provide mechanisms to educate students about sexual harassment and violence, specifically targeting first year students. Examples include:

1. The coordinator of the required first year Rhetoric course may be able to integrate knowledge of University sexual harassment and violence policies into curriculum; the University could provide seed money for the development of curricular materials for this purpose.

2. Sexual harassment, assault, alcohol awareness, and safety issues could be incorporated into the current College Transition course or similar courses; with the University providing seed money for development of curricular materials for this purpose.

3. An online training program for students could be designed (based on the "Online at Iowa" concept) covering issues of sexual harassment, assault, alcohol awareness, local/state laws, and safety issues. Program could contain scenarios to evaluate to determine whether specific behavior is or is not sexual harassment, as well as specifics related to the University's policies (e.g., does the behavior have to occur on campus). Students could be required to complete the program and would earn one credit for completion.

4. Students could receive the same one-hour panel orientation program that parents currently receive that includes representatives from University Counseling Service, Student Health, Department of Public Safety, and the Rape Victim Advocacy Program.

E. Any new educational programs should specifically address issues of racial and ethnic diversity, especially:

1. Cultural differences in the definition of harassment and assault, vulnerability to harassment/assault, vulnerability to accusations of harassment/assault.

2. Acknowledgment of the role of racism in past law enforcement and disciplinary proceedings relating to sexual harassment and violence in the United States.

3. Commitment to uniform campus treatment regardless of the race/ethnicity of the alleged victim and/or alleged perpetrator, focusing on the behavior rather than the identities of the parties.

F. The UI Lecture Committee should be encouraged to invite a prominent speaker in the area of violence and sexual assault to campus in order to air issues raised by our recent campus experiences. The entire campus community would be the target audience for this activity.

The University could also invite a prominent and well-known entertainer (ESPN Commentator, musical entertainer) early in fall semester (perhaps during the Weeks of Welcome or during Sexual Assault Awareness Month -April) with a goal of incorporating an educational or public awareness message into the presentation or performance. The entering class of first year undergraduates would be the main target audience for this activity, although certainly the entire campus community would benefit from having this issue raised. This speaker or event could have a focus on involving men in the campus community to show support for efforts to prevent sexual harassment and violence.

G. The University should implement mandatory RA training in residence halls that would focus on alcohol and its relationship to sexual assault and other forms of campus violence.

H. The University ought to seek out programs at other universities that have achieved success in reducing sexual violence, including alcohol-related sexual violence, to consider whether they might be implemented at the University. One such program is the "McPherson Program," which utilizes peer intervention to educate about physical coercion for sexual acts.

3. The University should collaborate with external entities, including the City of Iowa City, to achieve common goals regarding the reduction of sexual harassment and assault, especially as it relates to alcohol abuse.

A. The University administration should consider reaching out to bar owners to create a meaningful dialogue by which University policy and the data on alcohol-related sexual assaults could be communicated in a non-confrontational manner. Perhaps some common effort could follow, including

posters addressing the alcohol/campus violence nexus and sexual assault services that could be displayed in restrooms and phone booths.

B. The University should consider adopting a poster and business card campaign in residence halls, bars and taverns that asks women, "Can you give consent?" and asks men, "Did you get consent?" This approach appears to have had some success on other campuses.

C. The University administration ought to help organize and then be part of an Iowa City Task Force on the impact of alcohol use on the quality of life in Iowa City, including the alcohol/campus violence nexus. Members of this group might also include downtown business owners with concerns about the effects of binge drinking on their businesses, as well as bar owners.

D. The University, perhaps in collaboration with local government, should explore the feasibility of reinstating a safe transit service for individuals who feel they are at risk for violence after dark.

4. The University should uphold and improve current policies and procedures regarding sexual harassment and violence, as recommended below.

A. The University's Sexual Harassment Policy should be amended to recommend that academic and administrative officers who receive complaints of sexual harassment should inform complainants of the resources provided by the Rape Victim Advocacy Program (RVAP). In addition, RVAP's phone number would be consistently provided in publicity materials as the place for consultation, information, and support regarding sexual harassment or sexual violence.

B. Penalties for violations should be handed down promptly and should be more effective, which in some cases may be more severe, than in the past.

C. Academic and Administrative Officers should be required to comment in their annual activities reports or performance evaluations about the actions they have taken to maintain an atmosphere of civility and respect and prevent sexual harassment and violence in their units. Departmental and unit reviews should include commentary about unit climate and actions taken to ensure respect among all unit members, including those taken to prevent sexual harassment and violence.

D. Higher administration, including the President, Vice Presidents, and Provost, must publicly state their support for those individuals and offices that investigate and enforce the policies (the Office of Equal Opportunity and Diversity, Departmental Executive Officers, etc.).

E. The Office of Equal Opportunity and Diversity should annually publish in the Daily Iowan Special Edition statistics (gathered from Public Safety, RVAP, OAA) on complaints of sexual harassment and violence and the outcomes of complaints, including the penalties imposed.

Implementation of these recommendations will be both challenging and time-consuming. Given the limits of new resources for implementation, the Climate Committee urges the President to assign an existing charter or standing Committee (the UI Human Rights Committee or the Council on the Status of Women, for example) the task of creating an implementation plan and reporting annually to the President of the University on progress made.

## **CAMPUS CLIMATE COMMITTEE FINAL REPORT**

### **INTRODUCTION**

The Campus Climate Committee was convened at the University of Iowa by Interim President Willard "Sandy" Boyd in March 2003 for the purpose of investigating ways to better communicate and uphold the University's policies on sexual harassment and violence. The Committee contained appointees from major constituencies on campus: undergraduate and graduate students, faculty, staff, the Office of Equal

Opportunity and Diversity, University Athletics, counseling services, and advocacy services for women (WRAC and RVAP). The charge received from Interim President Boyd was specifically to address three key issues B (1) what could the University do to increase awareness of the policies already in place, (2) what actions could the University take to improve the climate for all students, faculty, and staff so that incidents of sexual harassment and violence decrease, and (3) what one-time campus wide events might help stimulate discussion of campus climate and change in behavioral practices. The Committee's subsequent recommendations are specific to the charge we were given, but are offered with an awareness and appreciation of the University's value for personal safety and freedom from harassment for all members of the community, as well as an appreciation of the particular concerns and needs of women and people of color.

The Campus Climate Committee (hereafter CCC) met throughout the remainder of the spring semester of 2003, focusing on collecting information quickly from key administrative officers on both the scope of the problem of communication and enforcement in their areas of responsibility, and possible solutions that could be implemented effectively in their unit. We also obtained information on the systems used by several other CIC institutions to educate members of their campus communities and enforce their policies. Pairs of committee members contacted individual administrators and interviewed them using a semi-structured interview schedule developed by the committee. All interviewees were guaranteed anonymity in exchange for their candor. Once information had been obtained from all parties, the interviews were transcribed and brought back to the committee for discussion. The Committee used the remainder of its time for discussion on 5 topics raised by the interviews and committee members' experiences dealing with sexual harassment and violence B the advantages and cost of replicating the now decade-old survey on sexual harassment, the benefits and obstacles to mandatory education programs for the campus community, alcohol abuse and its relationship to sexual assault, how to make our reporting system user-friendly, and the problem of consistent enforcement of existing policies.

Given the short time frame the Campus Climate Committee needed to observe, it was difficult to get accurate information about the true extent of sexual harassment and violence on campus. We offer the following report recognizing this limitation, and acknowledging that campus administrators need better information on the nature and extent of sexual harassment and violence within the campus community. Folk knowledge and second hand reports indicate that certain areas of campus activity generate more harassment and assault than others, but pinpointing where immediate efforts at remediation should be directed must wait for better information.

This final report is organized into four parts -- the first provides the central insights gleaned by the interview data, the second discusses a leadership campaign to promote knowledge of our policies and awareness of them in daily life, the third focuses on education and training that might collectively foster a stronger campus environment where abuses are rare and the climate for reporting violations and enforcing sanctions is supportive, and the fourth discusses special activities that might help the greater campus community get involved in changing attitudes and behavior.

## **PART I. CENTRAL INSIGHTS FROM THE CAMPUS INTERVIEWS**

The Committee on the Campus Climate contacted eighteen members of the University administration, from central administrators to directors of specific offices, and interviewed seventeen of them. The following information represents a rough summary of the comments we received about awareness of the University's sexual harassment and violence policies, and the most frequently mentioned recommendations on how to better publicize the policies.

Most work units do not perceive sexual harassment and violence to be problems within their work places. Most administrators feel that their faculty, staff, and student members are generally aware that the University has policies against sexual harassment and violence, but very few engage in actively informing faculty, staff, or students of the policies, either as an item of initial training or as part of continuing education or in-service training.

Most administrators agreed that training of their unit members is a good idea, but few of them felt they

had an immediate need for such training, and many seemed unsure about the appropriate point to have such training. Most felt that mandatory training would not be particularly successful and many questioned whether it would be received without considerable backlash, particularly from faculty. Most of those interviewed did not favor making awareness of the sexual harassment and violence policies and a signed pledge to uphold the policies a condition of either employment or enrollment. They cited difficulties in implementation and enforcement of such a pledge, and some expressed philosophical reluctance to impose signed pledges on people.

While many units, especially those that deal directly with students, agreed that training faculty, staff, and students alike about the sexual harassment and violence policies is important, they consistently attribute the lack of attention to sexual harassment and violence policies to a lack of time during training and the pressures of training their unit members on a large number of areas that are perceived to be of more immediate utility. As a result these issues are usually addressed only when they are brought up directly by trainees.

Educating students on sexual harassment and violence policies is undertaken most assiduously in the professional colleges, where the policies are closely linked to professional standards of conduct outside the University. Otherwise, when these issues are addressed, it is usually a choice made by those who do programming for students and offered as an option that students may elect to participate in, but are not required to attend. Most of those who have direct contact with students feel that the students would only take the issues of sexual harassment and violence seriously when a situation arose where the policies -- and consequences of violation of the policies -- became matters of public discussion or more personal concern.

Most of the administrators interviewed did not think that sexual harassment and sexual violence were problems within their units and other units of which they were aware. When asked to cite where they thought these violations occurred most frequently, administrators were likely to cite the undergraduate population of the University. The reasons most frequently cited for these violations were the excessive use of alcohol by students, attitudes brought to the University from home, lack of respect and civility within the University community, and a sense that the University is a large, anonymous community where the likelihood of being caught and punished for a transgression is slight.

These are some of the specific suggestions offered by interviewees for improving communication of the sexual harassment and violence policies through the University community

-- Place posters widely around campus, 1) to educate those who may be unsure what acceptable behaviors are, 2) to inform and remind everyone that sexual harassment and violence will not be tolerated and 3) to publicize ways of reporting violations of the policies.

-- Make awareness of sexual harassment and violence policies and ongoing presentation of important information part of individual administrators' and units' performance evaluations and appraisals.

-- Improve communication about the consequences of violations of the policies as a way to deter those who may be tempted to think that the consequences of violation are minor.

-- Improve enforcement of existing policies by strengthening consequences as a deterrent to would be violators.

-- Improve communication about the process of making a complaint. Make better known the points at which a complaint can be initiated, what the steps in the complaint process are, and who is a mandatory reporter. Also, improve communication to keep the complainant informed of the progress of the complaint through the system.

-- Make training in the sexual harassment and violence policies part of training for new faculty (where it is not already done) and especially for teaching assistants.

-- Be more systematic and intentional about teaching students about the policies. Suggestions include incorporating discussion of sexual harassment and violence policies into academic courses, like Rhetoric or The College Transition. Adding more information about the policies to orientation programs and to the information sent home to incoming students was also suggested, especially because this information would reach transfer students who might otherwise be missed, and would also be seen by parents.

In summary, the University administrators we interviewed agreed that we have a problem with sexual harassment and sexual violence on campus, though few felt it was a problem they confronted directly. Most agreed that these are matters that need to be confronted and can be lessened with education and accountability. Many, however, felt that they and their staffs had little time to take direct action to be certain that everyone was aware of the University's policies, aware of steps they could take if they felt the policy had been violated, and aware of the consequences of violation. Despite this, nearly all were ready to participate in making the University of Iowa a safer and more welcoming academic and work environment.

## **Part II. Response to Charge #1: How best to communicate the existence and details of existing policies**

The Committee believes the best way to communicate the existence and details of current policies is to implement an educational campaign to raise awareness about (1) what University of Iowa policies exist regarding sexual harassment and violence, (2) what constitutes sexual harassment and violence, and (3) what resources exist to assist victims of sexual harassment and violence. In this section we deal specifically with the first goal. The evidence collected and reviewed by the committee suggests that the University has strong policies on sexual harassment and violence, but does not uniformly or consistently advertise these policies or the consequences of their violation. Strong leadership will be required to ensure that all units on campus receive annual information about existing policies that govern sexual harassment and violence, and that all new members of the campus community are informed upon arrival. The recent Graduate Programs Climate Study conducted by WISE in 2003 (<http://www.uiowa.edu/~wise/climate/climatecontents.htm>) revealed that the majority of doctoral students in the survey were unfamiliar or only somewhat familiar with the university's sexual harassment policies. As revealed in the interview data with administrators, most units on campus provide minimal if any discussion of the university's policies on sexual harassment and violence. Currently, students are provided a copy of the sexual harassment and violence policies in the middle of a Student Handbook that covers all essential information for students and is distributed during Orientation. However, the small font and densely packed material in the handbook deter close attention to those policies.

The Policy on Sexual Harassment imposes significant responsibilities on academic or administrative officers of the University, in particular. The following individuals are academic or administrative officers:

- any collegiate dean
- any faculty member with administrative responsibilities at the level of Departmental Executive Officer (DEO) or above
- a student's academic advisor
- the Director of Equal Opportunity and Diversity or designee any Vice President or designee
- the Provost or designee
- any Director or supervisor
- any human resources representative

Academic and administrative officers are charged with receiving complaints of sexual harassment, counseling complainants about their options under the Policy, reporting allegations to the Office of Equal Opportunity and Diversity, and facilitating informal resolutions of allegations when appropriate. Given these responsibilities, it is imperative that all academic and administrative officers be educated about the issue of sexual harassment and the University's Policy on Sexual Harassment, including complaint procedures. However, the Committee's interviews revealed that there is no systematic process in place to educate all University academic and administrative officers about sexual harassment and violence and the policies in place to deal with them on campus, much less the broader community of students, faculty, and staff,

Given the evidence that students, faculty, and staff are relatively uninformed about University policies on sexual harassment and violence, we offer the following recommendations:

I.A. The President should send a letter to the parents of incoming freshmen students, prior to the beginning of the fall semester, advising the parents of the University's policies relating to alcohol abuse, drug abuse, sexual harassment, and violence, and the consequences for behavior in violation of those policies. The letter should also advise parents on the steps they can take to prepare their sons and daughters to act responsibly.

B. The University should notify all faculty, students, and staff annually about the policies on sexual harassment and violence, as it does for workplace drugs and alcohol by federal mandate. The President of the University could send a letter and/or email each fall to all faculty, staff, and students reminding all community members of the importance of following these University policies, and providing information about resources available to bring complaints or obtain more information.

C. All Academic and Administrative Officers, as defined by university policy, should receive training when they assume their position at the University and at regular intervals thereafter. The President should issue directive invitations to all new AAOs to attend training each year. The training should cover both general education about what behavior constitutes sexual harassment and violence, as well as the specific procedures to be followed under the University's Policy on Sexual Harassment. AAOs should receive posters, magnets, buttons, etc. with information about sexual harassment and violence to display in their units. Academic and Administrative Officers should have a magnet to post in their office that lists the Office of Equal Opportunity and Diversity's website URL. It is vital that these mandatory reporters have immediate access to information that will help them assess the victim's safety issues and proceed in a timely manner with university process.

D. Academic and Administrative Officers, especially Deans of instructional units, should be encouraged to provide orientation programs annually for new faculty and teaching assistants that include information on the University's Sexual Harassment and Violence Policies.

**Part III. Response to Charge #2 What training, resource development, or other measures may be necessary, in addition to those presently available, to reduce assault and harassment on campus and to fairly deal with alleged victims and offenders?**

The issue of how best to alter the current campus climate to one even less tolerant of sexual abuse than at present is a complex and multi-faceted one. After much discussion, the committee identified five areas in which actions could be taken to further the goal of a safe learning environment for all students, faculty, and staff: improving our knowledge base about problem areas on campus that should be targeted for intervention, education and training of students, faculty, and staff on what constitutes sexual harassment and violence, the abuse of alcohol in the campus community, the reporting system when sexual abuse occurs, and the enforcement system for policy violation. Each is dealt with in turn.

III. A. Increasing our Knowledge Base about Sexual Harassment on Campus

The committee, after careful deliberation about the costs and benefits involved, believes that replicating

the 1993 survey conducted by the University of Iowa Council on the Status of Women (CSW) and documented in *Sexual Harassment at the University of Iowa: Results of a Campus-Wide Survey* would provide useful information about where to target increased education and enforcement efforts. Replication could be accomplished in concert with CSW.

The 1993 survey was a thorough and sound effort that was the only and last such effort of its kind to acquire information regarding the incidence and prevalence of sexual harassment in different units. The survey also documented reporting rates and disincentives for reporting for faculty, staff, and students on campus, and defined the scope and nature of harassment on campus and the impact of reporting on respondents and perpetrators.

Replication of the 1993 survey will provide a vehicle to determine the incidence, scope, and nature of sexual harassment in our current environment and to determine to what degree those indices have changed over the ensuing decade. In addition to providing this valuable data, the process of conducting the survey and publishing the results will serve to increase awareness and educate the campus about the definition of sexual harassment under the University's policy, options for victim reporting of sexual harassment, obligations for academic or administrative officers' reporting of sexual harassment when they become aware of it, and possible consequences for perpetrators.

The University's Office of Human Resources has online survey capability (Survey Monkey) to gather responses at a relatively low cost that would provide the information we need to determine future corrective actions on campus. A sample survey instrument used in Sweden exists and has been recommended to the Committee by Prof. Nancy Hauserman of the College of Business, who has agreed to assist in its modification for University use. Resulting recommendations from the survey would be forwarded to University of Iowa President David Skorton for implementation.

Because of the benefits of increased information about sexual harassment and violence before new programmatic initiatives are undertaken, we recommend:

2.A. The University of Iowa should replicate the Campus Survey on Sexual Harassment (or a similar survey) which was last performed in 1993. Without information on the large number of units within the University, it is difficult to target resources where they would be most effective in reducing sexual harassment and violence.

### III. B. Education and Prevention Efforts within the University Community

The Committee's interviews revealed that there is no systematic process in place to educate all University personnel about what constitutes sexual harassment and violence and the policies in place to deal with them on campus. The broader community of students is even less well served and subject to high turnover on an annual basis, meaning that education efforts must be on-going to be effective with that group. The University of Iowa has documented through Evaluation and Exam Services' student surveys that personal safety issues are of greatest concern for undergraduate students in their first year; this outcome may be influenced by students' unfamiliarity with the campus and community, but suggests that new students are a group of special concern. Men and women frequently come to campus without adequate recognition of what actions are defined as sexual harassment or sexual abuse, and with limited repertoires of action to cope with experiences of harassment or violence (whether as victims or observers).

The Committee makes the following recommendations regarding education of the broad University community on the definition and incidence of sexual harassment and violence, recognizing institutional limitations on the time and resources available for new programming:

2.B. The University should create a poster or poster series with an appealing design and pertinent information about what constitutes sexual harassment and violence, and what resources exist to assist victims. The University of Illinois has a free poster series that could be used or slightly modified for this

campus. The University could use existing academic departments (marketing, design, etc.) to sponsor a poster contest to generate new displays. Posters should be disseminated for display on campus bulletin boards, restrooms, and the Cambus.

C. The University of Iowa should create and disseminate maps of the campus and downtown area with sexual harassment/assault information on the back to assist in creating familiarity with the community and with resources available to victims. Maps and other handout information should include where to report an assault or case of harassment, explain the steps involved in a campus investigation through the use of a flow chart, include information about the informal resolution of complaints, and provide information about retaliation protection.

D. The University should provide mechanisms to educate students about sexual harassment and violence, specifically targeting first year students. Examples include:

1. The coordinator of the required first year Rhetoric course may be able to integrate knowledge of University sexual harassment and violence policies into curriculum; the University could provide seed money for the development of curricular materials for this purpose.
2. Sexual harassment, assault, alcohol awareness, and safety issues could be incorporated into the current College Transition course or similar courses; with the University providing seed money for development of curricular materials for this purpose.
3. An online training program for students could be designed (based on the "Online at Iowa" concept) covering issues of sexual harassment, assault, alcohol awareness, local/state laws, and safety issues. Program could contain scenarios to evaluate to determine whether specific behavior is or is not sexual harassment, as well as specifics related to the University's policies (e.g., does the behavior have to occur on campus). Students could be required to complete the program and would earn one credit for completion.
4. Students could receive the same one-hour panel orientation program that parents currently receive that includes representatives from University Counseling Service, Student Health, Department of Public Safety, and the Rape Victim Advocacy Program.

E. Any new educational programs should specifically address issues of racial and ethnic diversity, especially:

1. Cultural differences in the definition of harassment and assault, vulnerability to harassment/assault, vulnerability to accusations of harassment/assault.
2. Acknowledgment of the role of racism in past law enforcement and disciplinary proceedings relating to sexual harassment and violence in the United States.
3. Commitment to uniform campus treatment regardless of the race/ethnicity of the alleged victim and/or alleged perpetrator, focusing on the behavior rather than the identities of the parties.

### III. C. Alcohol Abuse and Campus Climate

Binge drinking rates on the UI campus are very high, among the highest in the nation. As a result, adverse, alcohol-related, consequences are also very high. Among these consequences are unwanted and unsafe sex and other forms of interpersonal violence and aggression. Estimates are that between one-third and one-half of all first-year undergraduate women experience coerced, unwanted sex as a result of alcohol abuse[1].

Despite efforts by the University to share information on binge drinking and its adverse effects with students, strong differences of opinion and perspective continue to exist on the best mechanisms for

reducing alcohol related harassment and violence. The Committee recognized that faculty, staff, and graduate students have roles to play in confronting undergraduate binge drinking and its resultant effects on campus violence. These parties could both model responsible alcohol use and communicate concern about the link between drinking and campus violence. An attempt to reach these groups and enlist their involvement in prevention efforts would seem to make sense.

The Committee felt that one of the most effective messages the University administration could deliver would be that its concern about binge drinking and its impact on campus violence reflects its strong desire to promote campus safety and a strong university community.

The Committee also discussed two specific approaches to the alcohol/campus violence nexus: (1) Should there not be a focus, by University health educators, on first-year undergraduate women, in line with the public health approach that identifies the highest-risk group in a public health intervention/prevention plan? Should not this specific group of undergraduates be targeted for special, tailored, intensive educational efforts? (2) Could an emphasis on fire code endorsement, ensuring that bars and taverns did not exceed their mandated customer numbers, help reduce the numbers of students drinking in the bars?

To facilitate the goals of reduction in alcohol abuse and its frequent sequelae of sexual abuse, the committee offers the following recommendations:

2. G. The University should implement mandatory RA training in residence halls that would focus on alcohol and its relationship to sexual assault and other forms of campus violence.
- H. The University ought to seek out programs at other universities that have achieved success in reducing sexual violence, including alcohol-related sexual violence, to consider whether they might be implemented at the University. One such program is the "McPherson Program," which utilizes peer intervention to educate about physical coercion for sexual acts.
3. A. The University administration should consider reaching out to bar owners to create a meaningful dialogue by which University policy and the data on alcohol-related sexual assaults could be communicated in a non-confrontational manner. Perhaps some common effort could follow, including posters addressing the alcohol/campus violence nexus and sexual assault services that could be displayed in restrooms and phone booths.
- B. The University should consider adopting a poster and business card campaign in residence halls, bars and taverns that asks women, "Can you give consent?" and asks men, "Did you get consent?" This approach appears to have had some success on other campuses.
- C. The University administration ought to help organize and then be part of an Iowa City Task Force on the impact of alcohol use on the quality of life in Iowa City, including the alcohol/campus violence nexus. Members of this group might also include downtown business owners with concerns about the effects of binge drinking on their businesses, as well as bar owners.
- D. The University, perhaps in collaboration with local government, should explore the feasibility of reinstating a safe transit service for individuals who feel they are at risk for violence after dark.

### III. D. Reporting of Sexual Harassment Complaints

The Climate Committee examined the current sexual harassment reporting system in the UI Sexual Harassment Policy. This is a decentralized system allowing faculty, staff, and students several points of entry for filing sexual harassment complaints and giving them easy access to individuals within the University with whom they could file a complaint. Reports might be filed with several offices (e.g., Office of Equal Opportunity and Diversity, Office of the Ombudsperson, Vice President for Student Services, Campus Police, and Office of Residence Services) and with two University-related

organizations, the Women's Resource and Action Center and the Rape Victim Advocacy Program. Further, initial contacts might include such individuals as deans, department chairs, directors, supervisors, coaches, and professors.

Many individuals and offices that represent these initial points of contact for reporting sexual harassment complaints also have specific roles in investigation and sanctions (e.g., Office of Equal Opportunity and Diversity, Vice President for Student Services, and Campus Police). Some individuals and departments such as Residence Advisors and DEO's are mandatory reporters. That is to say, they are required to report any case of sexual harassment or assault reported to them.

There are sometimes cases in which formal reporting to authorities is less than desirable for the victim for many reasons including fear of publicity, retaliation, concerns regarding responses of family members or friends, and other legitimate reasons. On the other hand, there have been some cases, especially involving violence, extortion, and stalking that need to be reported both within the University system and with the Criminal Justice System. As noted in the Raymond Committee Report, these two systems should be kept separate and distinct.

This Committee believes that what is in the best interests of the victim is best determined by the victim in consultation with an advocate who is specifically trained to deal with sexual harassment. Sanctions and treatment of offenders should be based on the offender's behavior versus who they are or what they represent.

A review of this system found that practical disadvantages often preclude intended outcomes. The goal is consistent, competent responses including investigations that protect both the victim and the accused. Victims are to be accompanied by trained advocates if they so desire and protected from coercion or retaliation. The accused must be given due process. In cases where it is determined that sexual harassment has occurred, appropriate sanctions should be meted out to offenders consistently. Educational efforts should follow instances in which sexual harassment occurred.

### Current Reporting System Critique

The current reporting system listed in the University Policy on Sexual Harassment is as follows:

Persons who wish to consult with someone about a specific situation on a confidential basis or learn more about enforcement of the Policy on Sexual Harassment may contact any of the following offices or organizations:

- the Office of the Ombudsperson (for faculty, staff, or students)
- Faculty and Staff Services (for faculty or staff)
- University Counseling Service (for students)
- Women's Resource and Action Center (for faculty, staff, or students)
- Rape Victim Advocacy Program (for faculty, staff, or students)

Representatives of these offices or other support persons may accompany an alleged victim during the investigation process if the alleged victim so desires. These offices are exempt from the reporting requirements set forth in Section 4(d) of this Policy. Other offices may be required to report allegations as described in Section 4(d).

While the current system provides many points of initial contact intended to provide complainants with multiple choices, there are considerable drawbacks, including:

- inconsistent application of policies and procedures;
- inconsistent handling of cases;
- variability in the level of training, competence, and responses by individuals charged with dealing with sexual abuse and harassment complaints;
- hesitancy by some administrators to ask for help, believing they should be able to handle any situation that arises within their domain;
- inadequate victim protection from coercion, abuse and negative consequences resulting from reporting sexual harassment and assault;
- confusion regarding which is the best place to file a complaint, what options are available, and possible consequences related to each option,
- lack of insuring that trained advocates accompany victims to provide continuity, information, support, and assistance in determining which options are right for them
- perceived--and sometimes actual--inconsistencies in the treatment of the accused and sanctions applied to perpetrators;
- perceived or actual conflicts of interest

The Committee recognizes the need for greater simplicity, consistency, and effectiveness in reporting cases of sexual harassment within the University. Therefore:

4.A. The University's Sexual Harassment Policy should be amended to recommend that academic and administrative officers who receive complaints of sexual harassment should inform complainants of the resources provided by the Rape Victim Advocacy Program (RVAP). In addition, RVAP's phone number would be consistently provided in publicity materials as the place for consultation, information, and support regarding sexual harassment or sexual violence.

### III. E. Enforcement of Policies

The campus climate regarding personal safety and freedom from harassment and assault is in part created by perceptions of how current policies are enforced. The interviews conducted by the Committee and the 1993 survey by the Council on the Status of Women suggest that the University community perceives that enforcement of the Policy on Sexual Harassment is too lax (i.e., penalties for founded violations are too light). Strict enforcement of policies including the imposition of serious sanctions for violations is a method of communication to the entire University community about expectations and consequences.

The committee recognized that the differences in power that often occur between victims and perpetrators make stricter enforcement difficult. DEOs, Deans, coaches, and other administrative officers often deal with perpetrators who have ample resources at their disposal and are important members of their respective units. Without strong higher administrative support for strict enforcement and zero tolerance of sexual abuse, these University officials are loathe to act in isolation, and may too willingly accept lighter penalties to avoid further legal action or censure from their colleagues.

The Committee makes the following recommendations regarding the enforcement of current policies:

4. B. Penalties for violations should be handed down promptly and should be more effective, which in some cases may be more severe, than in the past.

C. Academic and Administrative Officers should be required to comment in their annual activities reports or performance evaluations about the actions they have taken to maintain an atmosphere of civility and respect and prevent sexual harassment and violence in their units. Departmental and unit reviews should include commentary about unit climate and actions taken to ensure respect among all unit members, including those taken to prevent sexual harassment and violence.

D. Higher administration, including the President, Vice Presidents, and Provost, must publicly state their support for those individuals and offices that investigate and enforce the policies (the Office of Equal Opportunity and Diversity, Departmental Executive Officers, etc.).

E. The Office of Equal Opportunity and Diversity should annually publish in the Daily Iowan Special Edition statistics (gathered from Public Safety, RVAP, OAA) on complaints of sexual harassment and violence and the outcomes of complaints, including the penalties imposed.

#### **IV. Response to Charge #3: Whether the campus could benefit from a series of campus-wide discussions, or perhaps a conference, to fully air issues raised by recent cases, and other important factors**

The committee agreed that education would be of benefit to the campus community. In constructing a response to this charge, the committee examined possible resources, consultants, speakers, and exemplary programs noted on other campuses across the country.

Two important considerations were noted as we discussed our response to this charge. First, most exemplary programs are based on the premise that men must be actively involved in the planning and delivery of educational programs geared at both raising awareness of issues around personal safety, harassment, violence, and sexual assault. Second, the programs themselves must convey the idea that men must assume responsibility for ending the harassment and violence that research has shown is largely perpetrated by men against women and other men.

The committee makes the following recommendations for speakers, programs, or activities in order to address the questions raised in charge 3.

2. F. The UI Lecture Committee should be encouraged to invite a prominent speaker in the area of violence and sexual assault to campus in order to air issues raised by our recent campus experiences. The entire campus community would be the target audience for this activity.

The University could also invite a prominent and well-known entertainer (ESPN Commentator, musical entertainer) early in fall semester (perhaps during the Weeks of Welcome or during Sexual Assault Awareness Month -April) with a goal of incorporating an educational or public awareness message into the presentation or performance. The entering class of first year undergraduates would be the main target audience for this activity, although certainly the entire campus community would benefit from having this issue raised. This speaker or event could have a focus on involving men in the campus community to show support for efforts to prevent sexual harassment and violence.

#### **V. CONCLUSIONS**

Given our interviews with administrative officers in units across campus, the Campus Climate Committee has no reason at present to believe that harassment and violence are dramatically increasing at the University of Iowa. Indeed, administrators' perception is that the overall incidence of sexual harassment and sexual violence at the University of Iowa is low. However, it was also clear from our investigation that we need better and more current information, and there is substantial room for improvement in our current communication and training surrounding issues of sexual harassment and violence within the campus community.

Implementation of the preceding recommendations will be both challenging and time-consuming. Given

the limits of new resources for implementation, the Climate Committee urges the President to assign an existing charter or standing committee (possible the Human Rights Committee or the Council on the Status of Women) the task of creating an implementation plan and reporting annually to the President of the University on progress made.

The Climate Committee noted with some chagrin that some of our current recommendations are echoes of recommendations made in the report on the 1993 Sexual Harassment Survey. This made it clear to committee members that progress on this issue will only be made when policies and procedures are backed with some kind of institutional accountability. We hope that our recommendations can become the basis for a plan of action that will create a University environment in which mutual respect and safety are assumed.

## APPENDICES

1. Full set of interviews
2. Resources for programming and possible consultants
3. 1993 UI Sexual Harassment Survey
4. Berkowitz chapter
5. UI Sexual Harassment Policy
6. Swedish College Survey on Sexual Harassment

[1]Dolan, S.L. & Nathan, P.E. (2001). Access-related binge drinking at a Big Ten University. Unpublished manuscript, University of Iowa.

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**Sexual Harassment and Unwelcomed Behavior  
At the University of Iowa**

**Results of a Campus-Wide Survey**

**Council on the Status of Women  
Sexual Harassment Survey Subcommittee  
The University of Iowa  
Iowa City, Iowa**

**January 23, 2005**

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**Approved by the Council on the Status of Women on  
12/15/2005**

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## **Acknowledgments**

The Sexual Harassment Survey Subcommittee would like to recognize the invaluable assistance of many people including: our statistical consultants Tim Ainsley and Huijuan Meng; research assistants Terryn Lindemann and Leigh Wensman; Susan Dustin for help with the literature review; Jennifer Glass and Jan Waterhouse for comments, information, and suggestions about the survey and substance of the report; Chris Pruess (Information Technology), and Thomas Kruckeberg (Office of the Registrar) for their help in getting and cleaning the population data, and the Office of the President, the Office of the Provost, Human Resources, and the Office of Equal Opportunity and Diversity for funding and support.

## Executive Summary

In the early 1990's, the Council on Status of Women determined that a campus survey was needed in order to have a true picture of the impact that sexual harassment had on The University of Iowa campus and to address this sensitive issue authoritatively. That survey was administered in 1992 and the report issued in 1993.

In 2003, The Council on the Status of Women was again charged to carry out a survey relating to sexual harassment. The new sexual harassment survey was designed to:

1. assess the prevalence and perception of sexual harassment and sexual harassing behaviors on campus today as compared to 10 years ago;
2. re-evaluate the scope and nature of sexual harassment on campus;
3. understand the responses to sexual harassment of students, staff, and faculty and the University, and
4. determine what strategies the University needs to take both to minimize the occurrence of sexual harassment and associated behaviors and to respond most effectively to reports of these behaviors.

The survey was written by a committee of 12 members including students, staff and faculty. Several members of the committee had extensive background in conducting surveys and assessing the results. The survey was pre-tested, revised accordingly, and received IRB<sup>1</sup> approval for distribution. On September 13, 2004, everyone who had an active affiliation with the University of Iowa and a UI e-address was sent a mass e-mail request to complete a sexual harassment survey. A follow-up reminder was sent the following week. In total, 42,839 individuals were sent one or both of the two e-mails.

In sum, 11,063 people responded to the sexual harassment survey, for an overall response rate of 26%. Of these, 10,956 provided usable responses, with the following characteristics:

- Almost two-thirds (64.4%) were female, somewhat greater than in the UI population, which is 56% female.
- The proportion of the sample who indicated they were members of an ethnic minority group (9%) was close to the UI population distribution (11.5%).

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<sup>1</sup> Institutional Review Board, which approves research on human subjects.

- Although undergraduates made up the largest percentage of both the sample (36.5%) and the UI population (44%), they were somewhat less represented in the sample than the population.

Because research has shown that many people are reluctant or unwilling to label even serious unwelcomed behavior (e.g., physical assault of a sexual nature) as sexual harassment, this survey separated questions about respondents' experiences with unwelcomed sexual behaviors from the question of whether or not they felt they had experienced sexual harassment. The intent was to capture more accurately the occurrence of behaviors without the stigma of the label.

This survey asked about eight types of unwelcomed behavior which **may** constitute sexual harassment. A majority--52%--of respondents indicated that they had experienced one or more of the eight categories of unwelcomed behavior. Yet, when these responders were asked explicitly about whether they had experienced sexual harassment in the past 10 years at UI, most responders (62%) indicated that they had **not** been sexually harassed, whereas 24% (805 individuals) indicated that they considered the unwelcome behavior to be sexual harassment. This represented 26% of female and 19% of male responders.

Some of the discrepancy in these percentages arises because the unwelcomed behaviors were not considered serious by the responder (e.g., they were taken as jokes). But some of the behaviors were clearly serious; for example, among those who reported experiencing "physical assaults of a sexual nature (grabbing, slapping, pushing, shoving) an average of more than once a month at the UI over the past 10 years," only 48% believed that they had experienced sexual harassment. Students, in particular, were far less likely than staff to consider this unwelcomed behavior to be sexual harassment (43% vs. 86%).

Most of the unwelcomed behavior (65%) came from people who were **not** in a more powerful position than the responder. This apparent lack of power differential flows from the fact that undergraduate students were both the majority of responders who experienced these behaviors (52%) **and** were identified as the primary perpetrators of the behaviors (34%).

Similarly, in most other status groups (e.g., graduate/professional students, P&S and merit staff, tenured faculty), the perpetrator was most likely to be identified as someone from the same status group. However, non-tenured, tenure-track faculty were most likely to report that the perpetrator was a tenured faculty member (35%).

The bulk of unwelcomed behavior (39%) occurred on non-university property, and there were many comments about behaviors by students in bars and about harassment occurring during football weekends, especially by people who were tailgating.

Self-help methods were the most common way of dealing with an unwelcomed behavior (see Tables 30a and 30b). People ignored unwelcomed behavior (36%) or avoided the perpetrator (28.4%). It is reasonable to assume that these more common actions are more likely to be taken when persons do not believe they have been sexually harassed and, conversely, rarer actions (e.g., filing a formal complaint), which are more serious and formal, are taken when they do.

Of the 5,503 people who reported experiencing unwelcomed behavior (including those who believed that they had explicitly experienced sexual harassment):

- 80 filed a formal complaint (1.5%) and 252 reported the behavior (4.6%)
- Women were more likely than men both to report the behavior and to file a complaint
- Merit staff were more likely to file a formal complaint than were P&S staff or faculty
- All groups were more likely to report the behavior rather than file a formal complaint
- If the responder reported the unwelcomed behavior or filed a formal complaint, it was most likely reported to the immediate work supervisor (23%), particularly by Merit and P&S staff.

Respondents who reported the unwelcomed behavior or filed a formal complaint indicated that the most frequent outcomes were that the behavior ceased (36%), but also that the incident undermined self-confidence (25.5%), affected the respondent's health negatively (22%).

In 22% of reported cases of unwelcomed behavior, the behavior continued and in 21%, had minimal negative effects. When asked about the consequences for the perpetrator(s) of the unwelcomed behavior, responders reported most often that there were no negative effects (33.5%), minimal negative effects (27%) or the person was disciplined (25.5%).

After reporting the behavior or filing a formal complaint, 32% of respondents indicated that the situation was resolved to their satisfaction, and 31.4% stated that it was not. Nineteen percent indicated partial satisfaction with the outcome.

For the respondents who were not satisfied with the resolution, the concerns were as follows:

- the person(s) who committed the unwelcomed behavior suffered no consequences (31%)
- nothing happened (21%)
- the complaint was not taken seriously (17%), and/or
- the unwelcomed behavior did not stop (14.5%).

The most common reasons for not reporting the unwelcomed behavior or filing a formal complaint were:

- was not sure it was sexual harassment (11%),
- was not sure the unwelcomed behavior was anything anyone could do anything about (11%),
- thought it would be too much of a hassle (11%), and
- did not believe that a complaint would be taken seriously (8%).

There were virtually no differences between groups on this question.

More than half the respondents (53%) were not aware of the current University of Iowa procedure for making a sexual harassment complaint, and 18.5% were not sure whether they knew it or not. Although undergraduate students were most likely to be both the victims of unwelcomed behavior and the perpetrators, only 8% responded that they knew how to file a sexual harassment complaint. Similarly, only 18% of graduate/ professional students were aware of the procedures. Faculty (52%), P&S (46%) staff, and Merit (39%) were more aware of the policies, but these percents are still far from widespread knowledge.

Among those respondents who believed that they had been sexually harassed, again over half (57.5%) were not aware of the current University procedure for making a sexual harassment complaint, and another 14% were not sure whether they knew it or not. More than 40% of respondents (41.4%) did not know where to find or obtain a copy of the current University Policy on Sexual Harassment.

Although one of the primary purposes of this most recent survey was to assess today's perceptions and behaviors versus those recorded 12 years ago, to some extent it is difficult to compare the results of this survey with the 1992 survey. There are vast differences in the sample size, distribution method and in some instances the method of analysis. Nonetheless, there did not appear to be any critically significant change in the level of sexual harassment on campus. In 1992, 44.7% of respondents indicated they had not experienced any unwelcomed behavior. This figure compares to 47.9% in 2004. In 1992, 15% of respondents reported an experience of sexual harassment. In 2004, this figure is 24.2%. Although this is not a trivially

greater number, it is likely that it reflects a greater awareness about sexual harassment rather than a greater amount of sexual harassment on campus.

More significant perhaps is that a comparison of the two surveys suggests that certain things have not changed, e.g., awareness of the University Sexual Harassment Complaint Policy and Procedure. In 1992, 71% of all survey respondents stated that they either did not know or were not sure of the university procedures for initiating a sexual harassment complaint. In particular, 92.1% of undergraduate students reported a lack of awareness. While a greater number of people reported awareness of the policy and procedure (47.1%), only 8% of undergraduate students and 18% of graduate/professional students responded that they were aware of the current University procedure for filing a sexual harassment complaint.

## RECOMMENDATIONS

In light of the findings of this survey, the Council on Status of Women makes the following recommendations, explained more fully in the full report:

- 1. It is critical that the University of Iowa dedicate energy and resources towards ensuring that its community knows about, understands, and feels free to use its sexual harassment policy and procedures.**
- 2. The University must take complaints of sexual harassment seriously and the UI community must know that to be true.**
- 3. All people at the University of Iowa who are charged with administering the sexual harassment policy must understand the policies and the nature of sexual harassment.**
- 4. The University must pay attention to sexually harassing behaviors that occur in connection with the use of alcohol, including tailgating before football games.**
- 5. The University should continue to strive for gender-balanced work environments.**
- 6. The University must continue to try to eliminate e-mail SPAM.**
- 7. The University of Iowa should conduct a follow-up survey of sexual harassment and unwelcomed behavior within the next five years for undergraduate students.**

**8. Future surveys should endeavor to maximize the response rate, especially for undergraduate students.**

*Recommendations Beyond Sexual Harassment*

**9. The University of Iowa should consider how to address the broader issue of respectful treatment on campus.**

**10. The University needs to publicize its anti-harassment policy (see <http://www.uiowa.edu/~our/opmanual/ii/14.htm>).**



University of Iowa News Release

May 10, 2006

## UI To Require Mandatory Training On Harassment, Violence Policies

Administrators and new students will be required to complete mandatory training regarding sexual harassment and violence policies, University of Iowa President David Skorton announced today. The mandatory training measures are part of the university's comprehensive responses to recommendations in reports by the Campus Climate Committee and a subsequent campus survey on sexual harassment conducted by the Council on the Status of Women.

"I take seriously my leadership responsibility, along with other senior administrators, to promote a safe, welcoming, inclusive and just university community," Skorton said in his written response to the two reports. "There are several indicators that continued effort is needed to improve the campus climate at the University of Iowa," Skorton said. Those indicators include:

- The fiscal year 2005 report on complaints filed with the UI Office of Equal Opportunity and Diversity documents that "various forms of discrimination continue on our campus."
- The 2005 report of the UI Office of the Ombudspersons shows that cases of incivility continue among faculty, staff and students, ranging from insensitive and discourteous behavior to abuse and violence.
- Some of the responses to the debate over pink locker rooms at Kinnick Stadium "are troubling examples of discriminatory, abusive and disrespectful behavior from our campus."

Skorton thanked the members of both the Climate Committee and the Council on the Status of Women for their efforts to investigate the issues and recommend actions aimed at improving the campus climate.

"Their recommendations suggest that comprehensive solutions call for administrative leadership and training, involve campus and external constituents, and require raising awareness and improving existing policies and procedures," Skorton wrote. "I am committed to implementing such solutions and view addressing discrimination, sexual harassment and violence as fundamental to promoting diversity, inclusion and equity."

Skorton also thanked Professor Salome Raheim, who was recently appointed as Senior Associate to the President. Raheim helped formulate the response and will monitor implementation of the actions.

- To view Skorton's response to the two reports, click [here](#).
- To view actions taken and actions planned in response to the recommendations of the two committees, click [here](#).

STORY SOURCE: University Relations, 101 Jessup Hall, Iowa City, Iowa 52242-1000.

MEDIA CONTACT: Steve Parrott, [steven-parrott@uiowa.edu](mailto:steven-parrott@uiowa.edu), phone 319-335-0552, cell 319-530-6972

**TO:** UI Community

**FROM:** David J. Skorton

**RE:** Follow up on Presidential Actions on *Campus Climate Committee Report* and *Sexual Harassment and Unwelcomed Behavior at the University of Iowa Report*

I write to you today regarding the campus climate at the University of Iowa. Our new Strategic Plan, *The Iowa Promise*, makes clear the UI's aspiration *to attract the most talented faculty, staff, and students and to provide an environment where they can discover and fulfill their potential*. Achieving this aspiration requires creating and maintaining a campus climate in which all members of the campus community are treated with dignity and respect, their contributions are valued, and all are free to express their opinions and participate in campus life. Such an environment is free of discrimination, harassment and violence. I take seriously my leadership responsibility, along with other senior administrators, to promote a safe, welcoming, inclusive and just university community.

There are several indicators that continued effort is needed to improve the campus climate at the University of Iowa. These indicators are apparent in the 2005 annual reports of the Office of the Ombudsperson and the Office of Equal Opportunity and Diversity, the recent *Sexual Harassment and Unwelcomed Behavior Report* and some behavior in response to the "Pink Locker Room" issue. In this document, I address concerns about our campus climate, provide a follow up on actions taken in response to the *Campus Climate Committee Report* and respond to the recent *Sexual Harassment and Unwelcomed Behavior Report*.

(<http://www.uiowa.edu/~ournews/2003/october/102403climate-report.html>; and [http://www.uiowa.edu/president/task-forces/sexual\\_harass\\_survey/index.html](http://www.uiowa.edu/president/task-forces/sexual_harass_survey/index.html)). I asked each Vice President and others to review the *Campus Climate Committee Report* and act on recommendations in their respective areas of responsibility, as well as propose actions in response to the *Sexual Harassment and Unwelcomed Behavior Report*.

I previously expressed my appreciation for the work of these committees and do so again here. I am grateful for the important contributions they have made to advancing our understanding of the prevalence of sexual harassment and violence on our campus and how to address these issues. In particular, the *Sexual Harassment and Unwelcomed Behavior Report* clearly and irrefutably indicates the distance we still have to travel to address sexual harassment and unwelcomed behavior on our campus.

Conclusions of both reports indicate a need for building comprehensive solutions to address sexual harassment and violence. Their recommendations suggest that comprehensive solutions call for administrative leadership and training, involve campus and external constituents, and require raising awareness and improving existing policies and procedures. I view addressing discrimination, sexual harassment, and violence as fundamental to promoting diversity, inclusion, and equity at the University of Iowa.

Since release of the *Campus Climate Committee Report*, many of its recommendations have been implemented. These actions are described below, along with further actions to be taken. After careful consideration of *Sexual Harassment and Unwelcomed Behavior Report*, I accept all ten of the report's recommendations and have directed that all be implemented. In the section that follows, recommendations from each report are listed, along with actions that

are already being taken and decisions on further actions. When recommendations from the two reports are closely related, these are listed together.

I am grateful for the efforts of Professor Salome Raheim, Senior Associate to the President, who played a central role in the formulation of this response and who will assist in monitoring the implementation of actions detailed here.

**CAMPUS CLIMATE SURVEY REPORT**  
**Recommendations**

**SEXUAL HARASSMENT SURVEY**  
**Recommendations**

**FOLLOW-UP ON CLIMATE REPORT RECOMMENDATIONS**  
**ACTIONS ON SEXUAL HARASSMENT RECOMMENDATIONS**

<p>1. The President and other senior administrators should set the standards and expectations for communicating and upholding the University's policies on sexual harassment and violence.</p>	<p>The University must take complaints of sexual harassment seriously and the UI community must know that to be true. (Recommendation 2)</p>	<p>The President and other senior administrators will model the importance of upholding the University's policies on sexual harassment and violence through (1) Completing online training that will be made available to faculty and staff (2) Assuring that all of their direct reports complete the training, and (3) Disseminating information about these efforts within the University community.</p> <p>On an annual basis, violations of the policies and actions taken will be reported in aggregate terms.</p>
<p>1.A. The President should send a letter to the parents of incoming freshmen students, prior to the beginning of the fall semester, advising the parents of the University's policies relating to alcohol abuse, drug abuse, sexual harassment, and violence, and the consequences for behavior in violation of those policies. The letter should also advise parents on the steps they can take to prepare their sons and daughters to act responsibly.</p>		<p>A new initiative is being undertaken by the Vice President for Student Services and the Provost to institute a mandatory on-line course for all incoming first-year students addressing alcohol and drug abuse, sexual harassment, and violence on campus. The on-line course, <i>AlcoholEdu</i> will be conducted at the beginning of the semester and incoming students will be required to complete the course in order to enroll in classes. Parents and incoming students will be made aware of the requirement for registration through a letter from the Provost and VP for Student Services prior to student orientation.</p> <p>The letter to parents will invite them to partner with the university to help their first-year students be successful. In addition to informing parents of the requirement that students complete the on-line course, the letter will inform parents that 1) we have high expectations for our students; 2) every year, highly motivated and talented first-year students get into trouble because they have not thought through the consequences of illegal or unwise alcohol and drug use; 3) often these situations lead to worse things like sexual harassment and violence; 4) we have strong policies about all of these behaviors, and we enforce them; and 5) we realize that many students come unprepared to deal with these issues. The President will send a similar letter. The purpose of both letters is to encourage parents to discuss these issues seriously with their incoming first-year students.</p>

**CAMPUS CLIMATE SURVEY REPORT**  
**Recommendations**

**SEXUAL HARASSMENT SURVEY**  
**Recommendations**

**FOLLOW-UP ON CLIMATE REPORT RECOMMENDATIONS**  
**ACTIONS ON SEXUAL HARASSMENT RECOMMENDATIONS**

		<p>The letter to students will inform them that 1) we have high expectations for our students; 2) they are required to complete the on-line course, 3) every year, highly motivated and talented first-year students get into trouble because they have not thought through the consequences of illegal or unwise alcohol and drug use; 3) often these situations lead to worse things like sexual harassment and violence; 4) we have strong policies about all of these behaviors and we enforce them; 5) we realize that many students come unprepared to deal with these issues; and 6) resources for support and assistance are available if students encounter difficulties. The President will also send a similar letter to students.</p> <p>Currently, these topics are specifically addressed during new student orientation and residence hall floor meetings early in the semester. Every RA was required to have a program during the fall 2005 semester on RVAP and campus resources. At the beginning of each fall semester, all students are notified by email of the <i>Policies and Regulations Affecting Students</i>, which includes University policies on sexual harassment and violence.</p>
<p>I.B. The University should notify all faculty, students, and staff annually about the policies on sexual harassment and violence, as it does for workplace drugs and alcohol by federal mandate. The President of the University could send a letter and/or email each fall to all faculty, staff, and students reminding all community members of the importance of following these University policies, and providing</p>	<p>The University needs to publicize its anti-harassment policy (see <a href="http://www.uiowa.edu/~our/opmanual/ii/14.htm">http://www.uiowa.edu/~our/opmanual/ii/14.htm</a>).          (Recommendation 10)</p>	<p>The Provost's Office, Human Resources and the Office of Equal Opportunity and Diversity revised the annual policy notification two years ago. Faculty, students and staff receive the revised notice annually. University administrators will continue to send the annual policy notification each fall to current faculty, staff and students advising them of the University's policies on sexual harassment, anti-harassment, consensual relationships involving students, violence and anti-retaliation.</p>

**CAMPUS CLIMATE SURVEY REPORT**  
**Recommendations**

**SEXUAL HARASSMENT SURVEY**  
**Recommendations**

**FOLLOW-UP ON CLIMATE REPORT RECOMMENDATIONS**  
**ACTIONS ON SEXUAL HARASSMENT RECOMMENDATIONS**

<p>information about resources available to bring complaints or obtain more information.</p>		<p>In developing the annual policy publication, VPs will also call attention to this publication in collegiate, departmental, and unit meetings.</p> <p>The President's office and VP's will collaborate with UISG and other student organizations to develop strategies for effectively disseminating this information to students.</p>
<p>I.C. All Academic and Administrative Officers, as defined by university policy, should receive training when they assume their position at the University and at regular intervals thereafter. The President should issue directive invitations to all new AAOs to attend training each year. The training should cover both general education about what behavior constitutes sexual harassment and violence, as well as the specific procedures to be followed under the University's Policy on Sexual Harassment. AAOs should receive posters, magnets, buttons, etc. with information about sexual harassment and violence to display in their units. Academic and Administrative Officers should have a magnet to post in their office that lists the Office of Equal Opportunity and Diversity's website URL. It is vital that these mandatory reporters have immediate access to information that will help them assess the victim's safety issues and proceed in a timely manner with university process.</p>	<p>All people at the University of Iowa who are charged with administering the sexual harassment policy must understand the policies and the nature of the sexual harassment.</p> <p>(Recommendation 3)</p>	<p>The Office of Equal Opportunity and Diversity, the Office of the Provost and Human Resources have developed recommendations for mandatory training, after consultation with peer institutions. Their recommendations will be implemented commencing FY 2007 and include the following:</p> <ul style="list-style-type: none"> <li>• Training will be offered both in person and on-line, with reporting and tracking capability by department, college/division and centrally.</li> <li>• All Academic and Administrative Officers, as defined by university policy, will participate in training at regular intervals.* New Academic and new Administrative Officers will participate in training within a specified period of time after commencement of employment (to be determined).* All staff and faculty will have access to the on-line training regardless of their supervisory/administrative status.</li> </ul> <p>A planning group will convene with representation from EOD, HR, and the Office of the Provost to create an implementation plan for review by the VPs.</p> <p>*Time frames will be specified in the implementation plan.</p>
<p>I.D. Academic and Administrative Officers, especially Deans of instructional units, should be encouraged to provide orientation programs annually</p>		<p>The Provost will strongly encourage Deans of instructional units to include information on the University Sexual Harassment and Violence Policies in new faculty and TA orientations.</p>

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for new faculty and teaching assistants that include information on the University's Sexual Harassment and Violence Policies.

The Office of Equal Opportunity and Diversity, the Office of the Provost, and Human Resources have developed recommendations for mandatory training, after consultation with peer institutions. Their recommendations will be implemented commencing FY 2007 and include the following:

- All Teaching Assistants will participate in initial training and at regular intervals thereafter. New TAs will participate in training within a specified period of time after commencement of employment (to be specified in implementation plan).
- Faculty (current and new) will be strongly encouraged by their Deans/DEOs to participate in training.

2. A variety of research and educational efforts should be implemented to raise awareness about what constitutes sexual harassment and violence under our policies, involving various departments and organizations and using a variety of marketing and media techniques.

2.A. The University of Iowa should replicate the Campus Survey on Sexual Harassment (or a similar survey) which was last performed in 1993. Without information on the large number of units within the University, it is difficult to target resources where they would be most effective in reducing sexual harassment and violence.

The Sexual H harassment Survey report was completed and posted at [http://www.uiowa.edu/president/task-forces/sexual\\_harass\\_survey/index.html](http://www.uiowa.edu/president/task-forces/sexual_harass_survey/index.html) on January 2006, as discussed in this response.

2.B. The University should create a poster or poster series with an appealing design and pertinent

It is critical that the University of Iowa dedicate energy and resources towards

IMU Graphics is developing a communications plan, including posters for implementation in the fall of 2006. The plan will include a website that will

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<p>information about what constitutes sexual harassment and violence, and what resources exist to assist victims. The University of Illinois has a free poster series that could be used or slightly modified for this campus. The University could use existing academic departments (marketing, design, etc.) to sponsor a poster contest to generate new displays. Posters should be disseminated for display on campus bulletin boards, restrooms, and the Cambus.</p>	<p>ensuring that its community knows about, understands, and feels free to use its sexual harassment policy and procedures. (Recommendation 1)</p>	<p>direct people to the appropriate offices and resources. Key campus constituents will be consulted in the design process (e.g., Council on the Status of Women, Office of Equal Opportunity and Diversity, RVAP and others).</p>
<p>2.C. The University of Iowa should create and disseminate maps of the campus and downtown area with sexual harassment/assault information on the back to assist in creating familiarity with the community and with resources available to victims. Maps and other handout information should include where to report an assault or case of harassment, explain the steps involved in a campus investigation through the use of a flow chart, include information about the informal resolution of complaints, and provide information about retaliation protection.</p>	<p>[REDACTED]</p>	<p>Rather than disseminating maps, two new categories will be added to the University's website A – Z search list: <i>sexual assault (reporting)</i> and <i>sexual harassment (reporting)</i>. The categories will display needed information with links to the appropriate departments.</p> <p>The President's office will continue to explore strategies for disseminating information about resources and policies.</p> <p>See above item about new website.</p>
<p>2.D. The University should provide mechanisms to educate students about sexual harassment and violence, specifically targeting first-year students.                  2.D.1. The coordinator of the required first year Rhetoric course may be able to integrate knowledge of University sexual harassment and violence policies into curriculum; the University could provide seed money for the development of curricular materials for</p>	<p>[REDACTED]</p>	<p>A new initiative is being undertaken by the Vice President for Student Services and the Provost to institute a mandatory on-line course for all incoming first-year students addressing alcohol and drug abuse, sexual harassment, and violence on campus. The on-line course, <i>AlcoholEdu</i> will be conducted at the beginning of the semester and incoming students will be required to complete the course in order to enroll in classes. Parents and incoming students will be made aware of the requirement for registration through a letter from the Provost and VP for Student Services prior to student orientation.</p>

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this purpose.

2.D.2. Sexual harassment, assault, alcohol awareness, and safety issues could be incorporated into the current College Transition course or similar courses; with the University providing seed money for development of curricular materials for this purpose.

2.D.3. An online training program for students could be designed (based on the "Online at Iowa" concept) covering issues of sexual harassment, assault, alcohol awareness, local/state laws, and safety issues. Program could contain scenarios to evaluate to determine whether specific behavior is or is not sexual harassment, as well as specifics related to the University's policies (e.g., does the behavior have to occur on campus). Students could be required to complete the program and would earn one credit for completion.

2.D.4. Students could receive the same one-hour panel orientation program that parents currently receive that includes representatives from University Counseling Service, Student Health, Department of Public Safety, and the Rape Victim Advocacy Program.

2.E. Any new educational programs should specifically address issues of racial and ethnic

The new initiative will complement education about sexual harassment and violence that is now being done in orientation and Residence Hall floor meetings.

For graduate students, orientation will include (1) the policies regarding sexual harassment and violence, (2) consequences for violating these policies, and (3) information about how to get support and assistance if unwelcome behavior is experienced, emphasizing that such behavior does not have to be tolerated.

Additionally, the Provost and Vice President for Student Services are exploring incorporating other training in curricular and co-curricular activities.

Before implementation of the mandatory online training for AAOs and TAs (as described in 1.C. above), EOD will review training materials to assure that the

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<p>diversity, especially:</p> <p>2.E.1. Cultural differences in the definition of harassment and assault, vulnerability to harassment/assault, vulnerability to accusations of harassment/assault.</p> <p>2.E.2. Acknowledgment of the role of racism in past law enforcement and disciplinary proceedings relating to sexual harassment and violence in the United States.</p> <p>2.E.3. Commitment to uniform campus treatment regardless of the race/ethnicity of the alleged victim and/or alleged perpetrator, focusing on the behavior rather than the identities of the parties.</p>		<p>following issues have been addressed:</p> <ul style="list-style-type: none"> <li>• Cultural differences in the definition of harassment and assault, vulnerability to harassment/assault, vulnerability to accusations of harassment/assault.</li> <li>• Acknowledgment of the role of racism in past law enforcement and disciplinary proceedings relating to sexual harassment and violence in the United States.</li> <li>• Commitment to uniform campus treatment regardless of the race/ethnicity of the alleged victim and/or alleged perpetrator, focusing on the behavior rather than the identities of the parties.</li> </ul>
<p>2.F. The UI Lecture Committee should be encouraged to invite a prominent speaker in the area of violence and sexual assault to campus in order to air issues raised by our recent campus experiences. The entire campus community would be the target audience for this activity. The University could also invite a prominent and well-known entertainer (ESPN Commentator, musical entertainer) early in fall semester (perhaps during the Weeks of Welcome or during Sexual Assault Awareness Month -April) with a goal of incorporating an educational or public awareness message into the presentation or performance. The entering class of first year undergraduates would be the main target audience for</p>		<p>The President will encourage the University Lecture Committee to invite a speaker who will address issues of sexual assault and violence. This charter committee is composed of faculty, staff and students.</p> <p>For the past several years, organizations in the Greek system have encouraged educational programming within the entire community every other year and chapter wide annually on sexual assault presented by various speakers within and outside the University. The President will express written support of this practice and encouragement that it continues.</p>

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this activity, although certainly the entire campus community would benefit from having this issue raised. This speaker or event could have a focus on involving men in the campus community to show support for efforts to prevent sexual harassment and violence.

2.G. The University should implement mandatory RA training in residence halls that would focus on alcohol and its relationship to sexual assault and other forms of campus violence.

2.H. The University ought to seek out programs at other universities that have achieved success in reducing sexual violence, including alcohol-related sexual violence, to consider whether they might be implemented at the University. One such program is the "McPherson Program," which utilizes peer intervention to educate about physical coercion for sexual acts.

In fall 2005, RA training included sessions on violence and sexual assault and a session on the UI sexual harassment policy. RVAP prepared a DVD that all RAs were required to show to their floor residents.

The University of Iowa is one of ten universities in the country funded by the Robert Wood Johnson Foundation to create environmental change to reduce the harmful effects of abusive drinking on college campuses. Through national meetings and publications, the University is learning best practices being implemented at other universities to reduce the secondary effects of alcohol abuse, including sexual and physical assault on campus. The Stepping Up Project is the University/Community coalition created to implement these needed environmental changes and will be continued by the University after the Robert Wood Johnson grant expires in fall 2006.

The University will require all students scheduled to enroll in fall 2006 to complete *AlcoholEdu*, a research-based online alcohol education program that includes specific instruction on sexual violence. Currently being used at many institutions of higher education, this program is based on best practices outlined in the NIAAA Report to College Presidents, including challenging student expectations that alcohol will facilitate sexual activity and is currently being used at many top institutions of higher education. Evaluation indicates students who

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		<p>complete <i>AlcoholEdu</i> learn more about alcohol, experience fewer negative side effects and increase their understanding of alcohol and its role in sexual violence, including the inability to give consent. The program content will be customized for our campus, including adding links to our specific policies related to alcohol use, student conduct, violence and harassment. We will also add specific questions related to sexual violence. This is a collaborative effort by the Vice President for Student Services, Admissions/Orientation, Residence Services, Student Health, Stepping Up and the Provost's office. The coalition structure of the Stepping Up Project will facilitate continued current work on additional changes.</p>
<p>3. The University should collaborate with external entities, including the City of Iowa City, to achieve common goals regarding the reduction of sexual harassment and assault, especially as it relates to alcohol abuse.</p> <p>3.A. The University administration should consider reaching out to bar owners to create a meaningful dialogue by which University policy and the data on alcohol-related sexual assaults could be communicated in a non-confrontational manner. Perhaps some common effort could follow, including posters addressing the alcohol/campus violence nexus and sexual assault services that could be displayed in restrooms and phone booths.</p>	<p>The University must pay attention to sexually harassing behaviors that occur in connection with the use of alcohol, including tailgating before football games. (Recommendation 4)</p>	<p>Several groups with missions related to campus/community collaboration (e.g., Stepping Up, Iowa City Alcohol Advisory Board) exist and will continue their work toward policy and environmental solutions. (described in 3.C. below)</p> <p>For the past seven years, the UI has been a partner in the Stepping Up Project, a collaborative effort to reduce the harmful effects of alcohol use. A coalition of UI faculty, staff and students, Iowa City municipal government and schools, and business owners, the project has combined education, prevention and environmental change efforts to achieve its purpose. Two Stepping Up Project members participated in a separate ad hoc group to examine bar owners' efforts to police themselves. Additionally, the Iowa City Alcohol Advisory Board (ICAAB) met over the past year and made recommendations for reducing the harmful effects of excessive drinking. In response to the ICAAB's December 2005 report, President Skorton expressed support for the advisory board's recommendations, as well as proposing that Iowa City adopt an ordinance prohibiting persons under age 21 from entering bars. A community person who co-chairs the executive committee of the Stepping Up Coalition has been</p>

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<p>3.B The University should consider adopting a poster and business card campaign in residence halls, bars and taverns that asks women, "Can you give consent?" and asks men, "Did you get consent?" This approach appears to have had some success on other campuses.</p>		<p>appointed to the State Alcohol and Beverage Commission (ABC).</p> <p>RVAP implemented a campaign to raise awareness of the consent issue. The campaign includes messages on napkins in bars, as well as posters and stickers in residence halls and fraternity/sorority houses. RVAP AND IMU Graphics will communicate to assure that the RVAP effort is coordinated with the broader UI campaign.</p>
<p>3.C. The University administration ought to help organize and then be part of an Iowa City Task Force on the impact of alcohol use on the quality of life in Iowa City, including the alcohol/campus violence nexus. Members of this group might also include downtown business owners with concerns about the effects of binge drinking on their businesses, as well as bar owners.</p>		<p>Several groups with missions related to campus/community collaboration (e.g., Stepping Up, Iowa City Alcohol Advisory Board) exist and will continue their work toward policy and environmental solutions. Additionally, University administrators are participating with community leaders in an effort organized by the Johnson County Public Health Department to address alcohol abuse among young people and its secondhand effects, including sexual violence.</p> <p>Recommendations for policy, education, and environmental changes relative to our downtown environment will be disseminated in a fall 2006 report.</p>
<p>3.D. The University, perhaps in collaboration with local government, should explore the feasibility of reinstituting a safe transit service for individuals who feel they are at risk for violence after dark.</p>		<p>Currently, Cambus runs buses on the red and blue routes until 3:00 a.m., and quite a few people use this service. Past attempts to provide safe rides from the Pentacrest in smaller vehicles were not successful.</p>
<p>4. The University should uphold and improve current policies and procedures regarding sexual harassment and violence, as recommended below.</p> <p>4.A. The University's Sexual Harassment Policy should be amended to recommend that academic and administrative officers who receive complaints of</p>		<p>EOD will amend the policy to instruct Academic and Administrative Officers to inform complainants about the resources of RVAP. EOD will make revisions to its website to include the phone number of RVAP. EOD will discuss publicity materials with referral departments (Public Safety, Ombudsperson, Faculty and Staff Services, University Counseling Services, WRAC and RVAP).</p>

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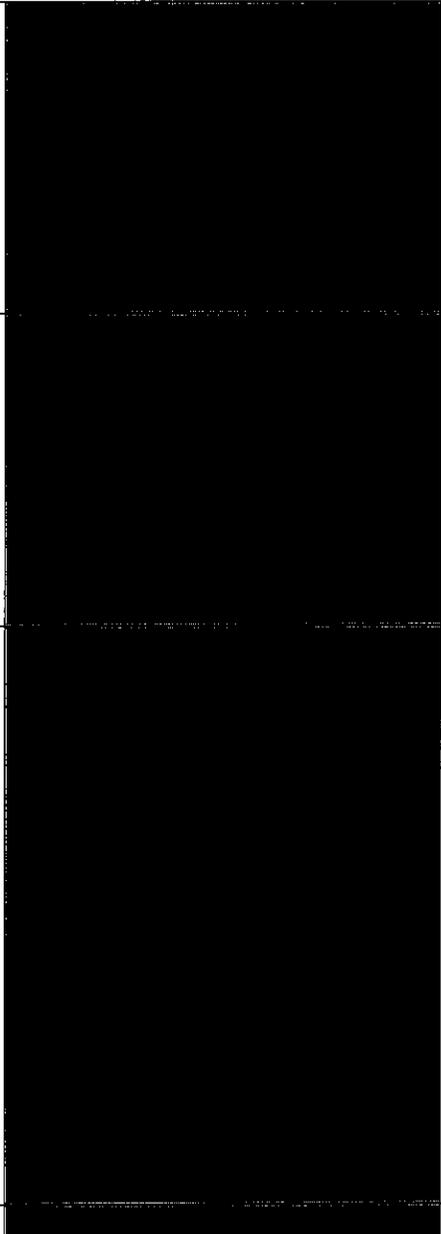
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sexual harassment should inform complainants of the resources provided by the Rape Victim Advocacy Program (RVAP). In addition, RVAP's phone number would be consistently provided in publicity materials as the place for consultation, information, and support regarding sexual harassment or sexual violence.

4.B. Penalties for violations should be handed down promptly and should be more effective, which in some cases may be more severe, than in the past.

4.C. Academic and Administrative Officers should be required to comment in their annual activities reports or performance evaluations about the actions they have taken to maintain an atmosphere of civility and respect and prevent sexual harassment and violence in their units. Departmental and unit reviews should include commentary about unit climate and actions taken to ensure respect among all unit members, including those taken to prevent sexual harassment and violence.

4.D. Higher administration, including the President,



EOD will review outcome statistics for founded complaints and responses to EOD recommendations on an annual basis.

Regarding student misconduct, the Vice President for Student Services will issue an annual report on the number of sexual harassment/sexual assault cases and actions taken, excluding instances where the persons disciplined could be identified.

As of August 15, 2005, Human Resources requires that all new P&S job descriptions contain a responsibility related to civil and respectful interactions and a responsibility related to diversity and inclusion. As of December 31, 2005, all job descriptions of P&S employees are required to have these new elements. Performance appraisal instruments that are on HR's website now include corresponding elements. Performance appraisals of colleges and departments are also being revised.

Annual performance evaluations of Academic and Administrative Officers will include review of activities taken to create and maintain an atmosphere of civility and respect. Departmental reviews will include commentary about unit climate and actions taken to ensure respect among all unit members, including those taken to prevent sexual harassment and violence.

The news release announcing this document expresses the strong support of the

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<p>Vice Presidents, and Provost, must publicly state their support for those individuals and offices that investigate and enforce the policies ( the Office of Equal Opportunity and Diversity, Departmental Executive Officers, etc.).</p>		<p>President, Provost and Vice Presidents for the individuals and offices that investigate and enforce policies related to sexual harassment, violence and unwelcome behavior. The President will follow up, at least annually, with a similar statement of support and reminders to the campus community about the importance of these offices and enforcement of the policies.</p>
<p>4.E. The Office of Equal Opportunity and Diversity should annually publish in the Daily Iowan Special Edition statistics (gathered from Public Safety, RVAP, OAA) on complaints of sexual harassment and violence and the outcomes of complaints, including the penalties imposed.</p>		<p>EOD will continue to publish advertisements annually in the Daily Iowan Special Edition on the complaint statistics, including outcomes and penalties imposed.</p>
	<p>The University must continue to try to eliminate e-mail SPAM.          (Recommendation 6)</p>	<p>The Provost and Senior VP will discuss with the ITS leadership strategies for tighter controls on SPAM with ITS.</p>
	<p>The University should continue to strive for gender-balanced work environments. (Recommendation 5)</p>	<p>The Provost has appointed a Gender Equity Task Force. The task force will make recommendations regarding how to achieve greater gender balance in the work environment and how the Provost can best assess a Dean's performance regarding gender equity. Recommendations will be made to the Provost and will be shared with the Director of HR and the Director of EOD in spring 2006.</p> <p>The University will conduct a follow-up survey of sexual harassment and unwelcome behavior in five years for undergraduate students.</p>
	<p>Future surveys should endeavor to maximize the response rate, especially for undergraduate students.          (Recommendation 8)</p>	<p>For future surveys, strategies will be used similar to those employed for the HR <i>Working at Iowa</i> survey, which yielded an average response rate of 42.6% and 84% at UIHC. Strategies included advanced web notification,</p>

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		<p>messages and visits from ‘ambassadors’ to constituent groups and email reminders.</p>
	<p>The University of Iowa should consider how to address the broader issue of respectful treatment on campus.          (Recommendation 9)</p>	<p>To address broader issues of respectful treatment on campus, four diversity climate surveys have been completed with the following groups—undergraduate students, graduate students, faculty and staff. Additionally, permanent faculty and staff completed an employee engagement survey in April 2006. Results will be used to develop strategies to improve the climate on campus.</p> <p>Additionally, the new P&amp;S performance standards related to civil and respectful behavior (see 4.C above in Campus Climate Report) partially address this recommendation. In addition to the communications campaign discussed above (see 2.B ), a poster series will be designed with the theme of making the University of Iowa a welcoming, inclusive, and just community. The series will address specific issues that promote and prevent this goal, including sexual harassment, violence, racism, homophobia, ablism, and incivility. The campaign will be designed with broad input from campus constituencies.</p>
<p><u>Follow-Up, Implementation and Accountability Plan</u></p> <p>Implementation of these recommendations will be both challenging and time-consuming. Given the limits of new resources for implementation, the Climate Committee urges the President to assign an existing charter or standing Committee (the UI Human Rights Committee or the Council on the Status of Women, for example) the task of creating an implementation plan and reporting annually to the President of the University on progress made.</p>		<p>The President and Director of EOD will oversee implementation of these actions. The President and each central administrator will implement actions in their areas of responsibility, as outlined in this response. Each central administrator will report results annually for the next five years. The President will direct an annual report to be compiled and distributed to the campus community and specifically to CSW for review and comment.</p>



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### Memorandum

To: Marc Mills, General Counsel

From: Jennifer Modestou, Director, Office of Equal Opportunity and Diversity 

Date: Wednesday, April 2, 2008

Re: Inquiry from the Board of Regents, State of Iowa Regarding the University's Response to the 2003 *Campus Climate Committee Report*

In response to the inquiry from the Board of Regents regarding the University's response to the 2003 *Campus Climate Committee Report* (Climate Report), I'm pleased to provide a summary of the variety of responses and initiatives undertaken since the issuance of the report. Enclosed you'll find a timeline of events, reports, and University action since October 2002, as well as copies of press releases and other documents that summarize measures taken preceding and following the issuance of the Climate Report.

As stated in the University's Policy on Sexual Harassment, sexual harassment is reprehensible and will not be tolerated by the University. It subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. In both obvious and subtle ways, sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole.

Similarly, the University will not tolerate behavior of a sexual nature by members of the University community that creates an intimidating or hostile environment for employment, education, on-campus living, or participation in a University activity. Furthermore, all members of the University community are expected to take appropriate steps to support this policy and to address incidents of sexual harassment that occur within their areas.

The University's Policy on Violence states that the University's commitment to learning requires that the highest value be placed on the use of reason and that violence involving the University community be renounced as inimical to its goals. Violence, whether actual or threatened, destroys the mutual trust which must bind members of the community if they are to be successful in pursuing truth. Through its policy and practice, the University makes clear that acts and threats of violence constitute serious violations of University policy. Particularly heinous is violence which harms or demeans members of the community because of personal characteristics such as race, creed, color,

national origin, age, sex, disability, sexual orientation, gender identity, or associational preference.

## **Background to the Campus Climate Committee Report**

In response to a high-profile sexual assault case in 2002 involving a student-athlete (Pierre Pierce), then President Boyd appointed three groups to look into different aspects of the case and to assess the campus climate regarding sexual harassment and sexual assault. The Board in Control of Athletics (BICOA) was asked to review the case and consider steps that should be taken to ensure that similar situations are resolved in the interests of the entire University. The report issued by BICOA is referred to as the Colangelo Report. The Raymond Committee investigated the University's role in the resolution of the case and issued the Raymond Report in April 2003. The Campus Climate Committee examined the campus climate regarding issues of personal safety and freedom from sexual harassment and assault. The Climate Report was issued in October 2003.

In June 2003, then President Skorton issued a press release indicating his intention that the University would soon implement all but one of the 11 recommendations made in the Raymond Report. In addition, he accepted all ten of the recommendations contained in the Colangelo Report. Two of the recommendations had already been implemented (reinstating the Student Athlete Welfare Committee of BICOA and naming Mary Curtis, Associate Director of Athletics, as the sexual assault/sexual harassment compliance officer for the Department of Athletics). President Skorton changed the reporting structure in March 2003 so that the Department of Athletics reports directly to the President, consistent with other Big Ten universities and following the recommendation of the national Knight Commission on Intercollegiate Athletics (for the Knight Commission report, see [http://www.knightcommission.org/about/keeping\\_faith\\_letter\\_of\\_transmittal/](http://www.knightcommission.org/about/keeping_faith_letter_of_transmittal/)). President Skorton also appointed an advisory committee to help him oversee the Department of Athletics. Initial members of the athletics advisory council were Doug True, Vice President for Finance and Operations; Robert Bowsby, Athletics Director; Jane Meyer, Senior Associate Athletics Director; Professor Nicholas Colangelo, chair of BICOA; Professor Elizabeth Altmaier, the UI faculty representative to the Big Ten and NCAA; Phillip Jones, Vice President for Student Services; Charlotte Westerhaus, Director of Affirmative Action and Title IX Coordinator; and Mark Schantz, General Counsel.

On October 24, 2003, President Skorton released the *Campus Climate Committee Report* that examined the campus climate regarding issues of personal safety and freedom from sexual harassment and assault. The Campus Climate Committee was asked by former President Boyd 1) to make recommendations on how best to communicate the existence and details of University policies against harassment and violence; 2) what additional training and resources may be necessary to reduce assault and harassment on campus and to fairly deal with alleged victims and offenders; and 3) whether the campus could benefit from discussion or a conference to fully air issues of harassment and violence. The text of the report and attachments are available at:

<http://news-releasse.uiowa.edu/2003/october/102403climate-report.html>. Following issuance of the report, President Skorton discussed its recommendations with his vice presidents and with campus constituents.

### **University Action Following Release of the Climate Report**

On July 7, 2004, President Skorton announced he would implement the recommendations of the Climate Report. The recommendations were divided into four areas: 1) administrative leadership and training; 2) raising education and awareness within the University; 3) collaborating with external constituencies; and 4) improving and enforcing policies and procedures.

One of the major projects that President Skorton authorized as a result of reviewing the report's recommendations was the re-issuance of a campus-wide survey on sexual harassment and unwelcomed sexual behavior. He commissioned the Council on the Status of Women (CSW) to appoint a taskforce to design the questionnaire and prepare for the major study. President Skorton announced on September 13, 2004 the distribution of the online questionnaire to all UI faculty, staff, and students to assess the degree to which members of the campus community have experienced unwelcomed sexual behavior and sexual harassment. CSW surveyed more than 11,000 University of Iowa faculty, staff, and students on these issues.

Upon completion by the CSW of its report on the sexual harassment survey in early January 2006, the survey results were released by President Skorton on January 26, 2006. CSW made nine recommendations for future University action as a result of the study. CSW's report, including an executive summary, may be found on the Internet at: <http://www.uiowa.edu/csw/reports/sexual-harassment.shtml>.

The administration now had reports and recommendations from several committees to consider. President Skorton asked his vice presidents, staff, and other central administrative officials to review the recommendations of the two most recent reports and assist in preparing a response to the various recommendations.

### **President Skorton's Written Response to the Climate Report and CSW Report**

On May 10, 2006, President Skorton issued a press release in response to these two significant reports on the topic of sexual harassment and the campus climate at The University of Iowa: the 2003 *Campus Climate Committee Report* (Climate Report) and the 2006 *Sexual Harassment and Unwelcomed Behavior at The University of Iowa* report (CSW Report). In his 2006 memorandum to the UI community he provided a detailed report of specific follow-up actions taken or planned in response to the recommendations contained in the two reports. He directed the vice presidents and others to review the Climate Report and act on recommendations in their respective areas of authority, and asked that they propose actions in response to the CSW report. President Skorton also noted that since the release of the Climate Report many of its recommendations had already been implemented.

The May 10, 2006 memorandum includes a chart itemizing each recommendation contained in the two reports, indicates actions taken to date, and notes any future action to be completed. Please see the attached memorandum dated 5/10/06 for a complete listing of these action items or see the link entitled "President's Response, May 10, 2006" on the following website:

[http://www.uiowa.edu/president/taskforces/sexual\\_harass\\_survey/index.html](http://www.uiowa.edu/president/taskforces/sexual_harass_survey/index.html)

While many efforts were already underway at the University to raise awareness about the University's policies with respect to sexual harassment and violence, one of the most significant new initiatives was a multi-dimensional educational campaign launched by University Relations in the fall of 2006.

Steve Parrott, Director of University Relations, convened a number of meetings that culminated in the creation of a communications campaign about sexual harassment/violence that began in the fall of 2006 and is continuing through the 2007-08 academic year. The centerpiece was a Web site -- <http://www.sexualharassment.uiowa.edu> -- that contains links to the UI's policies on sexual harassment and violence, frequently asked questions (FAQs), resources for help, and downloadable posters. Additionally, vinyl window stickers were placed in Cambuses and in UI libraries, and placards were mailed to all students living in residence halls. Advertisements in The Daily Iowan, the UI's student newspaper, also called attention to the web site and campaign.

The posters and other visual elements of the campaign feature photographs of some of the kinds of places where sexual harassment can occur framed by a dotted line and the words "Sexual harassment can happen anywhere" and "Get the picture." The concept was developed by the Iowa Memorial Union Marketing and Design office, which won an award for the campaign from the Cedar Rapids Advertising Federation.

The campaign was geared primarily toward UI undergraduate students, who were, according to the CSW survey, the least informed about the UI's sexual harassment policy. The campaign was intended to raise awareness of the sexual harassment and violence policies and resources for help among UI faculty and staff.

The campaign is continuing during this academic year with posters on Cambuses and in residence halls and advertisements in The Daily Iowan. President Mason and the VP Group will soon be presented with an even more ambitious "Respect" campaign that would begin in the fall of 2008.

Additional significant efforts that were planned and/or initiated predominantly in response to recommendations contained in the Climate Report (detailed in President Skorton's May 6, 2006 memorandum), include:

- 1) Attendance at training sessions on the University's sexual harassment and violence policies by the President and senior administrative officials. President Skorton and President Mason have attended training on the policies, as an important example to the campus. Through the "Train-the-Trainer" program (described in Item 2 below), many other senior

administrative officials have attended trainings in their local colleges and units.

- 2) President Skorton mandated in 2006 that all academic and administrative officers and teaching assistants receive training on the Policy on Sexual Harassment, and that all teaching assistants additionally receive training on the Policy on Consensual Relationships Involving Students. To this end, the Office of Equal Opportunity and Diversity (EOD) designed the Sexual Harassment Train-the-Trainer Program in Spring 2007 and trained 24 representatives of various campus units to provide sexual harassment training to academic and administrative officers and teaching assistants in their respective units. The Train-the-Trainer Program consists of three sessions covering basic information, the law, and the University's Policy on Sexual Harassment, as well as presentation skills. At the end of the program, each participant presents an abbreviated version of the training material that they will use in providing sexual harassment training in their units.

Trainers who completed the Sexual Harassment Train-the-Trainer Program began providing sexual harassment training in Spring 2007; training remains underway, with the goal of training most academic and administrative officers and teaching assistants by the end of 2007. After each academic and administrative officer and teaching assistant completes the initial training, training will be conducted annually thereafter. EOD is currently finalizing a contract with an external vendor to make a sexual harassment training module available online (described in Item 9 below).

- 3) Development of an online course, AlcoholEdu, for incoming students. The University of Iowa implemented AlcoholEdu for the first time in Fall, 2006 requiring all incoming freshmen to complete the course for further enrollment at the University. AlcoholEdu for College is an objective, science-based, online alcohol prevention program designed specifically for college students as the cornerstone of a comprehensive campus prevention program. The purpose of AlcoholEdu for College is to prevent or reduce alcohol-related problems among college students while providing schools with a statistically accurate description of the alcohol-related attitudes, experiences, behaviors, and health education needs of their students. Partners in this endeavor included: The Office of the Vice President for Student Services, The Office of the Provost, Student Health Service/Health Iowa, University Housing, The University of Iowa Parents Association, Admissions/Orientation, Office of the Registrar, Academic Advising, Athletics, Information Technology Services, and Academic Technologies.

AlcoholEdu allows universities to create 6 custom questions related to a specific topic. The University of Iowa questions focus on sexual harassment, dating violence, stalking, and sexual assault in order to increase the knowledge, skills and abilities of our students on this topic as it relates to their new environment. AlcoholEdu recently created SexualAssaultEdu, an additional module that can be added to the course, which focuses on the

- same topics as our custom questions acknowledging that sexual assault and other incidents can affect entire campuses. The program focuses on ethics of relationships, alcohol's role in relationships and giving consent, and debunks myths. The course students took in Fall 2007 also included this new module.
- 4) Mailing of a notice sent to parents of incoming students notifying them of the AlcoholEdu course and other expectations for UI students. Since Fall 2006, mailings have been sent by the Vice President of Student Services and Dean of Students and the Executive Vice President and Provost to incoming students and their parents, informing them of the mandated training. Parents are encouraged to discuss the topics of underage and excessive drinking with their children. Additional information is available on the Internet at: <http://www.uiowa.edu/~aedu/Aedu/>.
  - 5) Mandatory training to academic and administrative officers<sup>1</sup> on the University's sexual harassment and violence policies. Faculty (new and current) will be strongly encouraged to participate in the training. Faculty and staff will have access to the online training, regardless of their supervisory status.
  - 6) Strong encouragement by the Provost to the Deans to include information on the University's sexual harassment and violence policies in new faculty and teaching assistant (TA) orientations. Information on the University's Sexual Harassment Policy is included in the new faculty orientation, coordinated by the Office of the Provost.
  - 7) Participation by teaching assistants in initial training and at regular intervals thereafter. In the College of Liberal Arts and Sciences, where the majority of TAs are employed, 80% of current TAs were trained during fall semester 2007; the remaining 20% are to complete training within their department by the end of spring semester 2008. Language is being incorporated into the offer letters for returning TAs for Fall Semester 2008 indicating they will need to complete sexual harassment training before their renewal appointment is processed (August 19, 2008). For new TAs, sexual harassment training must be completed by December 19, 2008.
  - 8) Enhancement of the graduate students' orientation to cover the sexual harassment and violence policies, consequences for violating these policies, and information on how to get support and assistance if unwelcome behavior is experienced.
  - 9) Assignment of an implementation team to develop an online training course on the University's sexual harassment and violence policies. The implementation team recommended utilizing an external vendor to provide the online training. Former President Fethke initially asked the implementation team to reconsider the option of developing the training internally; President Mason has now authorized using an external vendor, and the Office of Equal

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<sup>1</sup> For purposes of this policy, "academic or administrative officer" means any collegiate dean; any faculty member with administrative responsibilities at the level of departmental executive officer or above; any faculty member serving as director of undergraduate or graduate/professional studies; any staff academic advisor; the director of equal opportunity and diversity; the president; any vice president; the provost or designee; any director; any supervisor; or any human resources representative.

Opportunity and Diversity (EOD) has moved forward with the implementation team's original plan. Final details of the two-year contract with the selected vendor are being worked out and the contract between the vendor and the University is nearly ready to be signed. Roll-out of the online training program is projected for fall semester 2008.

- 10) Replication of a campus-wide survey on sexual harassment (see CSW Report above). President Skorton approved the replication of CSW's first campus-wide sexual harassment survey from the 1990's. Results of the second CSW survey are available on the Internet at: <http://www.uiowa.edu/csw/reports/sexual-harassment.shtml>.
- 11) Expansion of the annual policy notifications to include notices sent to all undergraduate and graduate/professional students on the University's sexual harassment, anti-harassment, consensual relationships involving students, violence, and anti-retaliation policies. Similar notices are sent to all faculty and staff annually.
- 12) Modification of job descriptions for all Professional and Scientific positions, as well as Merit positions, to require expectation statements related to civil and respectful interactions and diversity and inclusion. Performance appraisal instruments with these expectations are available on the Department of Human Resources website. Annual performance appraisals of academic and administrative officers shall include a review of activities taken to create and maintain an atmosphere of civility and respect. For further information see: <http://www.uiowa.edu/hr/classcomp/prof/expectations.html> and [http://www.uiowa.edu/hr/classcomp/merit/merit\\_expectations.html](http://www.uiowa.edu/hr/classcomp/merit/merit_expectations.html).
- 13) Appointment by the Provost of a Gender Equity Taskforce. The committee's report is available on the Internet at: <http://provost.uiowa.edu/work/getf.htm>. Interim Provost Lopes communicated via mass email to all faculty on April 2, 2008 that the Provost's Office has committed, beginning in Academic Year 2009, to conducting a biannual salary equity survey, as recommended in the 2005 salary equity study.
- 14) Development and distribution of a diversity climate survey of the campus community by the Office of Equal Opportunity and Diversity to address broader issues of climate and respect. Reports are posted on the website as they become available at: [http://www.uiowa.edu/~eod/diversity\\_climate\\_surveys/index.html](http://www.uiowa.edu/~eod/diversity_climate_surveys/index.html)
- 15) Distribution in 2006 of an employee engagement survey, *Working at IOWA*, to regular faculty and staff by a taskforce convened by the Department of Human Resources. Results are available on the Internet at: <http://www.uiowa.edu/hr/working/index.html>

In addition to responding to the specific recommendations in the Climate Report and CSW Report, several new initiatives have been undertaken by a variety of offices on campus that also address the problem of sexual harassment and sexual assault.

The Office of Equal Opportunity and Diversity continues to offer educational programs on the University's policies on sexual harassment, consensual relationships involving students, violence, harassment, and retaliation on a regular basis. Programs are

offered to supervisors, as well as to any other faculty, staff or students who wish to attend. The policy is also discussed at all orientation programs for newly hired faculty and staff.

The University has created an **Anti-Violence Campus Coalition** to ensure a coordinated response among campus administrators, campus public safety personnel, and local law enforcement for preventing and responding to gender-based violence at The University of Iowa. The Anti-Violence Campus Coalition enjoys a broad base of support including campus administrators, campus police, and local criminal justice staff. Members worked to complete tasks through subcommittees, in addition to full coalition meetings. Recommended changes to information shared with students about dating violence resources through the University's Housing Guidebook were made, and a new protocol involving victim advocates is being explored. The Anti-Violence Campus Coalition successfully linked with the Johnson County Coalition Against Domestic Violence and shared resources for running domestic violence public service announcements on the University television channel. For further details on this project, please see the attached document entitled *University of Iowa Anti-Violence Project*.

The **Regents' Gender Violence Prevention Task Force**, a statewide group led by the University of Northern Iowa Campus Violence Prevention Program and the Iowa Coalition Against Sexual Assault, is working to disseminate best practices across the Regents system. This group was created as part of the Flagship Campus Program grant awarded in 2007. A specific outcome of this group will be to create a model advocate curriculum for campus environments. The task force is also charged with the planning and coordination of a Regents' Institute on Victim Services and Regents' Men's Gender Violence Prevention Institute.

The **Nite Ride Program** was initiated by The University of Iowa's Department of Public Safety in response to recent increases in assaults on women in the Iowa City community, particularly in areas near the campus. Nite Ride provides women with a free ride home from downtown Iowa City, initially just on Friday and Saturday nights, to housing in the vicinity of downtown Iowa City. The service was launched in September 2007 and is co-sponsored by UI Student Government. In January 2008 the service was enhanced to offer an expanded route to areas further from downtown. In March 2008 the service was expanded to cover weeknights as well as weekends, made possible by a \$12,400 grant secured with the UI Student Government through Spring 2008. The program will be assessed at the conclusion of the spring semester. For more information see: <http://www.uiowa.edu/~pubsfty/nite.htm>.

A **public lecture by Jackson Katz**, internationally recognized trainer, author, and filmmaker, is scheduled at the UI campus on April 17, 2008. Katz's presentation, entitled *More Than a Few Good Men, American Manhood and Violence Against Women*, is an interactive, multi-media presentation that interposes irreverent humor with unpleasant reality. Mr. Katz will stimulate dialogue between the sexes by helping illuminate how the problems of individual women and men are linked to larger social forces. For more information see <http://www.dvpiowa.org/index.html>.

Community-based resources available to the UI community include:

**Domestic Violence Intervention Program (DVIP).** DVIP provides 24-hour crisis intervention services to victims of domestic violence and their families. Their 24-hour hotlines are answered by trained staff and volunteers to provide information, support, and referrals. DVIP staff and volunteers are also available to accompany victims as they access community services such as the court system, law enforcement agencies, and other social services. When immediate safety is a concern, DVIP provides shelter for women and their children.

DVIP also provides support and advocacy services, youth services, and community education services. For more information see their website at:  
<http://www.dvipiowa.org/services.htm>.

**Rape Victim Advocacy Program (RVAP).** RVAP is a sexual assault crisis center based in Iowa City that provides medical and legal advocacy, counseling, support groups, and educational services to victims of sexual assault in Johnson, Cedar, Iowa, and Washington counties, as well as to The University of Iowa community. RVAP provides a 24-hour sexual abuse hotline. See their website at <http://www.rvap.org/pages/home/> for further information.

**Iowa City Task Force on Violence Against Women** is a time-limited group appointed by the Iowa City City Council to develop recommendations to the Council regarding: 1) decreasing the incidence of violence against women – including sexual assault and other assaults – in Iowa City; 2) promoting accountability of perpetrators of violence against women; and 3) supporting efforts of members of the community – both men and women – to promote a community climate that does not tolerate violence against women. The taskforce was appointed by the Iowa City City Council after receiving a petition from University of Iowa students regarding the increasing number of reported attempted assaults on women in the Iowa City community.

**Johnson County Coalition Against Domestic Violence (JCCADV).** JCCADV is a collaboration of community organizations and individuals committed to ending domestic violence. The mission is to provide education and promote collaborations that support community services and social change efforts.

**Johnson County Sexual Abuse Response Team (JCSART).** This coalition of sexual assault nurse examiners, emergency room staff, rape victim advocates, law enforcement officers, and prosecuting attorneys was developed to coordinate the community's response to sexual assault. JCSART's goal is to meet the needs of sexual assault victims as they progress through the health care and criminal justice systems.

**Iowa City Domestic Abuse Response Team (DART).** This program enables the Iowa City Police Department to have one investigator who focuses primarily on crimes of domestic abuse, which includes violation of no-contact orders, harassment, stalking, and other relationship-related cases. The DV investigator also follows up on cases that do not meet the criminal definition of domestic abuse but the relationship would meet

the State of Iowa's civil definition in Chapter 236. The Domestic Abuse Response Team consists of the DV investigator, a domestic violence outreach counselor from DVIP, and an attorney from the Johnson County Attorney's Office. Together, they address a variety of victim needs, from emotional support of the victim to criminal prosecution of the suspect.

## **Conclusion**

While not an exhaustive report, this response summarizes some of the major activities and actions taken by multiple University offices following the issuance of the Climate Report and the CSW Report. If you have questions or need further clarification, please feel free to contact me.

cc: Marcella David, Special Assistant to the President for Equal Opportunity and Diversity and Associate Provost for Diversity  
Marilyn Brown, Executive Assistant to the President  
Steve Parrott, Director, University Relations  
Belinda Marner, Asst. Vice President, Office of the Vice President for Student Services

## Timeline of Reports and Major University Action/Initiatives

Date	Action	Charged/ Initiated	Committee Chair or Membership	Details
10/1/02	Charges filed by Iowa City Police against Pierre Pierce for 3 <sup>rd</sup> degree sexual abuse			
11/6/02	Pres. Boyd asks BICOA to review the Pierre Pierce case	Pres. Boyd	<b>Prof. Nick Colangelo, chair</b>	Review the Pierre Pierce case and consider steps that should be taken to ensure that similar situations are resolved in the interests of the entire University. Recommend changes deemed advisable to assure that resolutions in the future protect the interests of UI as a whole, as well as the interests of the students.
12/16/02	Pres. Boyd appoints two groups to review aspects of Pierce case	Pres. Boyd	<b>Prof. Margaret Raymond and Prof. Jennifer Glass, chairs</b>	Appointed two groups to look into difference aspects of the Pierre Pierce case.
1/30/03	Colangelo report released	Pres. Boyd	<b>Nick Colangelo</b> Betsy Altmaier Chuck Lynch Jane Meyer Pamela Trimpe  Advisors: C. Westerhaus Linda McGuire Phillip Jones*	Review the Pierre Pierce case and consider steps that should be taken to ensure that similar situations are resolved in the interests of the entire University. Recommend changes deemed advisable to assure that resolutions in the future protect the interests of UI as a whole, as well as the interests of the students.

4/9/03	Raymond Report released	Pres. Boyd	12/16/02	<b>Margaret Raymond</b> John Allen Madgetta Dungy Phillip Kutzko	Investigate the University's role in the resolution of the case and make recommendations for future handling of similar situations.
6/6/03	Presidential Response to Colangelo Report and Raymond Report	Pres. Skorton		Pres. Skorton	Pres. Skorton announced he will implement all but one recommendation from the two committees charged with investigating the University's involvement with the resolution of the Pierre Pierce case. He also appointed an advisory committee to assist him in overseeing the Dept. of Athletics.
10/24/03	Campus Climate Report released	Charged by Pres. Boyd  Report released by Pres. Skorton	2/02	<b>Jennifer Glass</b> Sam Cochran Wayne Angel Judy Polumbaum Jan Waterhouse Judie Hermsen Nick Herbold Michelle Chloe Carissa Swanstrom Peter Nathan  Ex-officio: C. Westerhaus Karla Miller Monique DiCarlo Peter Hubbard	Examine the campus climate regarding issues of personal safety & freedom from harassment & assault. Make recommendations on 1) how best to communicate the existence of & details of policies; 2) what training, resource development or other measures necessary to reduce assault & harassment on campus & to fairly deal w/ alleged victims & offenders; 3) whether campus could benefit from a series of campus-wide discussions, or a conference, to fully air issues raised by recent cases, and other important factors.
7/7/04	Response to Campus Climate Report	Pres. Skorton		Pres. Skorton	Pres. Skorton announces he would implement the recommendations of an ad hoc committee that examined the campus climate regarding issues of personal safety and freedom from harassment and assault.

9/13/04	Announcement of upcoming survey by CSW on sexual harassment and unwelcomed sexual behavior	Pres. Skorton asked CSW to write & administer the survey		Pres. Skorton	Following review of the recommendations of the Campus Climate Committee Report,
1/23/06	Sexual Harassment & Unwelcomed Behavior at The University of Iowa (CSW) Report released	Administered by the Council on the Status of Women  Report released by Pres. Skorton		<b>Lee Anna Clark</b> <b>Nancy Hauserman</b> Dottie Persson C. Washington-Hoagland	1) Assess the prevalence and perception of sexual harassment and sexual harassing behaviors on campus today as compared to 10 years ago; 2) re-evaluate the scope and nature of sexual harassment on campus; 3) understand the responses to sexual harassment of students, staff, and faculty and the University, and 4) determine what strategies the University needs to take both to minimize the occurrence of sexual harassment and associated behaviors and to respond most effectively to reports of these behaviors.
5/10/06	Follow up on Presidential Actions on <i>Campus Climate Comm. Report</i> and <i>Sexual Harassment &amp; Unwelcomed Behavior at The University of Iowa Report</i>	Pres. Skorton			Addresses concerns raised in the 2 reports about UI campus climate, provide follow-up on actions taken in response to the <i>Campus Climate Comm. Report</i> and <i>Sexual Harassment &amp; Unwelcomed Behavior at The University of Iowa Report</i> .

Fall semester 2006	Sexual Harassment and Violence Prevention & Awareness Campaign	Steve Parrott (University Relations) and IMU Graphics		Steve Parrott, IMU Graphics staff, Council on the Status of Women, EOD, Rape Victim's Advocacy Program, and others	Steve Parrott convened meetings that led to the creation of a communications campaign about sexual harassment/violence beginning Fall Semester of 2006 and continuing through the 2007-08 academic year. The centerpiece was a Web site -- <a href="http://www.sexualharassment.uiowa.edu">http://www.sexualharassment.uiowa.edu</a> -- that contains links to the UI's policies on sexual harassment and violence, FAQs, resources for help, and downloadable posters. Vinyl window stickers were placed in Cambuses and in UI libraries, and placards were mailed to all students living in residence halls. Advertisements in the Daily Iowan, the UI's student newspaper, also called attention to the web site and campaign.
Fall semester 2006	AlcoholEdu	VP Phillip Jones	Fall semester 2006	Phillip Jones Angela Reams	AlcoholEdu is an online, science-based alcohol abuse education and prevention program focusing on the impact of alcohol on the mind and body. The program is based on best practices from the NIAAA Report to College Presidents titled, <u>A Call to Action</u> , and challenges student expectations regarding alcohol-related behavior and the college environment. All entering students are now required to complete the course. See: <a href="http://www.uiowa.edu/~aedu/Aedu/">http://www.uiowa.edu/~aedu/Aedu/</a> for details.
9/26/07	Nite Ride Service Offered to UI Women	UI Police Department	9/26/07	Assoc. VP and Director of UI Police Department, Charles Green	Co-sponsored by the UI Student Government and the Department of Public Safety, the service was initiated in response to a growing number of assaults in the Iowa City area over the past two years. The program offers free rides home from downtown Iowa City to local housing on Fri. and Sat. nights. See: <a href="http://www.uiowa.edu/~pubsfty/nite.htm">http://www.uiowa.edu/~pubsfty/nite.htm</a> for details.
9/26/07	UI Renews Sexual Harassment Awareness Campaign	University Relations, IMU Marketing and Design	9/26/07	Steve Parrott, Nancy Abram	UI is re-launching its public awareness campaign about sexual harassment and violence as a proactive measure to educate students and the campus community about the issue. See: <a href="http://www.sexualharassment.uiowa.edu/">http://www.sexualharassment.uiowa.edu/</a> for details.

1/24/08	Nite Ride Service Expands Route	UI Police Department	1/24/08	Assoc. VP and Director of UI Police Department, Charles Green	The Nite Ride program, which offers women free, safe rides home Friday and Saturday nights, now encompasses University Apartments on Hawkeye Drive and Hawkeye Court west of Finkbine Golf Course, Parklawn Residence Hall, and apartments on and around Newton Road and Melrose Avenue. A route map in PDF format may be viewed at <a href="http://news-releases.uiowa.edu/2008/january/images/012308nite-ride-map.pdf">http://news-releases.uiowa.edu/2008/january/images/012308nite-ride-map.pdf</a> .
3/24/08	Nite Ride Service Expands to 7 days per Week	UI Police Department	3/24/08	Assoc. VP and Director of UI Police Department, Charles Green	Free rides for women w/ the University's Nite Ride van on weeknights as well as weekends. The service will be available from most campus buildings to their place of residence between 10 p.m. and 3 a.m. Sundays through Thursdays. The weekend service will now operate from 10 p.m. to 3 a.m. Fridays and Saturdays (an hour earlier on both days than the previous 11 p.m. to 3 a.m. schedule).
Projected for Fall semester 2008	"Respect" campaign	Steve Parrott		Steve Parrott, IMU Graphics staff, CSW, EOD, RVAP and others	As an outgrowth of the sexual harassment awareness campaign, a new campaign focusing on "Respect" is under development with roll-out planned for Fall semester 2008.
Projected for Fall semester 2008	Online sexual harassment training	EOD	Fall 2008	Jennifer Modestou	Online training on the University's sexual harassment and violence policies expected to roll-out to faculty and staff.

# Operations Manual



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## **PART II. COMMUNITY POLICIES**

### **DIVISION I HUMAN RIGHTS, AFFIRMATIVE ACTION, AND EQUAL EMPLOYMENT OPPORTUNITY**

(Written to conform to *Regents Procedural Guide 3/74*; amended 9/93; 10/95; 9/97)

#### **CHAPTER 3: HUMAN RIGHTS**

The University of Iowa brings together in common pursuit of its educational goals persons of many nations, races, and creeds. The University is guided by the precepts that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, color, national origin, age, sex, disability, sexual orientation, gender identity, or any other classification that deprives the person of consideration as an individual, and that equal opportunity and access to facilities shall be available to all. Among the classifications that deprive the person of consideration as an individual are those based on associational preference. These principles are expected to be observed in the internal policies and practices of the University; specifically in the admission, housing, and education of students; in policies governing programs of extracurricular life and activities; and in the employment of faculty and staff personnel. The University shall work cooperatively with the community in furthering these principles.

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# Operations Manual



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## PART II. COMMUNITY POLICIES DIVISION I HUMAN RIGHTS, AFFIRMATIVE ACTION, AND EQUAL EMPLOYMENT OPPORTUNITY

(Written to conform to *Regents Procedural Guide 3/74*; amended 9/93; 10/95; 9/97)

### CHAPTER 4: SEXUAL HARASSMENT

(President 7/28/86; 12/91; 7/1/02; 3/21/05; 12/05)

#### 4.1 Policy

#### 4.2 Procedures

#### 4.3 Educational Programs

#### 4.1 POLICY.

##### a. Rationale.

(1) Sexual harassment is reprehensible and will not be tolerated by the University. It subverts the mission of the University, and threatens the careers, educational experience, and well-being of students, faculty, and staff. In both obvious and subtle ways, sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole. When, through fear of reprisal, a student, staff member, or faculty member submits, or is pressured to submit, to unwanted sexual attention, the University's ability to carry out its mission is undermined.

(2) Sexual harassment is especially serious when it threatens relationships between teacher and student or supervisor and subordinate. In such situations, sexual harassment unfairly exploits the power inherent in a faculty member's or supervisor's position. A supervisor's or instructor's control of grades, compensation, recommendations, promotions, and the like can have a decisive influence on a student's, staff member's, or faculty member's career at the University and beyond.

(3) Although sexual harassment most often takes place in situations where a power differential exists between the persons involved, the University also recognizes that sexual harassment may occur between persons of the same University status, or when the power relationship is reversed from the usual case. Sexual harassment may occur between individuals of opposite sex or between individuals of the same sex.

(4) The University will not tolerate behavior of a sexual nature by members of the University community that creates an intimidating or hostile environment for employment, education, on-campus living, or participation in a University activity. Furthermore, all members of the University community are expected to take appropriate steps to support this policy and to address incidents of sexual harassment that occur within their areas.

b. Prohibited conduct -- policy statement. The University of Iowa forbids sexual harassment by any member of the University community.

(1) Definition of sexual harassment. For purposes of this policy, "sexual harassment" means persistent, repetitive, or egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret, in the full context in which the conduct occurs, as harassment of a sexual nature, when:

(a) Submission to such conduct is made or threatened to be made explicitly or implicitly a term or condition of employment, education, on-campus living environment, or participation in a University activity;

(b) Submission to or rejection of such conduct is used or threatened to be used as a basis for a decision affecting employment, education, on-campus living environment, or participation in a University activity; or,

(c) Such conduct has the purpose or effect of unreasonably interfering with work or educational performance, or of creating an intimidating or hostile environment for employment, education, on-campus living, or participation in a University activity.

(2) Evidence of sexual harassment. Behavior that may be considered evidence of prohibited sexual harassment includes, but is not limited to, the following:

(a) Physical assault;

(b) Direct or implied threats that submission to sexual advances will be a condition of, or that failure to submit to such advances will adversely affect, employment, work status, promotion, grades, letters of recommendation, or participation in a University activity;

(c) Direct propositions of a sexual nature;

(d) Subtle pressure for sexual activity, an element of which may be repeated staring;

(e) A pattern of sexually explicit statements, questions, jokes, or anecdotes, whether made orally, in writing, or through electronic media (see also II-19 Acceptable Use of Information Technology Resources);

(f) A pattern of conduct involving:

(i) Unnecessary touching;

(ii) Remarks of a sexual nature about a person's clothing or body; or,

(iii) Remarks relating to sexual activity or speculations concerning previous sexual experience;

(g) A display of graphic sexual material (not legitimately related to the subject matter of a course, if one is involved, or to job requirements) in a context where others are not free to avoid the display because of an employment or educational requirement or without surrendering a privilege or opportunity that others may reasonably expect to enjoy in that location.

In determining whether alleged conduct constitutes sexual harassment, the investigator will consider all available evidence and the totality of the circumstances, including the context in which the alleged incident(s) occurred. Although repeated incidents generally create a stronger claim of sexual harassment, a single serious incident can be sufficient. Determinations will be made on a case-by-case basis. Conduct which constitutes a protected exercise of an individual's rights under the First Amendment to the United States Constitution shall not be deemed a violation of this policy.

## (3) Definitions of other terms used in this policy:

(a) "Academic or administrative officer" includes the following:

(i) Collegiate deans (including associate deans and assistant deans),

(ii) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above,

(iii) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits,

(iv) A faculty member serving as departmental (or collegiate) Director of Undergraduate or Graduate Studies,

(v) The President, Director of Equal Opportunity and Diversity, vice presidents (including assistant and associate vice presidents), and Provost (including assistant and associate provosts), and those persons' designees,

(vi) Directors and supervisors in an employment context, other than Department of Public Safety personnel when receiving criminal complaints or reports, and

(vii) Human resource representatives.

(b) "Alleged victim": a person who allegedly has been harassed in violation of this policy.

(c) "Complainant": the person who brings a complaint of violation of this policy, who could be an alleged victim, a third party, or an academic or administrative officer of the University.

(d) "Graduate assistant": a graduate student employed by the University as a research assistant or teaching assistant.

(e) "Human resources representative": an individual designated as a unit's authority on human resource policies and procedures, and all central Human Resources staff.

(f) "Member of the University community": any University student, or faculty or staff member.

(g) "Protected interests": University employment, education, on-campus living, or participation in a University activity.

(h) "Respondent": a person who has been accused of harassment in a formal complaint.

(i) "Specific and credible allegations": allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not have to be based on first-hand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.

(j) "Supervisor": a person who has authority either: 1) to undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reassigning, and compensation decisions) affecting an employee, or 2) to direct the employee's daily work activities.

(k) "Third-party complainant": a person who brings a complaint alleging that someone else has been

harassed in violation of this policy.

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#### 4 ROCEDURES.

##### a. Bringing a complaint.

(1) A complaint that this policy has been violated may be brought through informal or formal channels by any member of the University community, including a third party, or by the University itself. A complaint must state specific and credible allegations to warrant an investigation. There is no time limit for bringing a complaint; however, it may be difficult to substantiate the allegations made in a complaint brought after significant time has passed. Therefore, prompt reporting of complaints is strongly encouraged.

(2) Substantial weight will be given to the wishes of the alleged victim when determining whether to investigate a complaint, but the University may investigate a complaint even without the alleged victim's consent if circumstances warrant (such as when there are multiple complaints against the same person or allegations are particularly egregious).

(3) Anyone (victims or others) who wishes to consult with someone about a specific situation on a confidential basis or learn more about enforcement of the Policy on Sexual Harassment may contact any of the following offices or organizations:

- (a) Office of the Ombudsperson (for faculty, staff, or students)
- (b) Faculty and Staff Services (for faculty or staff)
- (c) University Counseling Service (for students)
- (d) Women's Resource and Action Center (for faculty, staff, or students)
- (e) Rape Victim Advocacy Program (for faculty, staff, or students)

Representatives of these offices or other support persons may accompany an alleged victim during the investigation process if the alleged victim so desires.

These offices are exempt from the reporting requirements set forth in II-4.2b(4) of this policy. Other offices may be required to report allegations as described in II-4.2b(4).

##### b. Informal resolution of complaints.

(1) A complaint may be brought informally to any academic or administrative officer of the University.

(2) The academic or administrative officer will counsel the complainant as to the options available under this policy and the resources available from the Rape Victim Advocacy Program and, at the complainant's request, will

- (a) help the complainant resolve the complaint informally, and/or
- (b) refer the complainant to the Office of Equal Opportunity and Diversity so that the complainant may choose either to pursue informal resolution through that office or to bring a formal complaint.

The Office of Equal Opportunity and Diversity is available to assist persons to whom complaints are brought in determining whether there is a potential policy violation and whether reporting pursuant to II-4.2b(4) below is required.

(3) When a complaint is brought informally, the person(s) charged in the complaint will not ordinarily be informed of the complaint without the consent of the alleged victim unless circumstances require (such as

when there are multiple complaints against the same person or allegations are particularly egregious). No disciplinary action can be taken against a person charged in an informal complaint, and there will be no record of the complaint in the person's employment or student disciplinary file, unless the person is notified of the charges and given an opportunity to respond.

(4) Any academic or administrative officer of the University who becomes aware of specific and credible allegations of sexual harassment, whether through the report of a complainant (including a third party) or otherwise, shall report the allegations promptly to the Office of Equal Opportunity and Diversity (except for allegations against a student regarding conduct occurring in the residence halls, which shall be reported to the Office of the Vice President for Student Services) for assistance in evaluating the situation and determining an appropriate course of action, even if the alleged victim has requested that no action be taken.

If there is a supervisory relationship between the complainant and/or victim and the respondent, the appropriate course of action will include development of a plan to avoid any perceived or actual conflict of interest until the complaint is resolved.

The initial report should be made by telephone, but a written report also must be made after the complaint is resolved using the Office of Equal Opportunity and Diversity Report of Informal Sexual Harassment Complaint form, which requires disclosure of the employment or student status of the alleged victim(s), the complainant(s) (if other than the alleged victim), and the person(s) charged; the unit(s) with which those persons are affiliated; a summary of the allegations; and a description of the steps taken to resolve the complaint.

In order for the University to respond effectively to cases involving a potential pattern of prohibited conduct by the same individual, if the academic or administrative officer informs the person charged of the existence of the informal complaint, the academic or administrative office shall provide the names of the parties to the Office of Equal Opportunity and Diversity. If the academic or administrative officer does not inform the person charged of the complaint, the academic or administrative office shall not provide the names of the parties to the Office of Equal Opportunity and Diversity.

(5) The academic or administrative officer shall take appropriate interim action, which may include those actions described in II-4.2g, to address the alleged behavior and protect the health or safety of the alleged victim, complainant, and/or witnesses.

(6) The academic or administrative officer shall make reasonable efforts to resolve complaints promptly and effectively, giving consideration to the nature of the allegations and the circumstances surrounding the complaint process.

(7) It is the responsibility of the academic or administrative officer who facilitates the informal resolution of the complaint to follow-up with the parties at a reasonable interval(s) to assess their compliance with the terms of the informal resolution and take appropriate action as warranted based on the parties' level of compliance.

#### c. Investigation of formal complaints.

(1) A formal complaint pursuant to this policy must be brought to the Office of Equal Opportunity and Diversity, which will conduct an investigation.

(2) A formal complaint may be brought after an informal resolution was not successfully reached, when the terms of an informal resolution were not followed, or immediately without pursuing informal resolution.

(3) The purpose of the investigation is to establish whether there is a reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the Office of Equal Opportunity and Diversity will make reasonable efforts to interview the alleged victim, the complainant (if other than the

alleged victim), and the respondent, and may interview other persons believed to have pertinent factual knowledge, as well as review any relevant documentary evidence. At all times, the Office of Equal Opportunity and Diversity will take steps to ensure confidentiality to the extent possible.

(4) When a formal complaint is brought, the respondent will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations. The investigation will afford the respondent an opportunity to respond to the allegations and evidence provided by the complainant and/or alleged victim, and to provide a statement of the facts as perceived by the respondent.

(5) At the conclusion of the investigation, the Office of Equal Opportunity and Diversity will issue a written finding which will summarize the evidence gathered and state whether or not there is a reasonable basis for believing that a violation of this policy has occurred. The written finding normally will be issued within 45 days of when the complaint was filed. When it is not reasonably possible to issue the finding within that time, the Office of Equal Opportunity and Diversity will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay. The alleged victim and the respondent will receive a copy of the written finding, which is to remain confidential as defined by II-4.2i(3). Third-party complainants will be notified only that the proceedings are concluded.

(6) If the Office of Equal Opportunity and Diversity finds a reasonable basis for believing that a violation of this policy has occurred, the matter will be referred to the appropriate administrator for further consideration as outlined in II-4.2d below.

#### d. Process for formal disciplinary action.

(1) The following administrators will review the finding of the Office of Equal Opportunity and Diversity:

- (a) the Office of the Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);
- (b) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member;
- (c) the Office of the Vice President for Student Services and Dean of Students, if the respondent is a student;
- (d) the Office of the Dean of the Graduate College, if the respondent is a graduate assistant.

(2) These administrators may:

- (a) accept all or any part of the findings of the Office of Equal Opportunity and Diversity;
- (b) not accept all or any part of the findings of the Office of Equal Opportunity and Diversity;
- (c) reach a negotiated settlement of the complaint with the respondent; or
- (d) initiate formal disciplinary action.

(3) Violations of the Policy on Sexual Harassment may lead to disciplinary sanctions up to and including termination or separation from The University of Iowa. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history.

Those who violate this policy should bear the consequences of their actions, even if factors such as substance abuse or personal problems contribute to misconduct. When the offense is serious, it is appropriate to consider separation from the University even in cases of first offense, and even when the respondent experiences remorse and/or did not intend to cause the resulting degree of harm.

(4) In addition to other disciplinary action, persons who are found to have violated this policy may be required to participate in group counseling or personal therapy sessions, complete community service, enroll in a specific academic course, attend an educational workshop, and/or make restitution for economic damages caused by their behavior.

When the respondent is a faculty or staff member, the Office of Faculty and Staff Services (121-50 University Services Building) is available to assist with locating appropriate resources. When the respondent is a student, University Counseling Service (3223 Westlawn) is available to assist with locating appropriate resources.

(5) It is the responsibility of the appropriate administrator to follow up with the parties at a reasonable interval(s) to assess their compliance with the disciplinary and/or remedial sanctions imposed. More serious sanctions, up to and including termination of employment or separation from the University, may be imposed in the event that the respondent fails to comply with the sanctions initially imposed.

e. Applicable procedures. Formal disciplinary action resulting from violations of this policy by:

(1) faculty members will be governed by the III-29 Faculty Dispute Procedures and that portion of those procedures dealing with faculty ethics (see III-29.7).

(2) staff members will be governed by applicable University policies, including III-16 Ethics and Responsibilities for Staff and the applicable discipline and/or grievance procedures (see III-28 Conflict Management Resources for University Staff and/or relevant collective bargaining agreement);

(3) graduate assistants, when dismissal is sought, will be governed by the procedure for dismissal of graduate assistants (see III-12.4). When disciplinary action other than dismissal is taken by the Dean of the Graduate College, a graduate assistant may appeal through any existing contractual grievance procedures;

(4) students will be governed by Judicial Procedure for Alleged Violations of the Code of Student Life. Both the Code of Student Life and the Judicial Procedure are published and distributed to students annually in Policies and Regulations Affecting Students.

f. Isolated behavior. This section addresses isolated behavior that does not rise to the level of a violation of this policy. However, it should be understood that a single incident can under certain circumstances constitute harassment in violation of this policy. The purpose of this section is preventative, in that it authorizes and encourages appropriate intervention designed to avoid a violation of this policy.

(1) Isolated behavior of the kind described in II-4.1b(2), which does not rise to the level of sexual harassment but which if repeated could rise to that level, demonstrates insensitivity that may warrant remedial measures. Academic or administrative officers who become aware of such behavior in their areas should counsel those who have engaged in the behavior. Such counsel should include a clear statement that the behavior is not acceptable and should cease, information about the potential consequences if such behavior persists, and a recommendation, as appropriate, to undertake an educational program designed to help the person(s) understand the harm caused by the behavior.

(2) After such counseling occurs, if a person continues to engage in the conduct described in II-4.2f(1), he or she may be deemed to have engaged in sexual harassment.

g. Protection of alleged victims, complainants, and others.

(1) Alleged victims will be informed of relevant procedural steps taken during the investigation and any interim protective measures taken.

(2) Throughout the investigation and resolution of a complaint, steps will be taken to protect alleged victims,

complainants, witnesses, and others from harm caused by continuation of the alleged harassing behavior.

(3) Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses will suffer no retaliation as the result of their activities with regard to the process.

(4) Steps that may be taken to protect alleged victims, complainants, witnesses, and others from continued harassment and/or retaliation might include:

(a) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

(b) arrangements that academic and/or employment evaluations concerning the complainant or others be made by an appropriate individual other than the respondent.

(5) Any retaliation against alleged victims, complainants, or witnesses should be reported to the Office of Equal Opportunity and Diversity for further investigation. Retaliation may result in disciplinary action against the person committing the retaliatory act(s).

(6) In extraordinary circumstances, the Provost, a dean, a DEO, or any vice president may, at any time during or after an investigation of a sexual harassment complaint, suspend or partially restrict from employment any employee accused of sexual harassment if the Provost, dean, DEO, or vice president finds that it is reasonably certain that:

(a) the alleged sexual harassment has occurred, and

(b) serious and immediate harm will ensue if the person continues his or her employment.

Similarly, if the respondent is a student, interim sanctions may be imposed pursuant to Section 10 of the *Judicial Procedure for Alleged Violation of the Code of Student Life*.

#### h. Protection of the respondent.

(1) This policy shall not be used to bring knowingly false or malicious charges. Bringing such a charge may subject the complaining party to remedial and/or disciplinary action up to and including termination or separation from the University. Any such disciplinary action will be initiated by the appropriate administrator overseeing the complainant(s).

(2) In the event the allegations are not substantiated, reasonable steps will be taken to restore the reputation of the respondent if it was damaged by the proceeding. The respondent may consult with the Office of Equal Opportunity and Diversity regarding reasonable steps to address such concerns.

#### i. Confidentiality.

(1) In order to empower community members to voice concerns and bring complaints, the confidentiality of all parties will be protected to the greatest extent possible. However, community members cannot guarantee confidentiality in all cases and are expected to take some action once they are made aware that sexual harassment may be occurring.

(2) Anyone (alleged victims or others) who wishes to consult with someone about a specific situation on a confidential basis or to learn more about enforcement of the policy may contact any of the following offices or organizations:

- (a) Office of the Ombudsperson (for faculty, staff, or students)
- (b) Faculty and Staff Services (for faculty or staff)
- (c) University Counseling Service (for students)
- (d) Women's Resource and Action Center (for faculty, staff, or students)
- (e) Rape Victim Advocacy Program (for faculty, staff, or students)

(3) The parties to a complaint (alleged victims, third-party complainants, and respondents) are expected to maintain confidentiality as well. Parties are not prohibited from discussing the situation outside of the work or educational environment. However, the matter should not be discussed in the work or educational environment.

(4) Dissemination of documents relating to a complaint and/or investigation, other than as necessary to pursue an appeal, grievance, or other legal or administrative proceeding, is prohibited.

(5) Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-4.2g(3). Failure to maintain confidentiality by any party (alleged victim, third party complainant, or respondent) may result in disciplinary action.

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### 4.3 EDUCATIONAL PROGRAMS:

a. Education as a key element of University policy.

(1) Academic and administrative officers are responsible for knowing and understanding the contents of this policy and the procedures for processing complaints brought to them pursuant to this policy. The Office of Equal Opportunity and Diversity offers educational programs for academic and administrative officers about their responsibilities under this policy, and those individuals are expected to attend such a program.

(2) Educational efforts are essential to the establishment of a campus milieu that is free of sexual harassment. There are at least four goals to be achieved through education:

- (a) ensuring that alleged victims (and potential victims) are aware of their rights;
- (b) notifying individuals of conduct that is proscribed;
- (c) informing administrators about the proper way to address complaints of violations of this policy;
- and
- (d) helping educate the community about the problems this policy addresses.

(3) To achieve the goals set forth in paragraph (2) above, the Office of Equal Opportunity and Diversity offers programs designed to educate the University community about sexual harassment prevention. The Office of Equal Opportunity and Diversity also offers programs designed to inform those whose behavior does not rise to the level of a violation of this policy as defined in II-4.1b, but if repeated could rise to the level of a violation, of the problems they create by their insensitive conduct. Educational programs may be recommended for those described in II-4.2f and may be an element in the resolution of a complaint. Educational programs and/or individual training also may be mandated for persons found to have violated this policy.

b. Preparation and dissemination of information. The Office of Equal Opportunity and Diversity is charged with distributing information about this policy to all current members of the University community and to all those who join the community in the future. An annual notification from the Office of Equal Opportunity and Diversity is provided to all faculty and staff to remind them of the contents of this policy. A copy of the sexual harassment policy will be included in student orientation materials, including those distributed to students in professional schools. This policy also is published in *Policies and Regulations Affecting Students*, which is provided to all students annually. In addition, information about this policy will be made available continually at appropriate campus centers and offices.

c. Review of policy. This policy will be reviewed within three years after the latest revisions are implemented and revised as appropriate. This policy is subject to review at any other time deemed necessary by the President, the General Counsel, or the Director of Equal Opportunity and Diversity.

(See also II-5 Consensual Relationships Involving Students; <http://www.sexualharassment.uiowa.edu/>.)

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Page last updated May 2007 by Office of the Senior Vice President for Finance and Operations

# Operations Manual



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## PART II. COMMUNITY POLICIES DIVISION I HUMAN RIGHTS, AFFIRMATIVE ACTION, AND EQUAL EMPLOYMENT OPPORTUNITY

(Written to conform to *Regents Procedural Guide 3/74*; amended 9/93; 10/95; 9/97)

### CHAPTER 10: VIOLENCE

(President 1/92; amended 4/02; 7/04; 3/07)

Note: Effective March 2007, this policy has been revised. For individual changes, see the redlined version.

This chapter specifically addresses violent acts committed by University community members. There are a number of other University policies that may be applicable in a given situation, and these should also be consulted to determine which policy or policies would most effectively address any behavior of concern. These additional policies can be found below in II-10.15 Other University of Iowa Policies Related to Behavioral Expectations.

- 10.1 General
- 10.2 Rationale
- 10.3 Definitions
- 10.4 Scope of Policy
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- 10.6 Bringing a Complaint
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- 10.15 Other University of Iowa Policies Related to Behavioral Expectations

#### 10.1 GENERAL.

(Amended 3/07)

- a. **IN AN EMERGENCY:** If a member of the University community believes that he or she, or someone else, is in immediate physical danger, he or she should call 911 or contact the Department of Public Safety, 335-5022.
- b. In other situations: Appropriate University officials are available to coordinate a response to concerns of violence or verbal threats, whether current or potential, as indicated below.

(1) For student concerns, assistance is available through:

- (a) the Office of the Vice President for Student Services, 249 Iowa Memorial Union, 335-3557, or
- (b) the Department of Public Safety, 100 Public Safety, 335-5022.

(2) For faculty and staff concerns, assistance is available through:

- (a) Faculty and Staff Services, 121-50 University Services Building, 335-2085, or
- (b) the Department of Public Safety, 100 Public Safety, 335-5022.

(3) For any complaint believed to be related to sexual harassment or discrimination, assistance is available through the Office of Equal Opportunity and Diversity, 202 Jessup Hall, 335-0705.

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## 10.2 RATIONALE.

(Amended 3/07)

The faculty, staff, and students of The University of Iowa make up a community whose common commitment is to learning. This commitment requires that the highest value be placed on the use of reason and that violence involving the University community be renounced as inimical to its goals. Violence, whether actual or threatened, destroys the mutual trust which must bind members of the community if they are to be successful in pursuing truth. The University therefore wishes to make clear that it considers acts and threats of violence to constitute serious violations of University policy, because they may undermine the University's status as a community of learning. Particularly heinous is violence which harms or demeans members of the community because of personal characteristics such as race, creed, color, national origin, age, sex, disability, sexual orientation, gender identity, or associational preference.

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## 10.3 DEFINITIONS.

(3/07)

1. As used in this policy:

a. "Academic or administrative officer" includes the following:

- (1) Collegiate deans (including associate deans and assistant deans);
- (2) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above;
- (3) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits;
- (4) A faculty member serving as departmental (or collegiate) director of undergraduate or graduate studies;
- (5) The President, Special Assistant to the President for Equal Opportunity and Diversity, vice presidents (including assistant and associate vice presidents), and Executive Vice President and Provost (including assistant, associate, and vice provosts), and those persons' designees;
- (6) Directors and supervisors in an employment context, other than Department of Public Safety personnel when receiving criminal complaints or reports; and
- (7) Human resource representatives.

b. "Alleged victim": a person who allegedly has been harmed in violation of this policy.

c. "Complainant": the person who brings a complaint of violation of this policy, who could be an alleged victim, a third party, or an academic or administrative officer of the University.

- d. "Graduate assistant": a graduate student employed by the University as a research assistant or teaching assistant.
- e. "Human resources representative": the individual designated as departmental authority on human resource policies and procedures, and all central human resources staff.
- f. "Member of the University community": any University student, faculty, or staff member.
- g. "Protected interests": University employment, education, on-campus living, or participation in a University activity.
- h. "Respondent": a person who has been accused of violence in a formal complaint.
- i. "Specific and credible allegations": allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not necessarily have to be based on first-hand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.
- j. "Supervisor": a person who has authority to either: 1) undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reassigning, and compensation decisions) affecting an employee; or 2) direct the employee's daily work activities.
- k. "Third-party complainant": a person who brings a complaint alleging that someone else has been harmed or demeaned in violation of this policy.

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#### **10.4 SCOPE OF POLICY.**

(Amended 3/07)

- a. Acts by employees and students. This policy covers acts of University community members occurring in one or more of the following circumstances:
  - (1) on property owned or controlled by the University or by a student organization; or
  - (2) at any location and involving any University faculty, staff, or students, provided that:
    - (a) the incident occurs at a University-sponsored activity;
    - (b) the accused or the complainant was acting in an official capacity for the University during the incident;
    - (c) the accused or the complainant was conducting University business during the incident;
    - (d) the conduct has the purpose or reasonably foreseeable effect of unreasonably interfering with a UI student or UI staff or faculty member's protected interests; or
    - (e) the conduct demonstrates that the individual poses a reasonable threat to campus safety and security.
- b. Acts by visitors to campus. The University will make reasonable efforts to prevent and address harassment of its faculty, staff, or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

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## 10 5 PROHIBITED BEHAVIOR.

(Revised 3/07)

a. Any one of these acts, when committed under one of the circumstances described in II-10.4 above, will trigger University action, including interim sanctions as appropriate:

- (1) physical assault or abuse;
- (2) sexual assault or abuse;
- (3) threats with a weapon (display of a weapon accompanied by statements or actions which cause justifiable fear or apprehension; see *Regents Policy Manual 4.30B*, which prohibits use or possession on the campus of dangerous weapons);
- (4) verbal or other threats of physical or sexual assault;
- (5) intentional damage or destruction of public or private property; or
- (6) violent conduct prohibited by the *Code of Iowa*. A student, staff, or faculty member charged with criminal misconduct under the Iowa Criminal Code, including but not limited to the examples of such criminal conduct listed below, will be considered guilty of assaultive or threatening behavior and therefore subject to disciplinary sanctions upon conviction in criminal court:
  - (a) Chapter 707 (Homicide and Related Crimes);
  - (b) Chapter 708A (Terrorism, Threat of Terrorism, and Support of Terrorism);
  - (c) Chapter 708 (Assault and Harassment);
  - (d) Chapter 709 (Sexual Abuse);
  - (e) Chapter 711 (Robbery and Extortion);
  - (f) Those sections of Chapter 710 which deal with kidnapping and false imprisonment;
  - (g) Chapter 712 (Arson);
  - (h) Those acts under Chapter 713 (Burglary) when accompanied by an element of assault;
  - (i) Chapter 729.4 (Infringement of Civil Rights in employment);
  - (j) Chapter 729.5 (Infringement of Civil Rights by violence);
  - (k) Chapter 723 (Riot, Unlawful Assembly, Failure to Disperse, and Disorderly Conduct).

b. Concurrent criminal charges. For purposes of these procedures, a "conviction" includes a guilty plea, jury verdict, judicial decision, or deferred judgment. In the event a convicted student, staff, or faculty member files a criminal appeal, the University will consider the question of criminal guilt to be final only after the matters on appeal have been resolved, although appropriate University officials may impose interim sanctions pending the outcome of the appeal.

c. Non-criminal misconduct. University regulations and procedures are distinct from criminal statutes and procedures. Ordinarily, a less stringent standard of proof is required under administrative procedures. Regardless of whether criminal charges are filed, students, staff, and faculty members who commit assaultive or threatening behavior listed in paragraph a above will be subject to disciplinary sanctions when the misconduct was committed under one of the circumstances described in II-10.4. In those cases where criminal charges filed in connection with the same incident are dismissed in court, the outcome in the criminal proceeding is not dispositive of the question of whether this Policy on Violence was violated in all cases.

## 10.6 BRINGING A COMPLAINT.

(Amended 3/07)

a. A complaint that this policy has been violated may be brought through informal or formal channels by any member of the University community, including a third party, or by the University itself. A complaint must state specific and credible allegations to warrant an investigation. There is no time limit for bringing a complaint; however, it may be difficult to substantiate the allegations made in a complaint brought after significant time has passed. Therefore, prompt reporting of complaints is strongly encouraged.

b. Substantial weight will be given to the wishes of the alleged victim when determining whether to investigate a complaint, but the University may investigate a complaint even without the alleged victim's consent if circumstances warrant (such as when there are multiple complaints against the same person or allegations are particularly egregious).

c. Persons who wish to consult with someone about a specific situation on a confidential basis or learn more about enforcement of this Policy on Violence may contact any of the following offices or organizations:

- (1) Office of the Ombudsperson, C108 Seashore Hall (for faculty, staff, or students)
- (2) Faculty and Staff Services, 121-50 University Services Building (for faculty or staff)
- (3) University Counseling Service, 3223 Westlawn (for students)
- (4) Student Health Service, 4189 Westlawn (for students)
- (5) Women's Resource and Action Center (for faculty, staff, or students)
- (6) Rape Victim Advocacy Program, 320 Linn Street Building (for faculty, staff, or students)

These offices are exempt from the reporting requirements set forth in II-10.7e below. Other offices may be required to report allegations as described in II-10.7e.

Representatives of these offices or other support persons may accompany an alleged victim during the investigation process if the alleged victim so desires.

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## 10.7 INFORMAL RESOLUTION OF COMPLAINTS.

(3/07)

a. A complaint may be brought informally to any academic or administrative officer of the University (as defined in II-10.3a). If the complaint alleges violence based on a protected classification as defined by [II-3 Human Rights](#) (race, creed, color, national origin, age, sex, disability, sexual orientation, or gender identity), the complaint may be brought to the Office of Equal Opportunity and Diversity, 202 Jessup Hall.

b. The academic or administrative officer will:

- (1) counsel the complainant as to the options available under this policy and, at the complainant's request, will help the complainant resolve the complaint informally and/or refer the complainant to the appropriate office as described in II-10.8a below so that the complainant may bring a formal complaint; and

(2) take appropriate interim action, which may include those actions described in II-10.9 below, to address the alleged behavior and protect the health or safety of the alleged victim, complainant, and/or witnesses.

c. The following assistance is available to the academic or administrative officer:

(1) The Office of Equal Opportunity and Diversity, 202 Jessup Hall (335-0705), will assist in determining whether there is a potential policy violation related to a protected classification, and whether reporting pursuant to paragraph e below is required.

(2) For situations involving faculty and/or staff, the Behavior Risk Management team is available to assist with assessing situations, planning the actions needed, and carrying out those actions. This team may be accessed by contacting Faculty and Staff Services, 121-50 University Services Building (335-2085).

(3) For situations involving students, contact the Office of the Vice President for Student Services, 249 Iowa Memorial Union (335-3557).

d. When a complaint is brought informally, the person(s) charged in the complaint will not ordinarily be informed of the complaint without the consent of the alleged victim unless circumstances require (such as when there are multiple complaints against the same person or allegations are particularly egregious). No disciplinary action can be taken against a person charged in an informal complaint, and there will be no record of the complaint in the person's employment or student disciplinary file, unless the person is notified of the charges and given an opportunity to respond.

e. Any academic or administrative officer of the University who becomes aware of specific and credible allegations of violence based on a protected classification (race, creed, color, national origin, age, sex, disability, sexual orientation, or gender identity), whether through the report of a complainant (including a third party) or otherwise, shall report the allegations promptly to the Office of Equal Opportunity and Diversity (except for allegations against a student regarding conduct occurring in the residence halls, which shall be reported to the Office of the Vice President for Student Services) for assistance in evaluating the situation and determining an appropriate course of action, even if the alleged victim has requested that no action be taken. If there is a supervisory relationship between the complainant and/or victim and the respondent, the appropriate course of action will include development of a plan to avoid any perceived or actual conflict of interest until the complaint is resolved.

The initial report should be made verbally in person or by telephone, but a written report also must be made after the complaint is resolved using the Office of Equal Opportunity and Diversity Informal Violence Complaint Resolution form, which requires disclosure of the employment or student status of the alleged victim(s), the complainant(s) (if other than the alleged victim), and the person(s) charged; the department(s) with which those persons are affiliated; a summary of the allegations; and a description of the steps taken to resolve the complaint. If the person charged is informed of the existence of the informal complaint, the names of the parties must be provided to the Office of Equal Opportunity and Diversity. If the person charged is not informed of the complaint, then the names of the parties shall not be provided to the Office of Equal Opportunity and Diversity.

f. Reasonable efforts will be made to process complaints in a timely manner, giving consideration to the nature of the allegations and the circumstances surrounding the complaint process.

g. It is the responsibility of the academic or administrative officer who facilitates the informal resolution of the complaint to monitor compliance with the terms of the informal resolution. Sanctions up to and including termination of employment or separation from the University may be imposed in the event that an individual fails to comply with the terms of the informal resolution.

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## 10.8 INVESTIGATION OF FORMAL COMPLAINTS.

(3/07)

a. A formal complaint pursuant to this policy must be brought to one of the following offices for investigation depending upon the status of the respondent and the nature of the allegations:

(1) Protected class violence. If the complaint alleges violence based on a classification covered by II-3 Human Rights (race, creed, color, national origin, age, sex, disability, sexual orientation, gender identity, or any other classification that deprives the person of consideration as an individual), a formal complaint should be brought to the Office of Equal Opportunity and Diversity regardless of the status of the respondent.

(2) Other violence. If the complaint alleges violence that is *not* based on a classification covered by the II-3 Human Rights (race, creed, color, national origin, age, sex, disability, sexual orientation, gender identity, or any other classification that deprives the person of consideration as an individual), a person should bring a formal complaint to one of the following offices depending on the status of the respondent:

(a) Faculty or instructor. If the respondent is a faculty member, teaching assistant, or other instructor, a formal complaint should be brought to an academic or administrative officer (including the complainant's DEO or collegiate dean). The investigation will be conducted by the respondent's collegiate dean or by the Office of the Executive Vice President and Provost.

(b) Staff member. If the respondent is a staff member (professional and scientific, organized merit staff, or non-organized merit staff), a formal complaint should be brought to an academic or administrative officer (including the complainant's human resources unit representative) or to University Human Resources. The investigation will be conducted by the Senior Human Resources Leadership Representative for the unit employing the respondent.

(c) Student. If the respondent is a student, a formal complaint should be brought to the Office of the Vice President for Student Services and Dean of Students.

b. A formal complaint may be brought after an informal resolution was not successfully reached, or may be brought immediately without pursuing informal resolution.

c. The purpose of the investigation is to establish whether there is a reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the investigating office will make reasonable efforts to interview the alleged victim, the complainant (if other than the alleged victim), and the respondent, and may interview other persons believed to have pertinent factual knowledge, as well as review any relevant documentary evidence. At all times, the investigating office will take steps to ensure confidentiality to the extent possible.

d. When a formal complaint is brought, the respondent will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations. The investigation will afford the respondent an opportunity to respond to the allegations and evidence provided by the complainant and/or alleged victim, and to provide a statement of the facts as perceived by the respondent.

e. At the conclusion of the investigation, the investigating office will issue a written finding which will summarize the evidence gathered and state whether or not there is a reasonable basis for believing that a violation of this policy has occurred. The written finding will normally be issued within 45 days of when the complaint was filed. When it is not reasonably possible to issue the finding within that time, the investigating office will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay. The alleged victim and the respondent will receive a copy of the written finding, which is to remain confidential as defined by II-10.13c. Third-party complainants will be notified only that the proceedings are concluded.

f. If the investigating office finds a reasonable basis for believing that a violation of this policy has occurred, the matter will be referred to the appropriate administrator for further consideration as outlined in II-10.9 below.

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## 10.9 PROCESS FOR DISCIPLINARY ACTION.

(3/07)

a. The following administrators will review the finding of the investigating office:

- (1) the Office of the Executive Vice President and Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);
- (2) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member;
- (3) the Office of the Vice President for Student Services and Dean of Students, if the respondent is a student;
- (4) the appointing dean/vice president, if the respondent is a graduate assistant.

b. The administrator may:

- (1) accept all or any part of the findings of the investigating office;
- (2) not accept all or any part of the findings of the investigating office;
- (3) reach a negotiated settlement of the complaint with the respondent; or
- (4) initiate formal disciplinary action.

c. Violations of this Policy on Violence may lead to disciplinary sanctions up to and including termination or separation from the University. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history. Those who violate this policy should bear the consequences of their actions, even if factors such as substance abuse or personal problems contribute to misconduct. When the offense is serious, it is appropriate to consider separation from the University even in cases of first offense, and even when the respondent experiences remorse and/or did not intend to cause the resulting degree of harm.

d. In addition to other disciplinary action, persons who are found to have violated this policy may be required to participate in group counseling or personal therapy sessions, complete community service, enroll in a specific academic course, attend an educational workshop, and/or make restitution for economic damages caused by their behavior. When the respondent is a faculty or staff member, the Office of Faculty and Staff Services, 121-50 University Services Building, is available to assist with locating appropriate resources. When the respondent is a student, University Counseling Service, 3223 Westlawn, is available to assist with locating appropriate resources.

e. It is the responsibility of the appropriate administrator to monitor compliance with the disciplinary and/or remedial sanctions imposed. More serious sanctions, up to and including termination of employment or separation from the University, may be imposed in the event that the individual fails to comply with the sanctions initially imposed.

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## 10.10 APPLICABLE PROCEDURES.

(3/07)

Formal disciplinary action resulting from violations of this policy by:

- a. faculty members will be governed by [III-29 Faculty Dispute Procedures](#) and that portion of those procedures dealing with faculty ethics ([III-29.7](#)).
- b. staff members will be governed by applicable University policies, including [III-16 Ethics and Responsibilities for](#)

University Staff, and the applicable discipline and/or grievance procedures (see III-28) and/or relevant collective bargaining agreement.

c. graduate assistants, when dismissal is sought, will be governed by III-12.4 Graduate Assistant Dismissal. When disciplinary action other than dismissal is taken by the appointing dean/vice president, a graduate assistant may appeal through any existing contractual grievance procedures.

d. students will be governed by Judicial Procedure for Alleged Violations of the Code of Student Life. Both the Code of Student Life and the Judicial Procedure are published and distributed to students annually in Policies and Regulations Affecting Students.

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## 10.11 PROTECTION OF ALLEGED VICTIMS, COMPLAINANTS, AND OTHERS.

(3/07)

a. Alleged victims will be informed of relevant procedural steps taken during the investigation and any interim protective measures taken.

b. Throughout the investigation and resolution of a complaint, reasonable steps will be taken to protect alleged victims, complainants, witnesses, and others from harm associated with the complaint.

c. Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses suffer no retaliation as a result of their activities with regard to the process.

d. Steps that may be taken to protect alleged victims, complainants, witnesses, and others from continued violence and/or retaliation might include:

(1) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

(2) arrangement that academic and/or employment evaluations concerning complainants or others be made by an appropriate individual other than the respondent.

e. Any retaliation against alleged victims, complainants, or witnesses should be reported pursuant to II-11 Anti-Retaliation. Retaliation may result in disciplinary action against the person committing the retaliatory act(s).

f. The Executive Vice President and Provost, a dean, a DEO, or any vice president may, at any time during or after an investigation of a violence complaint, suspend or partially restrict from employment any employee accused of violence if the Executive Vice President and Provost, dean, DEO, or vice president finds that it is reasonably certain that:

(1) the alleged violence has occurred, and

(2) serious and immediate harm will ensue if the person continues his or her employment.

Similarly, if the respondent is a student, interim sanctions may be imposed pursuant to Section 10 of the Judicial Procedure for Alleged Violation of the Code of Student Life.

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## 10.12 PROTECTION OF THE RESPONDENT.

(3/07)

## Community Policies - Violence (II-10)

a. This policy shall not be used to bring knowingly false charges. Bringing such a charge constitutes a violation of this policy, and may subject the complaining party to remedial and/or disciplinary action up to and including termination or separation from the University. Any such disciplinary action will be initiated by the appropriate administrator overseeing the complainant(s).

b. In the event the allegations are not substantiated, the respondent may consult with the investigating office to discuss possible steps to address the restoration of the reputation of the respondent.

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**10.13 CONFIDENTIALITY.**

(3/07)

a. In order to empower community members to voice concerns and bring complaints, the confidentiality of all parties will be protected to the greatest extent possible. However, legal obligations may require the University to take some action once it is made aware that violence has occurred, even when the alleged victim is reluctant to proceed. Appropriate University officials will be consulted, including the Office of Equal Opportunity and Diversity when the complaint alleges violence based on a protected classification (see II-10.7e above), and information will be shared only with those individuals who need to know it to implement this policy.

b. The parties to a complaint (alleged victims, third-party complainants, and respondents) and witnesses who provide information during an investigation are expected to maintain confidentiality as well, in order to protect the integrity of the investigation and the confidentiality interests of the parties. The matter should not be discussed with individuals who are involved in the complaint except as necessary to pursue an appeal or grievance or as part of another legal or administrative proceeding.

c. Dissemination of documents relating to a complaint and/or investigation, other than as necessary to pursue an appeal or grievance or as part of another legal or administrative proceeding, is prohibited.

d. Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-10.11c of this policy. Failure to maintain confidentiality by any party (alleged victim, third-party complainant, or respondent) or witness may result in disciplinary action.

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**10.14 NOTIFICATION.**

(3/07)

a. The Office of the Vice President for Student Services is responsible for informing all students of this University Policy on Violence. The policy will be distributed to all students annually and discussed with new students as part of their orientation to campus.

b. The Office of the Executive Vice President and Provost is responsible for informing all current faculty members of this University Policy on Violence. The policy will be distributed to all faculty annually and distributed to new faculty members as part of their orientation.

c. The Office of the Senior Vice President for Finance and Operations is responsible for informing all current staff members of this University Policy on Violence. The policy will be distributed to all staff annually and distributed to new staff members as part of their orientation.

d. Periodic training on managing workplace security will be available.

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**10.15 OTHER UNIVERSITY OF IOWA POLICIES RELATED TO BEHAVIORAL EXPECTATIONS.**

a. In addition to the policies and procedures contained in this chapter that pertain to violent acts committed by University community members, the following policies may be helpful in determining a course of action to follow when responding to behavior of concern:

- (1) [II-4 Sexual Harassment](#)
- (2) [II-14 Anti-Harassment](#)
- (3) [III-15 Professional Ethics and Academic Responsibility](#)
- (4) [III-16 Ethics and Responsibilities for University Staff](#)
- (5) [IV-1 General Regulations Applying to Students](#)

b. In addition, the following *Operations Manual* chapters may be of assistance when considering the best course of action with regard to a concern that may fall under this chapter:

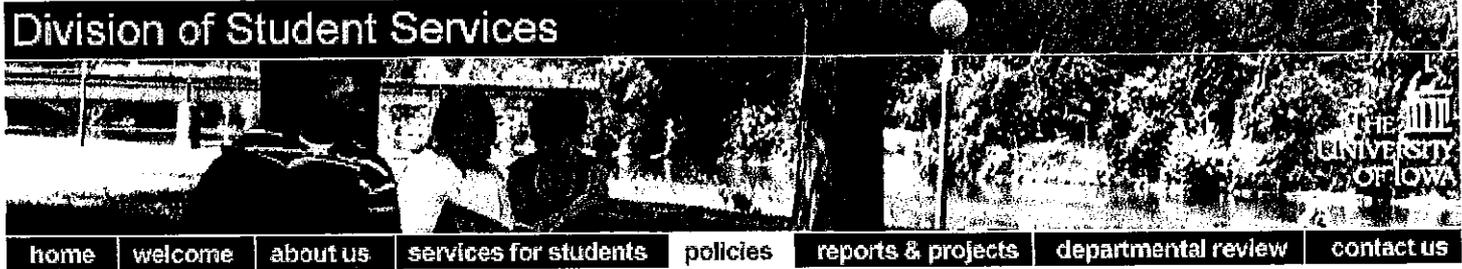
- (1) [III-28 Conflict Management Resources for University Staff](#)
  - (2) [III-29 Faculty Dispute Procedures](#)
  - (3) [V-16 Critical Incident Management Plan](#) (guidelines for institutional management of disruptions caused by violent behavior)
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### A. Code of Student Life

#### Introduction

Academic institutions exist for the advancement of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop a capacity for critical judgment and to engage in a sustained and independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students are expected to exercise their freedom to learn with responsibility and to respect the general conditions conducive to such freedom. Accordingly, the University has developed the following general regulations pertaining to student conduct which provide and safeguard the right of every individual student to exercise fully the freedom to learn without undue interference by others.

The Code of Student Life is applicable whether or not the University is in session and pertains to all persons registered for a University of Iowa course, all persons admitted to any academic program, and all persons attending a University-sponsored program. In addition, conduct violative of the Code of Student Life and engaged in prior to admission or after withdrawal from the University may be taken into account in admissions decisions and may be grounds for filing disciplinary charges after admission or acceptance into a program. For purposes of the conduct regulations and judicial procedures, a student is any person fitting one or more of these descriptions.

In those cases where a complaint for misconduct in violation of the Code of Student Life is filed against an individual not currently registered as a student, the complaint may proceed to adjudication or the dean of students may elect to restrict the individual's registration and resolve the complaint later when the individual seeks to re-enroll. In the event that an individual named in a complaint has satisfied the academic requirements for a graduate or undergraduate degree after the misconduct allegedly took place but before the complaint was resolved, the individual may not receive his or her degree until the complaint is resolved.

It is the duty and responsibility of all students to acquaint themselves with all provisions of the code and particularly with the rules and regulations pertaining to personal conduct, and every student will be conclusively presumed to have knowledge of all rules and regulations contained in the code from the date of his or her initial registration at the University. The code may be amended at any time by authority of the president of the University. Amendments are effective upon approval of the president and publication on the Code of Student Life website, provided that students have been notified of the amendment by mass electronic mailing, which will be conclusively presumed as adequate notice to all students. A full and complete text of the code and other general University rules and regulations of personal conduct currently in effect, including all amendments, shall be on file in the Office of the Dean of Students at all times and shall be available for inspection by students.

### General Conduct Regulations

Any student who commits any of the following acts of misconduct shall be subject to disciplinary action by the University. "Campus" includes, in addition to University-owned or leased property, streets and pathways contiguous to University property or in the immediate vicinity of campus. As used in these procedures, "willful" and "intentional" conduct includes conduct which the student knew or reasonably should have known could lead to the results listed below. These regulations shall be construed so as not to abridge any student's constitutional rights of free expression of thought or opinion, free association, peaceable assembly, or the petition of authorities. In interpreting these regulations, administrative hearing officers may take notice of appropriate reference books, such as standard English dictionaries. Hearing officers may also refer to the Code of Iowa but are not bound by the strict definitions of criminal law.

1. Academic misconduct, including the acquisition of honors, awards, certification (including language proficiency) or professional endorsements, degrees, academic credits, or grades by means of cheating, plagiarism, or falsification, including forgery, with respect to any examination, paper, project, application, recommendation, transcript, or test, or registration document or by any other dishonest means whatsoever, or aiding or abetting another student to do so. Resolution of Section I complaints will normally be handled within the college or department concerned, with provision for review (see Part C, Academic Misconduct).
2. Willful misrepresentation of any material fact to any member of the faculty or staff of the University or to any office, department, or committee thereof, or willful misrepresentation to anyone, within or without the University community, of his or her status or academic performance with the University or of the support, sponsorship, or approval by the University of the services or activities of any person, group, or organization. Willful misrepresentation includes, but is not limited to, forgery, alteration, or misuse of any University record, form, or document, or of any student identification card. If a student involved in a University-related dispute with a faculty or staff member agrees to resolve the dispute through binding mediation or arbitration or negotiates an agreement with a University official, acting within the scope of his or her authority, and subsequently violates one or more terms of the outcome of the dispute, he or she is considered to have violated Section 2.
3. Willful failure to comply with a reasonable directive or a proper order or summons of any member of the faculty or other University official, properly identified—by stating his or her name and title if requested by a student—and acting within the scope of his or her authority, or willful failure of a student to identify himself or herself by stating his or her name to such faculty member or official.
4. In a classroom or other instructional setting, willful failure to comply with a reasonable directive of the classroom instructor or other intentional conduct that has the effect of disrupting University classroom instruction or interfering with the instructor's ability to manage the classroom. When disruptive activity occurs, a University instructor has the authority to determine classroom seating patterns and request that a student exit the classroom, laboratory, or other area used for instruction immediately for the remainder of the period. Instructors who impose a one-day suspension are asked to report the incident to appropriate departmental, collegiate, and Student Services personnel.
5. (a) Intentionally disrupting the orderly process of the University, or (b) intentionally disrupting or denying access to services or facilities by those entitled to use such services or facilities, or (c) intentionally interfering with the lawful rights of others on the campus, or (d) inciting others to do acts proscribed by paragraphs (a), (b), or (c) of this section. Intentional conduct which has the effect of disrupting the orderly processes of the University violates this section.
6. Willful demonstrations within the interior of any University building or structure, except as specifically authorized and subject to reasonable conditions imposed to protect the rights and safety of other persons and to prevent damage to property.
7. Unauthorized entry into or occupation of any University room, building, or area of the campus, including such entry or occupation at any unauthorized time, or any unauthorized or improper use of any University property, equipment, or facilities.
8. Intentional setting of fires in any University building or on the campus without proper authority, or tampering or activation of a fire alarm without justification or improper use of fire prevention equipment in any University building or on the campus.
9. Misuse or misappropriation of University property or private property on campus or off-campus in connection with University activities, including but not limited to, theft or attempted theft, burglary, willful possession of stolen property, and willful destruction, damage, defacement, or mutilation of property belonging to or in the custody of the University or another member of the University community.
10. Assaulting, threatening, physically abusing, unduly harassing, or endangering in any other manner the health or safety of any person on the campus or at any University-sponsored or supervised function or event. Drunken driving (i.e., Operating a Motor Vehicle While Intoxicated) within the area patrolled by University Police violates this provision.

11. Use or possession of serviceable firearms, ammunition, explosives, fireworks, or other dangerous articles on campus or within any University building on the campus, or at any University-sponsored or supervised function or event. Weapons of any kind are prohibited on campus, including paintball markers and other devices that fire projectiles. Devices that resemble serviceable weapons are also prohibited, such as a pellet gun or toy gun that a reasonable observer would believe to be a handgun.
12. Possession or consumption of an alcoholic beverage on campus, within any University building, or at any University-sponsored or supervised function or event off-campus, except as permitted under the Policy Regarding the Use of Illegal Drugs and Alcohol, Code of Student Life, the Residence Hall Guidebook, or as authorized by other University regulations.
13. Use or possession of any narcotic drug, marijuana, or any other addictive, dangerous, or controlled substance on campus or at any University-sponsored or supervised function or event off-campus.
14. Sale, manufacture, distribution, or administration of any drug described in Section 12 or 13 on campus, or criminal conviction of any illicit drug distribution offense on campus or off campus. Drug distribution offenses include but are not limited to local, state, and federal laws which prohibit the distribution of, manufacture of, or possession with intent to distribute a controlled substance, such as marijuana, or counterfeit controlled substance.
15. (a) Intentionally disrupting access of other students, faculty, or staff members to University computer resources, or (b) intentionally obtaining the password of a computer account assigned to another person without authorization or attempting to do so, or any other unauthorized attempt to gain access to a computer account assigned to another person, or (c) knowingly using an account belonging to another University student, faculty, staff member, or academic department for other than its intended purpose without permission from the owner, or using an inactive account, or (d) using University computer equipment to interfere with the lawful rights of others by such activities as falsifying or altering records or documents, creating false or fraudulent documents, damaging programs belonging to another, sending harassing or threatening material, accessing confidential information without proper authorization, or duplicating copyrighted software unlawfully, or (e) assisting another person to do any act proscribed under this section.
16. Conviction of any federal, state, or local crime committed on campus, or violation of any other rule, regulation, or policy which may be promulgated by the president of the University or an authorized representative, by any college, department, residence hall, office, or other facility within the scope of its authority, or by the State Board of Regents, provided such rules, regulations, or policies were published, posted, or otherwise adequately publicized or the student had actual knowledge thereof. Included among "such rules, regulations, or policies" are the University Policy on Human Rights, the Policy on Sexual Harassment, the Policy on Violence, the Alcohol & Drug Policy, Safe Saturday guidelines, Motor Pool regulations, Parking and Skateboarding rules, employment work rules, the Policy on Acceptable Use of Information Technology Resources, the Policy Concerning Use of the Pentacrest and Kautz Plaza, the Anti-Retaliatiion Policy, relevant student organization regulations such as anti-hazing rules, alcohol restrictions, and other rules in the Interfraternity Council or Panhellenic Council Constitution or By-Laws, student financial aid rules, and all provisions contained in University residence halls contracts which pertain to personal conduct, including the Residence Hall Guidebook.
17. Any conduct or action in which the University can demonstrate a clear and distinct interest as an academic institution and which seriously threatens (a) any educational process or other legitimate function of the University or (b) the health or safety of any member of the academic community. Regulation 17 governs violent conduct committed anywhere in Johnson County if the same conduct committed on UI property would violate UI conduct regulations. Student misconduct as defined in Regulations 1-16 that occurs on property governed by the State of Iowa Board of Regents is considered within the scope of this regulation. This includes the campuses of Iowa State University and the University of Northern Iowa. Misconduct committed on college campuses not governed by the State Board of Regents may also violate this regulation.

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## Policies & Regulations Affecting Students

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#### C. Academic Misconduct

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### B. Judicial Procedure for Alleged Violations of the Code of Student Life

#### 1. Introduction.

These procedures are designed to cover complaints against students based on alleged violations of the Code of Student Life and the Policy on Sexual Harassment, which is incorporated in the Code of Student Life. Alleged violations of Regulation 1 (academic misconduct) are handled under the procedures described in Part C, Academic Misconduct. Alleged violations of Regulations 2-17 are ordinarily resolved by the dean of students, who may assign responsibility to a designated department head or assistant. For complaints of sexual harassment (including sexual assaults), the Office of Equal Opportunity & Diversity is the designated department for investigation. Procedures used to resolve residence hall misconduct complaints are described below in Section H, Residence Hall Judicial System. Complaints of abuse of service privileges, such as overdue library books, parking violations, intramural sports infractions, and misuse of placement offices and computer services, are resolved within the particular department that provides the service in question. Persons with questions as to which University procedures apply to a particular situation may contact the Office of the Dean of Students or the University Ombudsperson for more information.

#### 2. Complaint Procedure.

Any person may bring a complaint against a student under these procedures based on an alleged violation of the Code of Student Life (see extent of jurisdiction in introduction). The dean of students shall designate a person to investigate and review the complaint and determine whether formal charges should be brought against the accused student (refer to subsection 3). To initiate an investigation, the complainant should contact the Office of the Dean of Students, except for complaints of sexual harassment. Sexual harassment complaints are filed with the Office of Equal Opportunity & Diversity,

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which will investigate and forward the findings to the dean of students. The designee's investigation may be delayed in the event that concurrent criminal charges are pending against the accused student (refer to subsection 13). Depending upon the outcome of the investigation, complaints may be resolved in one of three ways: (1) informal agreement between the accused student and the investigator; (2) formal charges brought against the accused student at an administrative hearing; or (3) dismissal of complaint.

### 3. Investigation.

The dean of students or designee will gather relevant evidence to determine whether there is a reasonable basis for believing that the Code of Student Life was violated. In order to make such a determination, the dean of students or designee may interview the complainant and witnesses. During the investigation, the dean of students or designee may meet personally with the student accused. Alternatively, the student accused may be notified of the complaint in writing and given an opportunity to respond. In the event that the dean of students or designee believes that evidence shows that there is a reasonable basis for believing a violation did occur, formal charges will be brought. A student accused may consult with the University Ombudsperson or other advisers during the investigation as well as prior to a hearing or following a hearing.

During the period of investigation, the dean of students or designee may seek informal disposition of the complaint with the student accused. If an informal agreement is reached, no formal hearing will be held unless the terms of the informal disposition are breached or the student requests in writing a formal hearing within 20 calendar days. Students who fail to comply with 1 or more provisions of an informal agreement are in violation of Sections 2 & 3 of the Code of Student Life.

Once an informal agreement has been concluded, the accused student will be considered to have waived his or her right to a formal hearing if a written request for a formal hearing is not made within 20 calendar days. The 20-day period will commence when a written summary of the informal agreement has been mailed to the accused student. After the 20-day period has elapsed, the accused student may not request a formal hearing without a showing of good cause. The determination of good cause will be made by the dean of students.

### 4. Charge Procedure.

If it is determined that formal charges should be brought, the dean of students or designee (hereinafter "charging party") shall send the student involved a Notice of Hearing which shall (1) set out the rule or rules which have been allegedly violated, (2) state the alleged actions or behavior, (3) list the names of any witnesses intended to be called by the charging party, (4) advise the student of his or her rights and of the hearing procedure, by attaching a copy of the hearing procedure to the letter, (5) state the time and place of the formal hearing, and (6) specify the sanction(s) to be imposed if the student is found guilty.

When a student is formally charged with violating the Code of Student Life, the charging party may notify the student that an informal disposition of the charge may be pursued through discussions between the student and the charging party. If an informal disposition is made, the student will be sent a letter stating the terms of the disposition. If an informal agreement is reached following a Notice of Hearing letter, no formal hearing will be held unless the terms of the informal disposition are breached or the student requests in writing a formal hearing within 7 calendar days. Students who fail to comply with one or more provisions of an informal agreement are in violation of Sections 2 & 3 of the Code of Student Life.

Once an informal agreement has been concluded, the accused student will be considered to have waived his or her right to a formal hearing if a written request for a formal hearing is not made within 7 calendar days. The 7-day period will commence when a written summary of the informal agreement has been mailed to the accused student. After the 7-day period has elapsed, a request for a formal hearing will not be granted without a showing of good cause. The determination of good cause will be made by the dean of students.

A copy of the Notice of Hearing will be sent to the administrative hearing officer, who shall be drawn from the pool of administrative hearing officers selected by the president after consultation with the appropriate constituent groups. Another administrative hearing officer will serve if a student who is charged can adequately demonstrate why the assigned administrative hearing officer should not hear the case. Such an objection must be made in writing to the dean of students, with a copy to the assigned administrative hearing officer, at least 2 University business days before the hearing is scheduled to begin.

The dean of students may elect to resolve two or more complaints against one student at a single hearing. In addition, the dean of students may elect to resolve a complaint against two or more students at separate hearings or at a single hearing in the event that the complaints arose out of the same transaction or occurrence. Any challenge about complaint consolidation or separation will be determined by the administrative hearing officer. To challenge a decision to separate or consolidate a complaint, the student accused must notify the administrative hearing officer of the ground(s) for the challenge in writing at least 2 University business days before the hearing is scheduled to take place. If the student charged or the charging party cannot appear at the time specified, the student or the charging party must contact the administrative hearing officer at least 2 University business days before the hearing is scheduled to begin to arrange a different time for the hearing. If the student charged has not contacted the administrative hearing officer and does not appear at the hearing, the administrative hearing officer may make a decision on the charge and the sanction, if any. If the charging party has not contacted the administrative hearing officer at least 2 University business days before the hearing is scheduled to begin and does not appear, the administrative hearing officer may postpone or continue the hearing or may drop the charge.

The student charged will be mailed or served the Notice of Hearing at least 7 University business days before the hearing. Notice of Hearing will be sent by certified mail or served personally. The student charged will receive notification of names of any additional witnesses intended to be called by the charging party at least 2 University business days prior to the hearing.

### 5. Rights at Hearing.

The student charged is granted by the Judicial Procedure the following rights at a hearing: (1) to present his or her side of the story; (2) to present witnesses and evidence on his or her behalf; (3) to cross-examine witnesses presenting evidence against the student as long as the questions are relevant, material, and not unduly repetitive; (4) to be represented by an adviser at the student's expense (if any expense is entailed). Prior to the hearing, the student has a right to examine his or her disciplinary file in the Office of the Dean of Students. The student also has a right to know, upon request, which written documents or other physical evidence in the disciplinary file the University representative plans to present at the hearing. To examine the disciplinary file or learn what documents will be presented at the hearing, the student should contact the Office of the Dean of Students at least 2 University business days before the hearing is scheduled to take place and arrange a meeting with the keeper of the record .

The complainant has the following privileges at a formal hearing; (1) to testify on the issues raised by the complaint; (2) to be accompanied by a person who may advise him or her of the hearing process; (3) to remain in the hearing room following his or her testimony until all evidence has been presented; and (4) to be informed of the outcome of the hearing as permitted under federal laws governing confidential student record information.

#### 6. **Hearing.**

The administrative hearing officer shall preside at the hearing. The hearing officer shall (1) inform the student of the charge, the hearing procedures, the sanctions to be imposed if found guilty, and his or her rights and (2) answer any questions the student charged may have on these matters. The hearing officer shall hear and receive evidence to determine whether a violation of the Code of Student Life has occurred. The hearing shall be recorded.

The hearing shall be closed unless the student charged specifically requests in writing at least 2 class days before the hearing that the hearing be open. If the student requests an open hearing, the administrative hearing officer may nonetheless elect to close all or part of the hearing. The administrative hearing officer may elect to exclude persons who are to appear as witnesses.

After informing the student of the hearing procedures, the administrative hearing officer shall ask the student charged to plead guilty or not guilty. If the student pleads not guilty, the charging party shall present the University's case and shall offer evidence, which may include written testimony and/or witnesses, in support of the charge. Ordinarily, each witness will remain outside of the hearing room until called to testify and, once seated, will be requested to respond truthfully to the questions posed. The student charged may cross-examine the evidence presented by the charging party. The student charged may then present his or her case and may offer evidence, which may include written testimony and witnesses, in his or her behalf which shall be subject to cross-examination by the charging party. The student and the charging party may present character witnesses in cases where such evidence is relevant to the findings of fact.

If the student pleads guilty to all of the charges contained in the Notice of Hearing, neither party need present evidence and the hearing shall be concluded.

The charging party bears the burden of showing by a preponderance of evidence that the Code of Student Life was violated. The administrative hearing officer may exclude irrelevant, immaterial, or unduly repetitive evidence. In the event the hearing is disrupted, the administrative hearing officer may insist that 1 or more individuals leave the hearing room if such a measure is necessary to maintain the level of decorum appropriate for such a forum. A finding by the administrative hearing officer shall be based upon the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their serious affairs. Objections to evidentiary offers may be made and shall be noted in the record.

The administrative hearing officer's decision as to whether the Code of Student Life was violated may be rendered orally at the close of the hearing. A written decision shall ordinarily be issued within 5 University business days after the hearing, and, in any event, within 10 University business days after the hearing.

Notification of Decision shall be sent to the student charged by certified mail or campus mail, to the charging party, the dean of students, and to other appropriate University officers. If the charged student is found to have violated the Code of Student Life, the hearing officer shall attach to the Notification of Decision a copy of the sanction document previously enclosed in the Notice of Hearing letter. The hearing officer's Notification of Decision letter shall also include a statement of the appeal procedure.

If the charged student is found to have violated the Code of Student Life, the sanction document attached to the Notification of Decision will be placed in the student's disciplinary file in the Office of the Dean of Students as evidence that the sanction was imposed. In those cases where the student was charged with violating the Code of Student Life on more than one occasion, the dean of students may place a document in the student's disciplinary file to clarify which sanctions have been imposed, with a copy sent to the student.

#### 7. **Appeal by the Accused.**

All appeals must be filed with the Office of the Provost (hereinafter "provost") with supporting materials (if desired) in the provost's office within 10 University business days following the receipt of the written notification of the administrative hearing officer's decision. The student's written petition for appeal should specify the grounds for appeal from the list of five grounds enumerated below. The provost shall designate an appropriate individual to review the record of the hearing and the past disciplinary records of the charged person.

Ordinarily, no new evidence will be received with respect to the findings of fact and the interpretation and application of the conduct regulations. At the discretion of the provost's designee, evidence on the charged party's character may be submitted in writing to assist in determining an appropriate sanction.

During the appeal, sanctions imposed by the vice president shall remain in effect. A student suspended or expelled may request, from the vice president, permission to attend classes until the provost's designee has made a decision on appeal.

The provost's designee may recommend to the provost that the decision be affirmed. The provost's designee may also recommend that the decision be reversed, modified, or other appropriate relief be granted, if substantial rights of the student have been prejudiced because (1) the finding of guilt was unsupported by substantial evidence in the record made before the administrative hearing officer when the record is viewed as a whole; (2) with respect to issues disputed at the hearing, the decision to find the student guilty of violating the conduct regulations was, as a whole, unreasonable, arbitrary, or capricious or characterized by an abuse of discretion or clearly unwarranted exercise of discretion; (3) the sanction imposed for the violation was unreasonably harsh or inappropriate when the nature of the violation and the disciplinary record of the charged person are considered; (4) the procedures were not properly followed; or (5) new evidence, not reasonably available at the time of the hearing, is of sufficient importance to warrant reconsideration by the hearing officer. The student's written petition for appeal should specify the grounds for appeal.

The decision on appeal and the reasons therefore will be transmitted to the student charged, the charging party, the dean of students, and other appropriate University officials within 30 calendar days of the receipt of the Notice of Appeal. The decision of the administrative hearing officer and the final decision on appeal, as well as the notices and other related documents, will be kept in the student's disciplinary file in the Office of the Dean of Students.

**8. Appeal by the Charging Party.**

The charging party may appeal the decision of the administrative hearing officer to the provost to challenge the interpretation and application of the conduct regulations. The charging party may not appeal the administrative hearing officer's conclusions as to the facts of the case.

To appeal, the charging party shall file a written petition with supporting materials (if desired) in the provost's office within 5 University business days following the receipt of the written notification of the administrative hearing officer's decision. A copy of the petition shall be sent to the charged student.

The charging party's written petition for appeal should specify the grounds for appeal. To warrant a change in findings regarding the conduct regulation(s) allegedly violated, the hearing officer's interpretation and application of the regulation to the facts of the complaint must be so unreasonably narrow given the nature of the conduct and the regulation's purpose as to undermine the University's educational mission.

The provost shall designate an appropriate individual to review the record of the hearing and the past disciplinary records of the charged person. The provost's designee may recommend to the provost that the decision be affirmed, reversed, or modified. The provost may also remand the complaint to the administrative hearing officer with instructions to reconsider the decision.

The decision on appeal and the reasons therefore will be transmitted to the student charged, the charging party, the dean of students, and other appropriate University officials within 30 calendar days of the receipt of the petition, and will be kept in the student's disciplinary file in the Office of the Dean of Students.

**9. Sanctions.**

The vice president has the authority to impose any one or a combination of the following disciplinary sanctions if the student is found guilty by a hearing officer. The sanctions imposed will be those specified by the vice president in the Notice of Hearing. The following are to serve as guidelines rather than as a definitive list of sanctions.

- i. **Disciplinary Warning:** This is a strong, written warning that if there is a repetition of the same action or any other action in violation of the Rules and Regulations of the Code of Student Life, the student can expect additional disciplinary action. A record of the disciplinary action is kept on file.
- ii. **Disciplinary Probation:** When on disciplinary probation a student is not considered to be in good standing with respect to the non-academic disciplinary system and any further violations may lead to suspension or expulsion from the University.
- iii. **Restitution and Fines:** A student may be assessed reasonable expenses related to the misconduct. This may include, but is not limited to, the repair/replacement cost for any damage he or she causes to property or medical or counseling expenses incurred by the victim. If a student violates a residence hall policy that calls for the imposition of a fine, a fine will be assessed consistent with residence hall practice.
- iv. **Educational Sanction:** A student may be required to provide a specific service or participate in a specific program, receive specific instruction, or complete a research assignment. The student is responsible for related expenses, including expenses for education, counseling, or treatment, if any expense is entailed.
- v. **Exclusion from University Facilities or Activities:** A student may be prohibited from accessing University computer equipment or internet connections, attending a class, undertaking University employment, entering a building, participating in an extra-curricular activity sponsored by the University, representing the University in an official capacity, or using other services provided by the University. Such exclusion may be for a definite or indefinite period of time.
- vi. **Disciplinary Suspension:** A student may be involuntarily separated from the University for a stated period of time after which readmission is possible. A student with one or more violations may be suspended from the University for an indefinite period of time. A student suspended indefinitely may petition to the dean of students for reinstatement.
- vii. **Expulsion:** When a student has a record of serious violations, he or she may be dismissed from the University permanently.
- viii. **Residence Halls Suspension:** A student may be involuntarily separated from the residence halls indefinitely or for a stated period of time after which readmission is possible. Unless specifically permitted to do so by the dean of students, a student suspended from the residence halls is ineligible to use residence hall services, including board plans, and may not enter the residence halls. For purposes of progressive discipline, a student suspended from the Residence Halls may be suspended or expelled from the University if he or she is found to have violated the Code of Student Life subsequent to the housing suspension.

- ix. **No-Contact Order:** A student may be prohibited from intentionally contacting a student, employee, or visitor to campus in any manner at any time. Such prohibition may be in effect for a specific or an indefinite period of time. When a student fails to respect the general conditions conducive to learning in violation of the Code of Student Life, the University's response will be corrective rather than punitive in order to ensure that the student may learn to exercise his or her freedom responsibly. In furtherance of the University's educational mission, corrective action requires that the offending student be held accountable and receive a second opportunity to demonstrate good character after a single minor violation. In those egregious cases where the demonstrated misbehavior is subsversive to the learning process and cannot be tolerated, an individual may be separated from the University.

Taking responsibility for one's misconduct goes beyond acknowledging the wrongful conduct and entails the formal ratification of disciplinary measures that anticipate the possibility of additional misconduct. In assigning sanctions consistent with the Code's educational purpose, the principle of progressive discipline is paramount. Thus, increasingly harsh sanctions will be applied for additional violations regardless of whether the misconduct is similar in nature. Furthermore, counseling sanctions (e.g., drug education and community service) are not intended to serve as a substitute for status sanctions (i.e., warning, probation, and suspension).

For example, a student found guilty of a second offense after being placed on one-semester probation for the first violation can expect suspension or an extension of the probation, in addition to any counseling sanction.

Ordinarily, a student found guilty of serious assault, threats with a weapon, possession of a gun or other dangerous weapon, sexual assault, possession of cocaine or other hard drugs, or distributing illegal drugs is suspended or expelled from the University even if there are no prior sanctions on the student's record. Students guilty of offenses warranting probation may also forfeit their residential privileges. The following violations ordinarily result in a Residence Hall suspension regardless of the student's prior record: possession or use of marijuana, false fire alarm, or an open flame violation. This list of offenses is not intended to be complete; other conduct not listed above may also warrant suspension from the University or from the residence halls. A student found in possession of a beer keg or other large quantity of alcohol on campus is subject to immediate Residence Hall suspension and possible University suspension.

10. **Interim Sanctions.**

A student may be suspended from the University or have privileges revoked pending the outcome of a disciplinary proceeding if, in the judgment of the dean of students, the student's continued presence or use of privileges at the University pending the outcome of the proceeding is likely to cause harm to faculty, staff, other students, other specified persons or groups, or University property. The dean of students will base an interim sanction judgment on evidence gathered in the initial stage of an investigation of the alleged conduct. Ordinarily, the dean or the dean's designee will converse with the student when interim suspension is considered.

A student suspended under this section may seek review of that decision by requesting the dean of students to reconsider the decision within 5 University business days after the student has received Notice of Suspension. The student may request that a formal University disciplinary hearing be held to resolve the merits of the complaint.

11. **Compliance with Sanctions.**

Students who fail to comply with a sanction in a reasonably timely manner are subject to additional disciplinary action by the vice president, which may include Suspension from the University. The vice president's authority to take additional disciplinary action in cases of non-compliance extends to complaints resolved through informal agreement, complaints resolved at a formal hearing, and complaints resolved by another student services department such as University Housing.

For purposes of this subsection, "sanction" includes but is not limited to Educational Sanctions, Restitution, and Exclusion from University Facilities or Activities described in subsection 9. In the event that a student fails to comply with a sanction and the vice president is prepared to impose a Suspension, the student will be notified of the apparent failure to comply and of the vice president's intent to suspend, and provided an opportunity to meet personally with the vice president and explain the circumstances prior to a final decision by the vice president. A student suspended for failing to comply with a sanction may appeal the vice president's decision to the Office of the Provost but is not entitled to a formal hearing before an administrative hearing officer. All appeals must be made in writing to the Office of the Provost within 10 business days following the date of the decision by the vice president.

12. **Records.**

If disciplinary action is taken against a student under these procedures and a sanction imposed, a record of the action will be kept by the Office of the Vice President. The Office of the Vice President will determine the length of time a disciplinary record is to remain on file.

Under federal law, disciplinary records are part of the education records of the student and, consequently, are not ordinarily available for public disclosure or discussion (refer to "Student Records Policy," section I.C of *Policies & Regulations affecting Students*). The Office of the Vice President will disclose information relating to a student's nonacademic disciplinary record with prior written permission from the student.

13. **Concurrent Criminal Charges.**

Students who face criminal charges may also be subject to University disciplinary sanctions if the conduct which gave rise to the criminal charges also violates the Code of Student Life. An initial investigation may be undertaken before criminal procedures have concluded in order to determine whether interim sanctions are to be invoked. The vice president may prefer to delay the resolution of a Code of Student Life complaint if concurrent criminal charges are pending. If the vice president elects to do so, the Code of Student Life complaint will be resolved after the criminal charges are resolved unless the student requests a hearing to resolve a University complaint while criminal charges are pending.

University regulations and procedures are distinct from criminal statutes and procedures. The outcome in a criminal or civil proceeding is not dispositive of the question of whether the Code of Student Life was violated in all cases. A student charged with criminal misconduct will be considered guilty of violating University conduct regulations and therefore subject to disciplinary sanctions if convicted in criminal court of conduct prohibited under the Code of Student Life. For purposes of

these procedures, a conviction includes a guilty plea, jury verdict, judicial decision, or deferred judgment. In the event a convicted student files a criminal appeal, the University will consider the question of criminal guilt to be final only after the matters on appeal have been resolved, although the vice president may impose an interim sanction pending the outcome of an appeal or proceed with disciplinary charges. Due to the less stringent standard of proof under these judicial procedures, a student accused but not convicted of a crime following a trial is still subject to University disciplinary action if found guilty by an administrative hearing officer.

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## Policies & Regulations Affecting Students

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B. Reporting Crimes

C. Security of Campus Facilities

D. Campus Law Enforcement

E. Security Awareness Programs

F. Sexual Assault Policy and Programs

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### A. Department of Public Safety

The University of Iowa campus is subject to many of the same safety concerns as are experienced in the community in which it is located. In order to facilitate the prevention of crime on the 1900 acres of University property and monitor the more than 200 University buildings, the University provides professional law enforcement through the Department of Public Safety. The Public Safety Department consists of three divisions (Police, Investigative, and Security). Located at 323 South Madison Street on campus, the Department of Public Safety operates separately from the Iowa City Police Department and responds to University interests within Johnson County.

UI Police officers are trained and certified by the Iowa Law Enforcement Academy and have full arrest powers. In May, 2006, the Department of Public Safety staff included 17 patrol officers, 1 bomb detection K-9, and nine lieutenants in the Uniformed Police Division. One lieutenant and one investigator constitute the Investigative Division. As part of the Security Division, the Department of Public Safety employs 14 full-time security guards and 10 part-time student guards during the fall and spring semesters. In addition to the three divisions, two important services provided by Public Safety include Crime Prevention and Fire Safety. The full-time security guards received annual training in CPR and fire suppression as well as instruction on University of Iowa Rules and Regulations. Full-time security guards receive on the job training from designated trainers. The security division members are required to have extensive knowledge of academic buildings and residence halls located on University of Iowa property.

The Department of Public Safety supplements the other divisions by employing four full-time Public Safety Dispatchers. Dispatchers are required to become state certified within their first year of employment. They are required to operate the National Crime Information Center (NCIC), Iowa On-Line Warrants and Articles (IOWA) computer systems, and attend a 40 hour training course at the Iowa Law Enforcement Academy. Dispatchers routinely monitor over 250 fire and burglar alarm accounts, multiple agency radio frequencies, 911 emergency calls, and calls for service using a Computer Aided Dispatching (CAD) system. Public Safety also employs University of Iowa students as part-time dispatchers, which are required to meet the same employment standards as full-time dispatchers.

In addition to the three divisions, two important services provided by Public Safety include Crime Prevention and Fire Safety. **CRIME PREVENTION:** The UI Police Crime Prevention Specialist (CPS) is available to all faculty, staff and students. The CPS is trained in basic and advanced crime prevention with an emphasis on *campus* crime prevention. Educational presentations are available upon request at no cost. Presentations and informational materials include: alcohol awareness, club drug information, personal safety and self-protection, dealing with disruptive persons, identity theft information, Refuse to be a Victim, counterfeit currency detection, and Project ID designed to discourage theft and promote registration of student owned valuables. The CPS publishes the Crime Prevention Newsletter six times a year located on the Public Safety website ([www.uiowa.edu/~pubsfty](http://www.uiowa.edu/~pubsfty)). For these and other crime prevention services please contact the CPS at 335-5043.

**FIRE SAFETY:** The Fire Safety and Security Coordinator (FSSC) maintains a comprehensive university fire inspection and prevention program, acts as the university liaison with state and local fire and emergency management officials, assists with fire safety inspections of university buildings, enforces fire safety and emergency management directives, collects and prepares related documentation for dissemination to key personnel, researches and enforces all applicable codes, standards, laws to ensure that the university is in compliance and serves as a member of the Fire Safety Advisory Group. For fire safety related information please contact the FSSC at 335-5389.

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### B. Reporting Crimes

#### Importance of Reporting

All local police departments remain in operation 24 hours a day, 7 days a week. This includes the University of Iowa Police, the Iowa City Police Department, the Coralville Police Department, and the Johnson County Sheriff's Office. While police officers are trained to deter crime for the protection of the general public, crime prevention cannot take place without assistance from the greater community. As citizens of the community, all University students, faculty, administrators, and staff are urged to participate actively in the criminal prevention process. This includes the prompt reporting of crimes and suspicious behavior as well as cooperating with authorities during the investigation and prosecution of crimes, whether minor or serious infractions.

#### Crime Prevention

The Department of Public Safety maintains a full-time Crime Prevention Specialist. This specialist maintains a comprehensive crime prevent program that includes presentations, security audits, research, and crime prevention literature.

#### Reporting Policies

In order to maintain a safe environment for work and learning, the University supports a fully staffed professional police agency on campus, provides facilities for storing criminal information, and stations monitors in critical areas of campus. Because the cooperation of ordinary citizens is also essential to the prompt and accurate reporting of crimes, faculty, students, and staff members are instructed to contact the Department of Public Safety in the event they receive criminal or emergency information.

#### Confidential Reports and the Procedure for Preparing the Annual Statistics

The Department of Public Safety accepts confidential crime reports for inclusion in the annual disclosure of crime statistics. A confidential reporting form entitled "silent witness" is available on the Public Safety website <http://www.uiowa.edu/~pubsfty/>. Confidential reporting forms are also available at the University Counseling Services (UCS) and at the Employee Assistance Program (EAP), Faculty and Staff Services. Information about the Department of Public Safety and crime reporting is distributed at the UCS and EAP, and counselors there encourage crime victims to report crimes to local law enforcement officials for inclusion in the annual crime statistics.

While the proper reporting channel is direct communication with a law enforcement agency, University administrators affiliated with

non-police departments also receive reports of crimes (see "Non-Criminal Investigations" below). The list of titles of administrators who receive crime reports includes the Vice President for Student Services and the Senior Vice President for Finance & Operations and Treasurer. In preparing the annual security report, University officials gather campus crime data from the Office of the Vice President for Student Services and the Office of the Senior Vice President for Finance & Operations and Treasurer, as well as from the Department of Public Safety. The Iowa City Police Department and the Office of Student Life provide information about non-campus crimes in Iowa City included in the annual crime statistics.

### **Emergencies**

In the event of an emergency, the police should be contacted immediately, particularly in the case of fire and medical emergencies. In order to facilitate a prompt response in emergency situations, 911 telephone service is in effect for the entire county. Off-campus 911 calls are routed automatically to the appropriate police authority (the Department of Public Safety, Iowa City Police, Coralville Police, or the Johnson County Sheriff). All UI Police Officers are certified to administer emergency first aid, cardiopulmonary resuscitation (CPR) and are trained in the use of Automated External Defibrillators (AEDs) which are carried in their marked police vehicles.

### **Emergency Telephones**

Twenty-two outdoor telephones with a direct line to University Public Safety and marked "Emergency" are located at critical points on University-owned property. In addition, several indoor telephones are available for emergency use, including one located in the women's locker room at the Fieldhouse. Visitors to campus are encouraged to use the telephones which have been installed in each residence hall near the main entrances and at various points in University Hospitals & Clinics.

### **Non-Emergency Situations**

Reports should be directed to the respective police agency that has authority to file criminal charges in the geographic area in which the crime was committed.

University-owned property includes all residence halls, all academic buildings, University Hospitals & Clinics, recreation facilities, parking lots located near these buildings, and the Oakdale Campus. Calls should be directed to the University of Iowa Department of Public Safety. In private dwellings in Iowa City, such as fraternity and sorority chapter houses, reports of crimes should be directed to the Iowa City Police Department. If there is any question as to which police agency has jurisdiction, students, staff, and faculty members should call the Department of Public Safety.

### **Public Safety's Response to Criminal Reports**

In the Department of Public Safety, a record is maintained of every call received by the dispatcher. In cases where on-going criminal activity is reported, the supervisor on duty assigns patrol officers to the scene. If necessary, DPS administration assigns staff investigators to conduct necessary follow-up investigations. When there is a reasonable basis to believe that a known individual has committed a crime on campus, the person is apprehended by a University of Iowa police officer, charged by the arresting officer, and referred to the Johnson County Attorney for prosecution. In cases where incarceration is warranted, persons arrested are taken to the Johnson County Jail immediately following the arrest and booking.

### **Criminal Data Policies**

All University police officers and investigators are required to submit investigation reports and have received specific training in documenting crimes. The DPS administration monitors the department's response to reports. Information derived from reports is maintained in a written file and on computer by full-time records personnel, who issue daily summaries of criminal incidents which occur on University property to University departments.

### **Non-Criminal Investigations**

In many cases where a University student, faculty, or staff member is charged with a crime, particularly in the case of incidents that occur on University property, a follow-up investigation is conducted by University officials. When the criminal perpetrator is a student, disciplinary review is undertaken by the vice president for student services (hereinafter, "vice president"). When academic instructors have violated criminal laws, disciplinary review is the responsibility of the Provost. When other staff members are charged with criminal activity, disciplinary review is the responsibility of the Vice President for Finance & Operations and the employment department.

### **Additional Services Provided**

In response to reports of a fire or medical emergency, the Department of Public Safety notifies the Iowa City dispatcher for fire fighters and ambulance service. Emergency medical care is provided at all hours at University Hospitals & Clinics. The University provides or otherwise supports post-emergency and post-crime counseling services for students, staff, and faculty members. Among the departments which provide such services are University Counseling Services, the Rape Victim Advocacy Program,

Faculty & Staff Support Services, Student Health, and University Hospitals & Clinics. In addition, the Johnson County Attorney's Office maintains a full-time Victim Witness Coordinator, who assists students, staff, faculty, and other citizens who are crime victims during and after the criminal prosecution.

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## Division of Student Services



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C. Security of Campus Facilities

#### Access to University Buildings

As a public institution of higher learning, The University of Iowa welcomes anyone interested in utilizing the wide range of educational facilities on campus. For security reasons, however, not all University buildings are open to the public. University residence halls are private residences, and at certain hours of the night a person must be a guest of a resident in order to enter any area of a residence hall building where residents are housed. Only authorized personnel are permitted in many areas of University Hospitals & Clinics. Most buildings open to the public are closed and locked after regular business hours.

#### Personal Property Security

Facilities for securing the personal property of students, staff, faculty, and visitors are provided in or near many campus buildings. Examples include lockers in the Field House recreation building; lockers in various libraries; seven monitored parking ramps; gated parking lots; and bicycle racks across the campus. In addition, the University provides housing on University property for more than six thousand students.

#### Housing on Private Property, Including Student Organization Housing

Since private housing property is located within the geographic jurisdiction of the Iowa City Police and Coralville Police Departments, student-occupied dwelling units located on non-University property are neither secured nor monitored by the Department of Public Safety. As of June 2006, all recognized student organizations that provide housing facilities are Greek-letter associations responsible to the Panhellenic Council, the Interfraternity Council, or an academic college. Greek-letter chapter houses are managed by private housing corporations consisting of student members, chapter alumni, and professional housing managers. Security procedures may vary from chapter house to chapter house. To obtain information about the security procedures in place at a particular chapter house, interested students should consult with the executive officers or the housing board of the student organization.

#### Monitoring University Property

Sworn police officers of the University Department of Public Safety patrol University-owned property 24 hours a day, 7 days a week on foot, on bicycles, and in squad cars. The frequency and intensity of the patrols increases during night-time hours. Security guards trained by the University Department of Public Safety are assigned to monitor specific buildings or areas at night. Many campus pathways remain lighted throughout the night. As part of their surveillance responsibilities, security officers report burned-

out lights and other potentially dangerous situations. Maintenance crew members routinely replace lights, trim shrubbery, and remove snow, ice, and other debris from pathways. In addition to the supervision provided by the Department of Public Safety, University parking lots are patrolled five days a week by part-time and full-time employees trained and supervised by the Parking and Transportation Department.

### **Access to Academic Buildings**

The Department of Public Safety routinely checks University buildings that are closed during non-business hours to ensure they remain locked. Each building has a scheduled time to be secured and only authorized staff members are issued keys to secured buildings. All indoor maintenance personnel wear uniform shirts with Facilities Management insignia for identification purposes, and all students and employees are issued University identification cards. In order to monitor access during secured hours, the entrances of many buildings are lighted.

### **Access to Residence Hall Buildings**

For security purposes, the outside building doors to every residence hall are locked from midnight to 6:00 a.m. 7 days a week. Each resident is issued a key to his or her building as well as his or her room and is advised to keep the room door locked at all hours of the day. During secured hours, a non-resident may only enter the building if he or she is a guest of a resident and enters through the main entrance. Residents are held responsible for the conduct of their guests, and non-residents found in a residence hall during secured hours in violation of this rule are subject to University discipline and arrest for criminal trespass. At least one trained staff member is on duty 24 hours a day. Depending upon the rules of each particular floor, visitation by members of the opposite sex may be limited to certain hours of the day.

### **Security Precautions for University Apartments**

Adult residents of University Apartments (including units in Hawkeye Court and Hawkeye Drive) are issued keys to their respective apartments and are advised to keep their doors locked at all hours of the day. In addition to a smoke detector and fire extinguisher, every University Apartment unit is equipped with a telephone, and important information, such as emergency and police phone numbers, is provided in writing. During daytime hours on weekdays, staff members are on duty in the University Apartments Office. During the night, officers from the University Department of Public Safety routinely conduct car patrols of Hawkeye Court and Hawkeye Drive.

### **Special Security Precautions in University Hospitals & Clinics**

The University of Iowa Hospitals & Clinics' Department of Safety and Security operates an in-house safety and security service with an emphasis on personal safety and fire safety as well as security. The UIHC Safety and Security Department staff do not have arrest powers but work in cooperation with the Department of Public Safety, the authorized law enforcement agency for the UIHC. In order to maintain the physical security of UIHC, the Safety and Security Department patrols the hospitals and clinics, secures doors, monitors a safety surveillance closed-circuit television system, and responds to request by patients, visitors, and staff. Reports of serious criminal activity are routed directly to the Department of Public Safety. In cases of minor criminal activity, copies of Safety and Security reports are sent to the Department of Public Safety for consideration and possible follow-up.

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#### Arrest Authority

All sworn police officers in the Department of Public Safety are authorized to apprehend crime suspects and formally charge persons with violating state and local criminal laws. Officers with this power of arrest include the director, associate director, captain of investigations, lieutenants, and uniformed police officers. Sworn officers associated with the Iowa City Police Department or other law enforcement agencies are called upon by the University from time to time to assist the Department of Public Safety in securing University-owned property. Security guards and other University security personnel are trained to report observed criminal activity on campus.

#### Officer Training

All uniformed police officers in the Department of Public Safety are sworn police officers who have satisfied state mandated training and continuing education requirements. Public Safety security guards and hospital security officers receive in-service training to assist the sworn officers in securing buildings, responding to reports, and identifying criminal violators.

#### Interagency Relationships

As a recognized police agency, the Department of Public Safety is part of the state criminal law enforcement network. This ensures that the University has access to intrastate and interstate criminal data. In the process of monitoring University property and responding to reports from the general public, the Department of Public Safety maintains regular communication with the Iowa City Police Department, which has jurisdiction over property contiguous to campus and apartments and other individual dwelling units in Iowa City. The University also works closely with the police department of Coralville, where many students reside; the Johnson County Sheriff, who oversees jail operations; and the State Department of Criminal Investigation, which maintains an office in Cedar Rapids. The Director of the Department of Public Safety or his designee regularly meets with representatives from all law enforcement agencies within Johnson County and the county attorney's office in order to review patterns of criminal activity in Johnson County and discuss crime prevention issues.

#### Firearms

Faculty, staff, and students are not allowed to bring weapons on campus.

### Off-Campus Student Organization Housing

It is the responsibility of every recognized student organization to ensure that all federal, state, and local laws are observed at activities sponsored by the organization. Crimes that occur in housing units maintained by officially recognized student organizations on non-University property in Iowa City are reported to the Iowa City Police Department, which shares with the University its records of crime reports occurring in or near fraternity and sorority housing units. The Office of the Vice President for Student Services and Dean of Students (hereinafter, "Office of the Vice President"), in cooperation with the Iowa City Police Department and the University Department of Public Safety, periodically reviews Iowa City Police crime reports in order to ascertain the number and type of reported crimes which occur on property owned or controlled by recognized student organizations. In cases where a student's conduct on fraternity or sorority property violates University regulations, appropriate disciplinary action will be initiated by the Office of the Vice President.

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**E. Security Awareness Programs**

#### General Purpose

The University undertakes programs designed to maintain an awareness in the subject of safety and encourages students, staff, and faculty to take an active role in the deterrence of crime. Security awareness is accomplished through a variety of means. The University disseminates general and specific information in writing to the University community and presents a variety of programs tailored to the interests and particular needs of the various constituencies on campus. These programs include opportunities for students, staff, and faculty to meet and discuss crime issues with the Crime Prevention Specialist in the Department of Public Safety.

#### General Sources of Information

Under state law, certain police information is public, including the date, time, specific location, and immediate facts of a crime and the name and address of a person arrested and the criminal charge. In order to learn the most current crime information, members of the University community are encouraged to read the daily police arrest reports in the Daily Iowan or Iowa City Press-Citizen. The Department of Public Safety releases a daily report and arrest log through their web site at <http://www.uiowa.edu/~pubsfty/reports.html>. In addition to releasing a daily report and arrest log, the Department of Public Safety issues timely reports of crimes considered to be a threat to students and employees which are reported to local police agencies.

#### Information to Specific Constituencies

Depending upon the frequency and nature of criminal threats reported to the local police, warning statements may be issued to specific University constituencies in combination with statements released by the Department of Public Safety. Residence hall residents receive security statements from the Director of University Housing and other staff members; residents of Family Housing receive information from the Family Housing Manager in the newsletter The Villager; hospital employees receive information from the Hospital Safety and Security Department in Compass and Pacemaker; the semi-weekly news bulletin FYI contains security statements issued to all faculty and staff members; and parents of University students receive a special security edition of Parent Times.

#### Presentations

Crime prevention programs are presented periodically during the academic year by University personnel and student leaders.

During orientation, new students are informed of services offered by the Department of Public Safety. A common theme of all awareness programs is student and staff responsibility for their own safety and the security of others. DPS employs a full time Crime Prevention Specialist to coordinate campus-wide prevention efforts and assist individual departments on a case-by-case basis. In addition to programs presented by officers of the Department of Public Safety, Student Services staff provide crime prevention information to undergraduate students. In addition, University departments such as the Women's Resource and Action Center and the Rape Victim Advocacy Program present a variety of programs, many of which are related to personal safety.

### Examples of Programming Offered

Due to the size of the University and the changing calendar of campus activities over the course of a year, the number of security programs presented varies month to month. Among the prevention programs regularly offered are date rape awareness workshops in the residence halls and Greek system; small-group discussion in freshman orientation; shoplifting awareness training for IMU Book Store employees; Campus late-night and SafeRide service; fire drills in the residence halls conducted by the Iowa City Fire Department; and the Whistlestop and RAD self-defense program for women and men. September is Security Awareness Month in the residence halls, during which time formal and informal programming is provided to residents on topics related to crime prevention.

### Information on Sex Offenders

Iowa law requires a person who has been convicted of a sex offense crime anywhere to register with the sheriff in the county in which they reside, and, if the person attends or works for an institution of higher education, register with the sheriff in the county in which the institution is located. Information about sex offenders is maintained by the Iowa Department of Public Safety and can be accessed at <http://www.iowasexoffender.com>. Locally, a public list of registrants containing photos, descriptions, and last known addresses of such individuals is available at the Johnson County Sheriff's office (356-6020). For additional assistance, contact the UI Department of Public Safety at 335-5022.

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F. Sexual Assault Policy and Programs

#### Introduction

The University of Iowa believes that sexual abuse in any form is reprehensible, especially within the University environment. All forms of non-consensual physical contact of a sexual nature, such as rape, unwelcome touching of genitals or breasts, and forced oral sex, are prohibited. When an assault occurs and a complaint is filed, the University will undertake every reasonable effort to discipline the offender and pursue criminal charges, regardless of the offender's status in the University community. For victims of sexual assault, the University provides a variety of confidential and free services, including advocacy and counseling, and makes reasonable adjustments to alleviate related problems with academic class schedules and housing arrangements.

#### Criminal Definitions & University Standards

State law defines sexual abuse as a sex act done by force or against the will of another person (Code of Iowa, §709.1). A sex act generally means any sexual contact between two or more persons, including but not limited to intercourse (vaginal or anal), oral-genital contact, and contact of genitals or anus with a finger or an object (Code of Iowa, §702.17). Criminal sexual abuse is one example of non-consensual physical conduct prohibited by University policy. University policy prohibits all members of the University community - students, staff, and faculty - from engaging in non-consensual physical conduct of a sexual nature on University property or in connection with University activities. Policy violations warrant the imposition of University disciplinary sanctions and may result in criminal charges. Sanctions may also be imposed for non-consensual physical conduct committed on non-University property which adversely affects a student's educational status or a staff or faculty member's employment status.

On every occasion an individual old enough to give consent has the right to decide the extent of physical sexual activity in which he or she wishes to engage, if any, with another willing partner. Consent in other situations does not reduce an assailant's responsibility for non-consensual sexual activity. In some cases, consensual sexual activity occurs before an assault or after an assault. Disciplinary sanctions will be imposed regardless of whether the non-consensual sexual activity was preceded or followed by consensual sexual activity.

An individual who has consumed alcohol or other drugs, knowingly or unknowingly, may not be able to give free and full consent. The University urges students to be aware of the harmful effects of alcohol and other drugs on human interactions. The assailant's use of alcohol or other drugs does not diminish his or her responsibility for the assault. In cases where the victim unknowingly consumed alcohol or other drugs prior to an assault, additional sanctions will be imposed upon the assailant if he or she administered the drug to the victim or was aware that a drug had been consumed.

**Resources, Options for Reporting and Seeking Medical Assistance: If You or Someone You Know Has Been Assaulted****Confidential Advocacy & Counseling Resources**

The following confidential resources are available to students, faculty and staff who have been assaulted:

- Counseling Resources
  - Sexual Abuse Crisis and Resource Line (335-6000 or 1-800-284-7821) open 24 hours a day.
  - University Counseling Services (335-7294).
  - Faculty & Staff Services University Employee Assistance Program (335-2085).
- Advocacy Resources.
  - Rape Victim Advocacy Program (335-6000 or 1-800-284-7821). RVAP provides advocacy services within any University of Iowa administrative process or any court proceeding.
- Other Confidential Resources
  - Women's Resource & Action Center (335-1486).
  - Office of the Ombudsperson (335-3608).

**Options for Reporting**

A victim of a sexual assault has two primary reporting options. An assault may be reported to the appropriate law enforcement agency or to the University administration, or both. The victim should be aware that a criminal investigation is greatly enhanced if evidence is collected and maintained immediately by the appropriate law enforcement agency.

**A. Reporting an assault through the criminal justice system**

Assaults should be reported to the law enforcement agency that has jurisdiction over the location where the assault or abuse occurred. Institutional officials will assist victims in reporting the incident to the police if requested to do so.

- If the assault occurred on University of Iowa property, call the University of Iowa Department of Public Safety at 335-5022
- If the assault occurred in Iowa City, call the Iowa City Police Department at 356-5275
- If the assault occurred in Coralville, call the Coralville Police Department at 354-1100
- If the assault occurred in another area of Johnson County, call the Johnson County Sheriff's Department at 356-6020
- If you are unsure where to call, contact the RVAP Sexual Abuse Crisis and Resource Line (335-6000) for assistance
- If the assault took place on non-University property and was reported to another law enforcement agency, students and staff are encouraged to contact the University Department of Public Safety for assistance with safety issues while on campus
- In case of an emergency, call 911 from wherever you are and a law enforcement officer will respond to assist you.

In many cases, someone who has been assaulted can talk with a law enforcement officer about whether or not to file charges before making that decision. Victim advocates have special training in working with law enforcement. The RVAP Sexual Abuse Crisis and Resource Line can help the victim make an appointment with a law enforcement officer to discuss options.

- B. Reporting an assault to University administration** University administrators affiliated with non-police departments also receive reports of crimes. Assaults that are reported to the director of equal opportunity & diversity or the vice president for student services & dean of students are included in the annual campus crime statistics. Under the University Violence Policy, residence hall personnel (including resident assistants) are mandatory reporters and will forward reports of assaults to the dean of students and the Office of Equal Opportunity & Diversity.

The Office of Equal Opportunity & Diversity is the administrative department designated to investigate disciplinary complaints of sexual assault involving faculty, staff or students. When a complaint is filed, an investigation is undertaken pursuant to the Policy on Sexual Harassment. The findings of the Office of Equal Opportunity & Diversity will be forwarded to the appropriate University administrator responsible for discipline of the respondent depending upon the status of the person accused of misconduct.

Individuals with questions or concerns about the University's sexual assault policy and its enforcement may contact the Title IX Coordinator in the Office of Equal Opportunity & Diversity (335-0705).

**Seeking Medical Assistance**

If you were assaulted recently, you may want to consider going to a hospital or clinic to have a sexual abuse evidentiary examination. This examination preserves evidence in case you decide to press charges. It is a time when you can get medical advice and medication in case you have contracted a sexually transmitted disease (STD). The evidentiary exam is paid for by the State of Iowa. Some survivors don't seek medical care right away. Even if you were assaulted some time ago, it is okay to go to the doctor in order to be evaluated for STD's, pregnancy, etc. Some local clinics may provide free or reduced rates for people who have been sexually assaulted but choose not to have the evidentiary exam.

Whether or not you want to seek medical help is your decision. The following information may help you in making that

decision.

1. You are entitled to have an advocate from a sexual assault crisis center present with you to provide support during the exam.
2. The sexual assault evidence exam and follow-up treatment are paid for by the State of Iowa. You should not receive a bill.
3. The exam is available to women and men. When children are assaulted they are often seen at one of Iowa's Child Protection Centers. You may want to check with your local law enforcement agency about this possibility.
4. You can get an evidentiary exam even if some time has passed since you were assaulted.
5. If the assault just happened, try and wait until after the exam to shower or bathe, so that the greatest amount of evidence might be preserved. If you have already showered, it is still fine to go ahead and have the exam.
6. If you have had any period of amnesia associated with the assault, tell the sexual abuse examiner you would like to give a urine sample to screen for possible drugs. If you cannot remember what happened you may have been given drugs without your knowledge.
7. If you are still wearing the clothes you had on during the assault, it might be best to wear them to the exam and bring a change of clothing with you to wear home.
8. If you are still wearing the clothes you had on during the assault, it might be best to wear them to the exam and bring a change of clothing with you to wear home.

### Student Disciplinary Action and Sanctions

A University of Iowa student who is found guilty of sexual assault in violation of the Code of Student Life is ordinarily suspended or expelled from the University. When a complaint is filed alleging that a student has committed a sexual assault, the Dean of Students imposes interim sanctions as appropriate in consultation with the Office of Equal Opportunity & Diversity. A University no-contact order is issued, and the student accused of assault is told in writing that any contact with the complainant will result in disciplinary action. In addition, the accused student may be involuntarily transferred to a different residence hall, different class, or different work unit following receipt of a complaint depending upon the circumstances of the case and available alternatives. University policy prohibits a student accused of misconduct from retaliating against the complainant or witnesses, regardless of the outcome of the complaint.

If the Dean has probable cause to bring disciplinary charges based on the Office of Equal Opportunity & Diversity investigation, the complaint will be resolved at a formal hearing. At the hearing, evidence will be presented against the accused student. Hearings are conducted by administrative hearing officers, who record the evidence presented and determine whether the student charged is guilty of violating University regulations. Both the complainant and the accused are entitled to have an advisor present during the initial investigation and during a hearing. A student accused of misconduct is provided a minimum of seven business days to prepare for a hearing, and the hearing officer will issue a decision within two weeks following the conclusion of the hearing. Both parties will be informed in writing of the final determination regarding the outcome of the complaint and any sanctions imposed upon the accused.

If the accused student is found guilty, the sanctions determined by the Dean of Students will be imposed. A student found guilty of violating the Code of Student Life may appeal the hearing officer's decision to the University Provost. Appeals must be filed within 10 days following receipt of the hearing officer's decision, and the Provost answers appeals within 30 days. A complete description of the Judicial Procedure for Alleged Violations of the Code of Student Life posted at section II.B of *Policies and Regulations affecting Students*.

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### Educational Programs

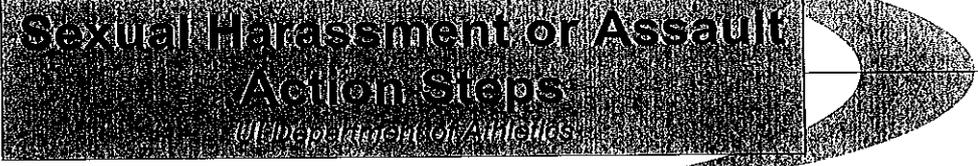
The University urges all students and employees to be aware of one's personal safety and assume a responsible role in educating others. Persons age 16 to 24 are more vulnerable to sexual assault than any other age group, and the Iowa City community is not immune to the problems which persist in more densely populated environments. Although no single individual is invulnerable to sexual assault, research indicates that most victims of unwanted sexual attention are women, and in many cases the male aggressor is not a stranger.

Each year, a copy of this policy is mailed to every student and employee, along with the Code of Student Life, the Sexual Harassment Policy, the Violence Policy, and the Campus Security Statement. Throughout the academic year, members of the University community are invited to attend a variety of extracurricular programs presented on campus. Programs include sexual harassment seminars conducted by the Office of Equal Opportunity & Diversity; security awareness skits in freshman student orientation; RAD (Rape Aggression Defense) classes taught by UI police officers; healthy relationship and communication workshops organized and conducted by students; professional training on sexual assault issues provided for University staff by RVAP; and Saferide, a late-night fixed route transportation service offered by the Campus Transit System. In addition to investigating reports of sexual assault and filing criminal charges, Public Safety law enforcement officers are available to speak to the University community about a variety of security-related issues, including sexual assault.

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## Sexual Harassment or Assault Action Steps

University Department of Athletics

1. If an individual brings an issue of sexual assault or harassment to your attention, inform them of your role and that you have a responsibility to report such matters within the University.
  - a. If the person wishes to maintain confidentiality at this point, refer him or her to one of the confidential resources:
    - the Office of the Ombudsperson (for faculty, staff, or students);
    - Faculty and Staff Services (for faculty or staff);
    - University Counseling Service (for students);
    - Women's Resource and Action Center (for faculty, staff, or students);
    - Rape Victim Advocacy Program (for faculty, staff, or students).
  - b. If the person wishes to proceed with a complaint, informal or formal, proceed with action steps.
  - c. Use the Athletics' **Sexual Harassment or Abuse Interaction Guide** and **Resource and Referral Options** during counseling.
2. Inform the complainant of complaint options under University Policy.
  - Confronting the harasser verbally or in writing, or
  - Bringing an informal complaint, or
  - Bringing a formal complaint to the Office of Equal Opportunity and Diversity. A formal complaint consists of a formal investigation and a written finding.
3. Ask the complainant the following questions, listen attentively, and document the complainant's responses. If the complainant is a third party complainant, the following questions are to be asked relative to the complainant's perception of the victim's experience.
  - What happened?
  - Did it affect your work, education, on-campus living environment, or participation in a University activity?
  - What were your feelings about it?
  - Did you respond in any way?
  - What is the background of the incident?
  - Do you have documentation?
  - Were there witnesses to the incident?
  - Did you discuss the incident with anyone else?
  - Do you know if the person has harassed anyone else? If so, who?
  - Do you know what your options are?
    - Review the options listed in Step 2.
    - Review with the individual his/her referral options.
  - From your perspective, how could this situation best be resolved?

4. Report the situation to the Department of Athletics Sexual Harassment Compliance Officer, Mary Curtis. The Department will then consult the Office of Equal Opportunity and Diversity. If a student-athlete is involved, the Director of Student Services will also be notified.
5. **Informal Complaint.** After consulting with the Office of Equal Opportunity and Diversity, if the complainant/victim wishes to resolve the matter **informally**, departmental personnel will respond to the complaint as warranted, with appropriate investigation. The goal of the informal process is to resolve the situation and stop any inappropriate behavior that is occurring. Normally, disciplinary action cannot be taken as a result of an informal complaint unless the person charged in the complaint has been informed of the existence of the complaint and has been given an opportunity to respond to the allegations.

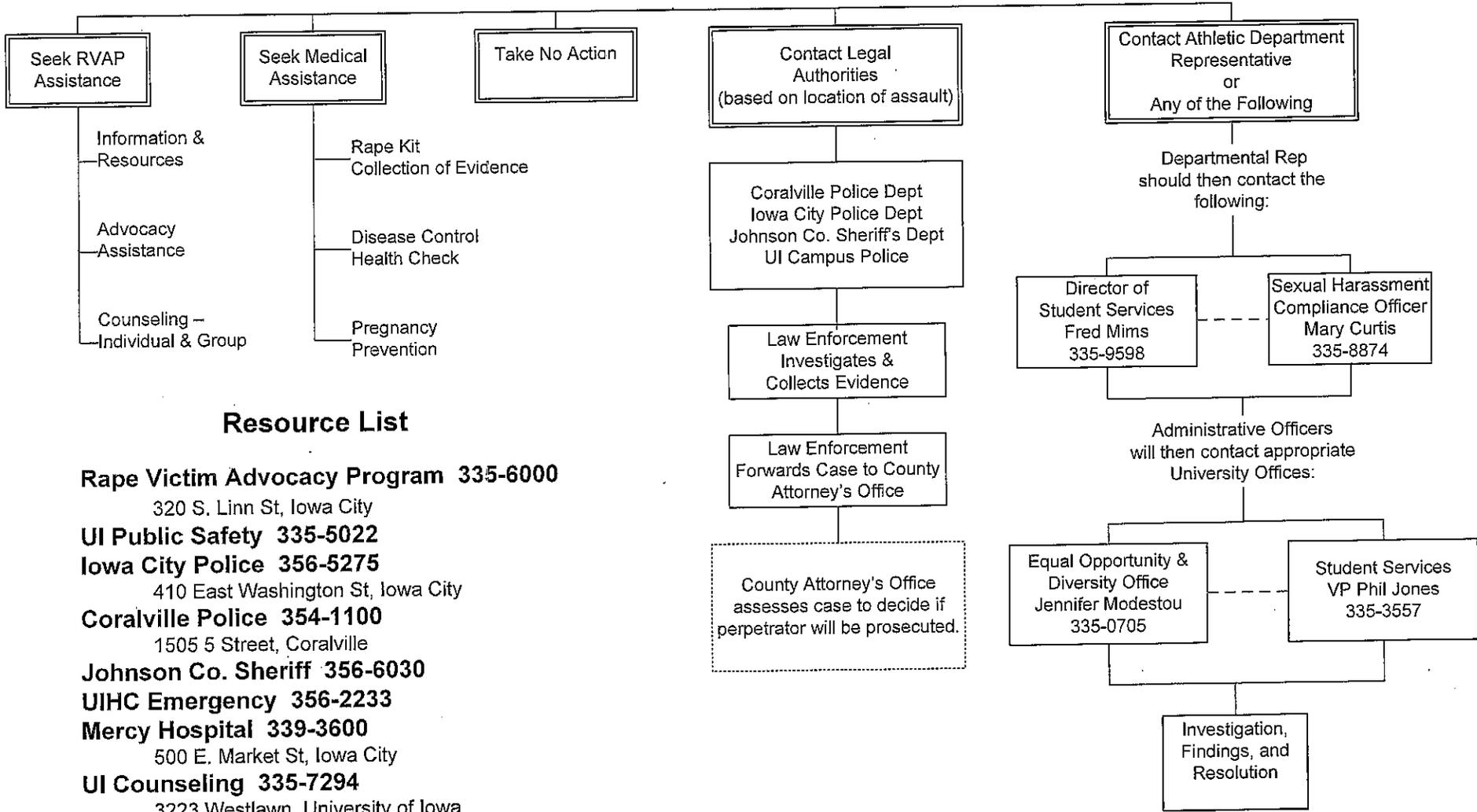
Important points to understand include:

- a. Document all discussions and decisions.
- b. Both the investigation and resolution are to be handled confidentially.
- c. An informal complaint may be handled without releasing the victim or complainant's name if that person so desires, unless circumstances require releasing the name. The Office of Equal Opportunity and Diversity can assist in determining whether the name may remain undisclosed.
- d. The person accused must be informed that any retaliation against the complainant or witnesses is prohibited by the Policy on Sexual Harassment and the Anti-Retaliation Policy (see II-11 University Operations Manual), and will result in disciplinary action.
- e. The Office of Equal Opportunity and Diversity will give assistance in evaluating the incident or deciding on an appropriate resolution, disciplinary action, or problem-solving action.
- f. The complaint should be resolved as soon as reasonably possible. If it cannot be resolved within 30 days, then the complainant will be informed of the delay and reasons therefore. Both parties are to be kept informed throughout the investigation.

**Formal Complaint.** After consulting with the Office of Equal Opportunity and Diversity, if the complainant/victim wishes to resolve the matter **formally**, EOD will conduct the investigation. The Department will assist as requested. A written finding will be issued after the investigation is completed, and will state whether or not the evidence provides reasonable grounds to believe that the University's Policy on Sexual Harassment has been violated.

# Resource and Referral Options For Victims of Sexual Assault Department of Athletics

Victim may choose any or all of the following:



### Resource List

- Rape Victim Advocacy Program 335-6000**  
320 S. Linn St, Iowa City
- UI Public Safety 335-5022**
- Iowa City Police 356-5275**  
410 East Washington St, Iowa City
- Coralville Police 354-1100**  
1505 5 Street, Coralville
- Johnson Co. Sheriff 356-6030**
- UIHC Emergency 356-2233**
- Mercy Hospital 339-3600**  
500 E. Market St, Iowa City
- UI Counseling 335-7294**  
3223 Westlawn, University of Iowa

(See Page 2 for details on each option.)

# Information on Sexual Assault Resources

## Seek RVAP Assistance

### Rape Victim Advocacy Program

24 Hour Crisis Line - 335-6000 - crisis intervention, counseling, support, information, and referrals.

### Advocacy

Victim/survivors have a legal right to have a sexual assault advocate present at all legal and medical procedures. RVAP also provides advocacy within the University System.

### Counseling

Counseling is available through RVAP and/or University Counseling. Many survivors find it helpful to work with a counselor to help them deal with the impact of the assault and the recovery process.

## Seek Medical Assistance

A Sexual Assault Exam is available at UIHC or Mercy Hospital at no cost to the victim. The victim should try to do this within the first 72 hours.

The exam includes preventative medication for sexually transmitted infections, pregnancy, and evidence collection. The exam is done by a Sexual Assault Nurse Examiner (SANE) who is an R.N. with advanced training and certification in conducting sexual assault exams.

Go directly to the hospital or contact RVAP at 335-6000 to make arrangements to go to the hospital.

## Law Enforcement

### Law Enforcement

In Johnson County, the victim can tell a police officer about what happened without making an immediate decision about whether the victim wants criminal charges filed.

Contact law enforcement directly or call RVAP at 335-6000 to make arrangements to go to the police station.

### Court Situations

The Johnson County Attorney prosecutes the case on behalf of the State. The victim is a witness and does not usually need to obtain legal counsel in a criminal case. Civil cases do require that a victim retain an attorney.

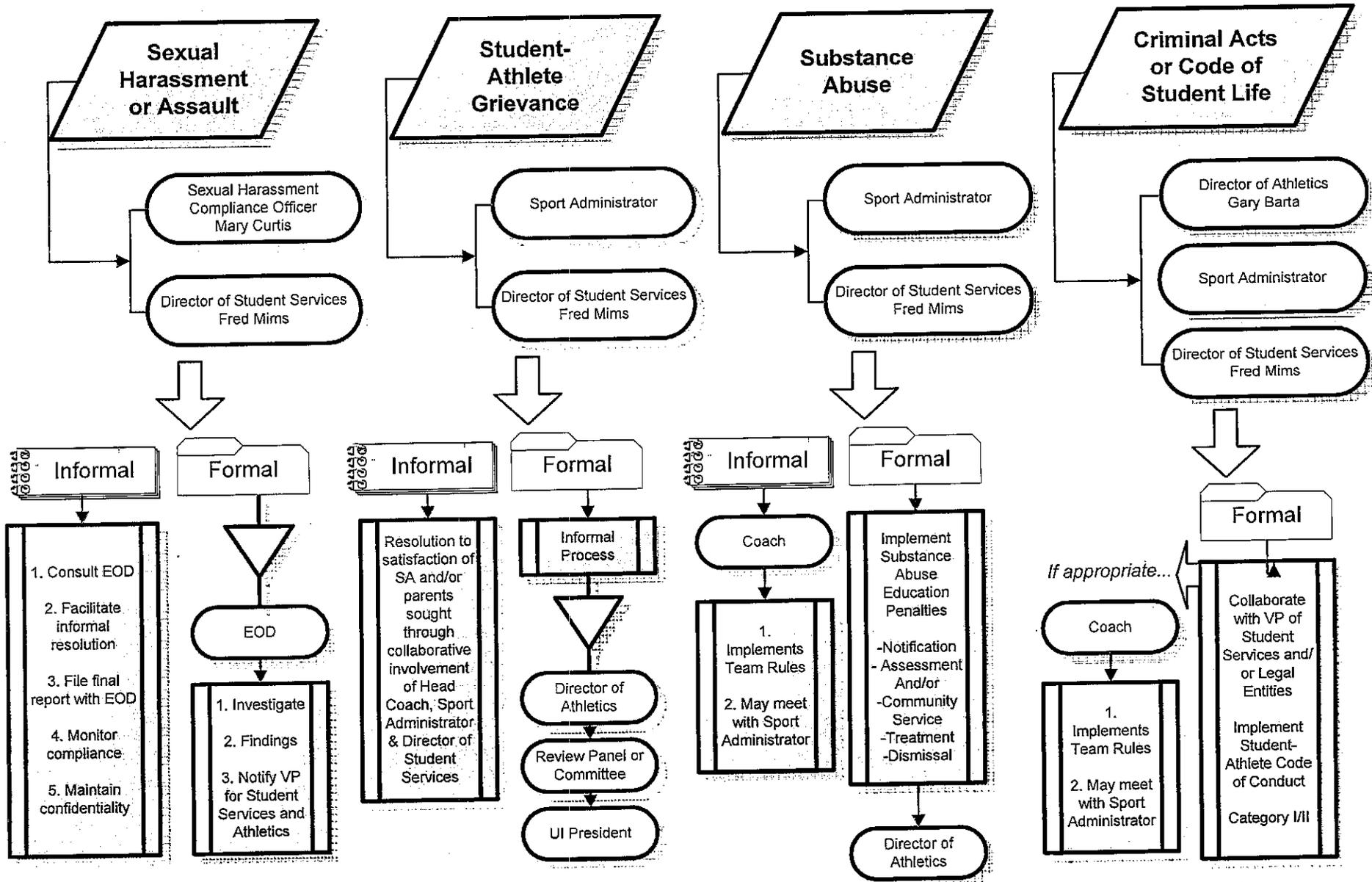
## Departmental Notification

If an incident is reported to someone in Athletics, that departmental staff person has an obligation to notify the departmental Sexual Harassment Officer (staff and student-athlete incidents) and/or the Director of Student Services (student-athlete incidents).

The only time this does not occur is when the individual opts to speak with a Confidential Resource (Ombudsperson, Faculty and Staff Services, UI Counseling, WRAC, or a certified sexual assault RVAP counselor) instead of a departmental employee.

Senior Administrators will implement the appropriate protocol and notify the appropriate University offices – EOD and/or UI Student Services.

# Initial Notification Procedures Student-Athlete Incidents of Disciplinary Matters



# THE UNIVERSITY OF IOWA STUDENT-ATHLETE CODE OF CONDUCT

## I. Introduction

This Student-Athlete Code of Conduct is designed to alert you, the student-athlete, to the behavior expected of you, and to the potential consequences that your behavior may have on your status as a student-athlete.

All student-athletes are members of The University of Iowa's student body. You are a student first, and your participation in intercollegiate athletics derives from your status as a student. Accordingly, all University policies governing student conduct apply to you.

In addition, your participation in the University's intercollegiate athletics program is governed by policies and procedures put into effect by the National Collegiate Athletic Association (NCAA); the Big Ten Conference (Big Ten), and the Board of Regents, State of Iowa. Your participation in the University's intercollegiate athletics program is also governed by all University of Iowa's Department of Athletics' rules and procedures as set forth in the Student-Athlete Handbook, including the Department of Athletics' Substance Abuse Policies, and Recruiting and Student-Host Guidelines.

The Department of Athletics may take action under this Code of Conduct regarding your participation in the University's intercollegiate athletics program, and also regarding the awarding, renewal, and modification of a scholarship that you may now have. This Code of Conduct is intended to complement, not replace, conduct rules that your sport team has adopted, including consequences for violating those sport team rules.

## II. Policies on Misconduct for University of Iowa Student-Athletes

There are two types of misconduct that may affect your ability to fully participate in the University's intercollegiate athletic program: "Category I Misconduct" and "Category II Misconduct."

### A. Category I Misconduct

Any of the following acts by a student-athlete is Category I misconduct:

- Violation of a criminal law that is classified as a felony by the State of Iowa;
- Violation of a term of probation or other condition imposed by a court in a criminal proceeding; or
- Serious violation of a term of probation or other condition imposed by a University official or the Department of Athletics Administrator.

A student-athlete is determined to have committed Category I misconduct when:

- The student-athlete is convicted of, does not contest (e.g., a guilty or *nolo contendere* plea), or receives a deferred judgment for a crime that is classified as a felony by the State of Iowa; or
- The student-athlete is found by a court to have violated a court-imposed term of probation or other condition; or
- The student-athlete is found by the Director of Athletics, in consultation with the Faculty Athletics Representative (FAR), to have violated a term of probation or other condition imposed by the Department of Athletics or a University official, and the conduct underlying the violation of probation or condition represents a substantial lack of compliance with the Student-Athlete Code of Conduct.

1. **Preliminary Action:** The Director of Athletics, at his or her discretion, may take preliminary action to temporarily suspend a student-athlete from participation in practice or competition and/or access to athletic department services when the Director of Athletics has verified that felony criminal charges have been filed against a student-athlete or when there is specific and credible information (e.g., arrest records, statements of law enforcement officers, University records, third-party or witness statements, or acknowledgement by the student-athlete) for reasonably believing that a student-athlete may have committed Category I misconduct.
2. **Sanctions for Category I Misconduct:** The Director of Athletics, in consultation with the FAR and appropriate University officials, will determine from specific and credible information whether there is a reasonable basis for concluding that the student-athlete has committed Category I misconduct. Thereafter, the Director of Athletics shall suspend the student-athlete from participation in practice, competition, and/or from receiving services provided by the Department of Athletics.
3. **Termination of scholarship benefits:** The Director of Athletics may pursue revocation or modification of athletically-related financial aid, such as a scholarship, as a consequence of any and all Category I misconduct. Any action to revoke or modify athletically-related financial aid will be in accordance with NCAA procedures and University procedures as outlined in the Student-Athlete Handbook.

## B. Category II Misconduct

Any of the following acts by a student-athlete is Category II misconduct:

- Violation of a criminal law that is not classified as a felony by the State of Iowa, including laws pertaining to alcohol (e.g., Operating While Intoxicated –OWI; Possessing Alcohol Under the Legal Age - PAULA);
- Violation of a term of probation imposed by a University official or Department of Athletics Administrator that does not constitute Category I misconduct;
- Violation of a Department of Athletics policy; or
- Violation of University policies, rules, and/or regulations, including:
  - The University of Iowa's Code of Student Life;
  - Academic dishonesty in violation of University, college, school, or department standards;
  - Violation of any University student conduct regulation; or
  - Willfully giving false and malicious information to a University official.

A student-athlete is determined to have committed Category II misconduct when:

- The student-athlete is convicted of, does not contest (e.g., a guilty or *nolo contendere* plea) or receives deferred judgment for a crime that is not a felony;
- The student-athlete is found by a court to have violated a term of court-imposed probation or other condition, and the conduct underlying the violation of probation or other condition does not constitute Category I misconduct;
- The student-athlete is determined by the Director of Athletics to have violated a term of probation or other condition imposed by the Department of Athletics and the conduct underlying the violation of probation or other condition does not constitute Category I misconduct; or
- A University official or hearing body has determined, in accordance with its official procedures, that the student-athlete has violated a University or college policy, rule, and/ or regulation.

**1. Sanctions for Category II Misconduct:** The Director of Athletics will determine from specific and credible information that there is a reasonable basis for concluding that the student-athlete has committed Category II misconduct. The Director of Athletics shall determine the appropriate sanction after consulting with the student-athlete's Head Coach and assigned Sport Administrator. The Director of Athletics may also consult with the FAR and appropriate University officials for recommendations regarding the appropriate sanction(s).

Sanctions for Category II misconduct may include, but are not limited to: warning, reprimand, probation with or without conditions, requirements for restitution, conditions to encourage personal rehabilitation (e.g., counseling and community service), conditions related to satisfactory academic performance, suspension from practice, suspension from

competition, and/or suspension from access to athletic departmental services.

### **III. Notice**

If the University has a reasonable belief that a student-athlete committed misconduct (Category I or Category II) that is sufficiently serious to warrant a suspension of 10 days or more, the Director of Athletics shall take the following action before making a determination that the student-athlete indeed has committed the misconduct in question: (i) notify the student-athlete and University officials of the specific charge(s) of misconduct and substantiation concerning the charges; and (ii) provide an opportunity for a meeting at which the student-athlete may explain the circumstances, orally or by submission of a written statement.

The Director of Athletics shall notify the student-athlete and appropriate University officials, in writing, of any decision to impose sanctions based on misconduct under this Code of Conduct. If a sanction is imposed, the written notice shall include a complete description of the appeal procedures available to the affected student-athlete.

### **IV. Appeal**

A student-athlete may appeal any sanction that suspends participation in practice, competition, and/or services provided by the Department of Athletics pursuant to grievance procedures provided in the Student-Athlete Handbook. A student-athlete may also appeal a revocation or modification of athletically-related financial aid in accordance with NCAA procedures and University procedures as outlined in the Student-Athlete Handbook. In addition, other appeal processes may be used by a student-athlete in accordance with applicable University policies.

As set forth by the Student-Athlete Handbook, a student-athlete may not contest on appeal:

- Any underlying determination of responsibility rendered by a court or other civil authority; or
- Any underlying determination of responsibility rendered by a University official or hearing body in accordance with official procedures.

If there is a substantial change in circumstances affecting a student-athlete who has been suspended from participation in practice, competition, and/or services provided by the Department of Athletics, the student-athlete may petition the Director of Athletics to review the changed circumstances. The student-athlete may submit a written statement in support of the request. Thereafter, the Director of Athletics shall consult with the FAR and other appropriate University officials on whether the suspension should be modified. If circumstances warrant a change in a suspension, a student-athlete may be reinstated by the Director of Athletics to resume participation in practice, competition, and/or services provided by the Department of Athletics.

Dismissal or reduction of a criminal charge is a change of circumstance that may or may not justify revision of a suspension from participation in practice, competition, and/or services provided by the Department of Athletics.

## **V. Dismissal**

The student-athlete may be dismissed from all elements of participation in intercollegiate athletics when the Director of Athletics, in consultation with the coach, the FAR, the Chair of the Presidential Committee on Athletics, and other appropriate University officials, determines that either the severity or the frequency of the misconduct necessitates the dismissal. A student-athlete who has been dismissed from participation in practice, competition, and/or services provided by the Department of Athletics shall be provided the opportunity to appeal the decision consistent with grievance procedures explained in the Student-Athlete Handbook.

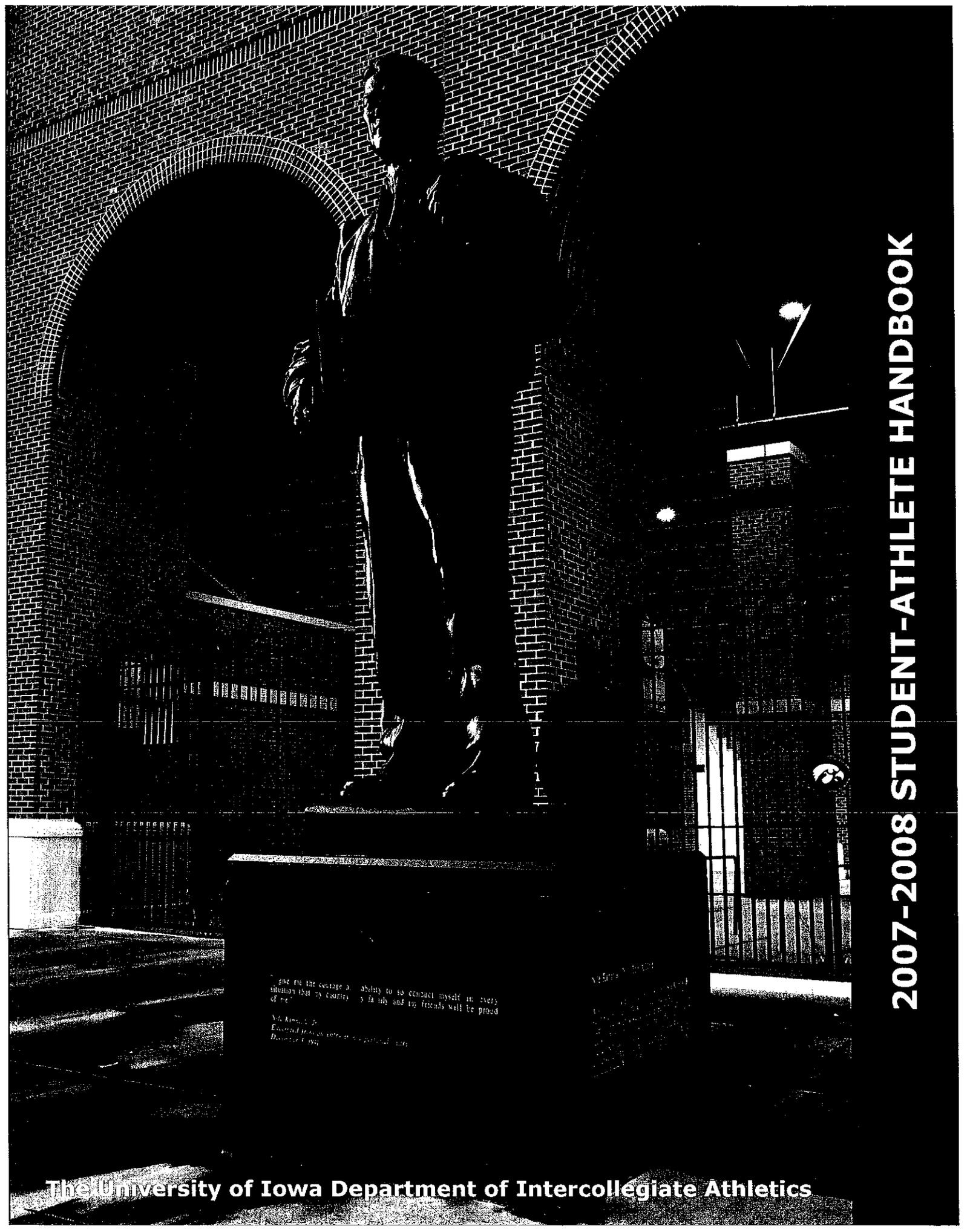
## **VI. Records and Privacy**

Records of misconduct and actions taken will be maintained in your education record within the Office of the Associate Athletics Director for Student Services and Compliance. These records are subject to state and federal privacy protection, as well as University policies regarding confidentiality.

Notification to the public regarding your eligibility for intercollegiate competition shall be limited to your name and eligibility status, public information, and information that is not part of your education record subject to the privacy protections noted above.

## **VII. Review of Policy**

This Code of Conduct will be reviewed within three years after the latest revisions are implemented and revised as appropriate. This policy is subject to review at any other time deemed necessary by the President, the Presidential Committee on Athletics, the Director of Athletics, or the General Counsel.



**2007-2008 STUDENT-ATHLETE HANDBOOK**

... give me the courage a... ability to so conduct myself in every  
situation that my country... y family and my friends will be proud  
of me.

*Vol. 1, p. 100*  
*Entered in an... of... 1911*

## Golden Opportunity



Dear Student-Athlete:

You have been offered a golden opportunity. You have the chance to receive a degree from a major research university and to participate in Big Ten and Division I intercollegiate athletics. To excel in both requires your commitment, self-discipline and hard work.

This *Student-Athlete Handbook* is your personal resource to keep and refer to as you progress through The University of Iowa. It outlines your responsibilities as a student-athlete. It clarifies the rules of the NCAA, Big Ten Conference, The University of Iowa and the Department of Intercollegiate Athletics that affect you. It also describes the many academic and educational support services offered by the University and the Intercollegiate Athletics Department.

We invite you to take full advantage of this opportunity. The staff in Athletics Student Services is committed to assist you to become a responsible, productive, well-educated individual. With our support and your determination and persistence, you will succeed.

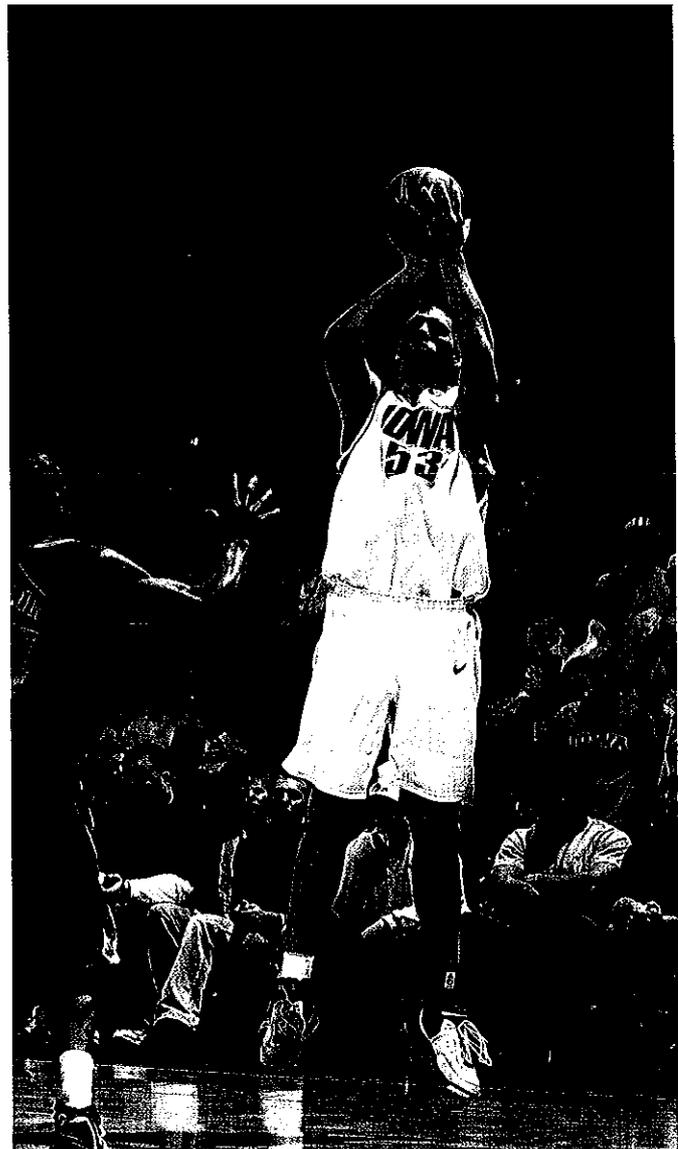
Sincerely,

*W. F. Mims*

W. Fred Mims  
Associate AD for Student  
Services and Compliance

## Intercollegiate Sports

Baseball	Rowing
Men's Basketball	Soccer
Women's Basketball	Softball
Men's Cross Country	Men's Swimming/Diving
Women's Cross Country	Women's Swimming/Diving
Field Hockey	Men's Tennis
Football	Women's Tennis
Men's Golf	Men's Indoor/Outdoor Track
Women's Golf	Women's Indoor/Outdoor Track
Men's Gymnastics	Volleyball
Women's Gymnastics	Wrestling





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# Mission Statement

The mission of the Department of Athletics is to provide the administrative and coaching support, facilities, resources, and equipment necessary for student-athletes to graduate from The University of Iowa while participating in broad based championship calibre athletic competition. The overall wellbeing of the participant and the integrity of the program will be paramount in all that we do.

## Values and Commitments

**Education and enrichment of the student-athlete**—The department values competitive athletic and academic experiences that foster self-esteem, a sense of responsibility, effective communication skills and an appreciation for life-long learning.

**Integrity in all aspects of behavior**—The highest level of excellence and integrity shall characterize every aspect of policy, performance and programs in the department. All participants in the department shall be expected to exemplify impeccable integrity—be they student-athletes, coaching staff, administrative professionals or support staff.

**Fiscal responsibility**—It is a fundamental tenet that the department shall at all times maintain a fiscally responsible and economically sound structure that provides the optimal environment for student-athlete success within budgetary parameters.

**Innovation in approach and spirit**—In order to meet its goals and develop a problem-solving orientation, the department is dedicated to encouraging innovation and creativity as core values.

**Respect for the individual**—The department values diversity in its people, whether that diversity is expressed by heritage, race, belief, sexual orientation, or gender, and recognizes the need to work as a team while valuing each individual's self-worth.

**Valuing our heritage**—The department is committed to championship calibre athletic achievement and the on-going enhancement of the traditions of Iowa Hawkeye athletics, including leadership, individual and team achievement, and intense pride and loyalty.

**Outreach**—The department must strive to enhance the overall mission of the University through competitive excellence, academic achievement, and an on-going commitment to service.

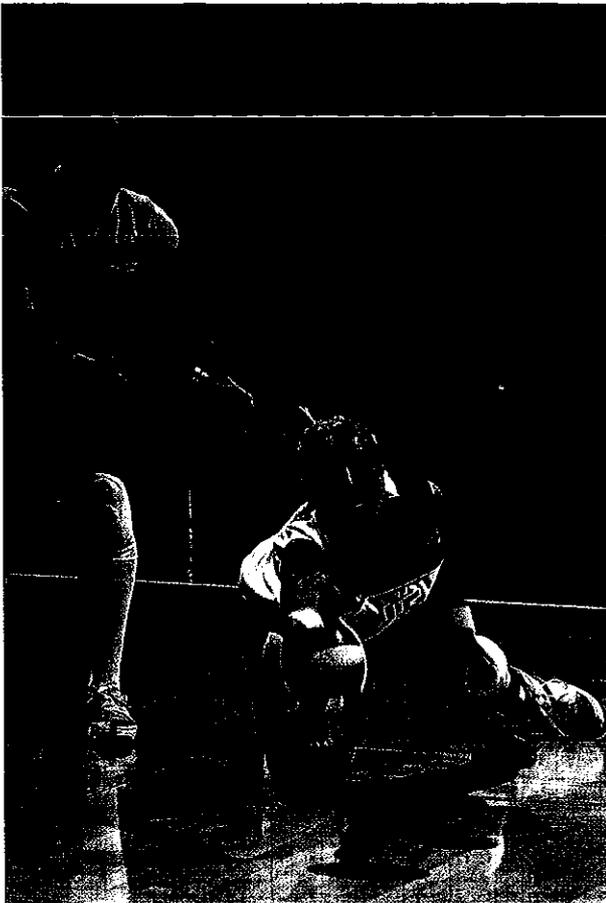
**Leadership**—The University of Iowa will continue its long history of conference and national leadership through a commitment to leading edge involvement in athletics issues.



## Athletics Department Policies and Programs

### Intercollegiate Athletics at Iowa

The Department of Intercollegiate Athletics at the University of Iowa sponsors eleven men's and thirteen women's sports programs under the direction of the Director of Athletics, and six associate athletics directors. The athletics director reports directly to the President of the University on policy and administrative matters.



### The Presidential Committee on Athletics

The Presidential Committee on Athletics (PCA) is the advisory committee for the University President and the Director of Athletics on policies governing the Department of Intercollegiate Athletics consistent with the rules of the Big Ten Conference and the National Collegiate Athletics Association and consistent with the policies of the University, the Board of Regents, and the State of Iowa. In addition to its duty to advise and recommend policies to the University President and Athletics Director, the Committee periodically apprises the faculty, staff, and student constituency organizations of the status of athletics at the University and nationally. Committee composition includes University administrators, faculty, staff, students (including a student-athlete from the

Iowa Student-Athlete Advisory Committee) and alumnae. Three of the subcommittees are specifically charged to monitor, evaluate and address issues of student-athlete welfare: The Student-Athlete Welfare Subcommittee, the Academic Achievement Advisory Subcommittee, and the Equity Subcommittee.

### Academic Achievement Advisory Subcommittee

This subcommittee works closely with the Director and staff of Athletics Student Services to help you make the most of your educational opportunities. To accomplish

this, the subcommittee regularly examines the academic counseling programs and tries to ensure that they provide effective assistance to student-athletes in all areas of campus life.

The subcommittee reviews such items as tutoring, academic advising, number of class days missed due to athletics competition, student-athletes' academic difficulties, academic progress reports and graduation rates. The members of the subcommittee serve as a link between the Athletics Department, student-athletes and the faculty of the University.

### Student-Athlete Welfare Subcommittee

Student-Athlete Welfare Subcommittee monitors the well being of Iowa student-athletes. It does this in many ways. The subcommittee reviews the annual reports on violations of the Student-Athlete Code of Conduct. It reviews the Team Travel Policy. It reviews team rules that pertain to student conduct and substance abuse; and monitors policies on required and optional practices and athletic-related medical care. The subcommittee also meets once a year with student representatives of the Iowa Student-Athlete Advisory Committee (ISAAC) to hear from students about issues concerning student-athlete welfare.

### Equity Subcommittee

The Equity Subcommittee reviews and monitors the Athletic Department's efforts to (1) ensure equal participation in intercollegiate sports for men and women and (2) to support persons of color in the athletics program. Supporting persons of color includes recruiting and retaining minority coaches and staff, maintaining a supportive climate in the department for minority students and staff, and involvement in community-wide efforts to promote a supportive climate for all persons of color.

## **General University Conduct Regulations**

Any student who intentionally commits any of the following acts of misconduct is subject to disciplinary action by the University using the judicial procedures outlined in the "Code of Student Life" under the direction of the Dean of Students:

- Academic misconduct, including the earning of credits, grades, honors, degrees by means of cheating, plagiarism, or forgery of examinations, transcripts, projects, papers, tests, etc;
- Willful misrepresentation of false information to University faculty, staff or officials, or misrepresenting one's status or academic performance;
- Failure to comply with directions of or to present proper identification to University officials, or refusal to respond to a request to report to an administrative unit;
- Forgery, alteration or misuse of any University record, form or document, or student ID card;
- Intentionally disrupting regular University business, obstructing access to University offices or facilities, interfering with the rights of other persons, or inciting others;
- Intentional demonstrations inside any University building;
- Unauthorized entry into or use of University properties;
- Intentional setting of fires in any University building or campus area, intentionally setting false fire alarms;
- Theft or destruction of University property;
- Assaulting, threatening, abusing, harassing, students, staff or faculty members, or any person on campus;
- Use or possession of firearms, ammunition, explosives, fireworks anywhere on campus;
- Possession or consumption of alcohol on campus, in University buildings, or at any University-sponsored event;
- Use or possession of any narcotic drug, marijuana or any other controlled substance on campus;
- Sale, manufacture or distribution of controlled substances or unlawful drugs;
- Intentionally disrupting access of other students, faculty or staff to University computer resources, or obtaining unauthorized access to another person's computer account, or using University computer equipment to falsify or alter records or documents, or sending harassing or threatening material, or accessing confidential information without proper authorization, or duplicating copyrighted software unlawfully;

- Any conduct or action that clearly threatens the educational process or the health and safety of any member of the University;
- Violation of any rule proclaimed by the president of the University or an authorized representative.

### **Policy on Sexual Harassment**

The University of Iowa believes sexual harassment is reprehensible and will not be tolerated. It subverts the mission of the University and threatens the careers, educational experience and well-being of students, faculty and staff.

Sexual harassment is defined as unwelcome and unwanted sexual advances, request for sexual favors, or other verbal or physical contact of a sexual nature.

### **Policy on Violence**

The faculty, staff and students of The University of Iowa make up a community committed to learning. Violence, actual or threatened, destroys the mutual trust that binds members of the community. The University considers acts or threats of violence serious violations of University policy. This includes harassment of personal characteristics such as affectional or associational preference, color, creed, disability, ethnic or national origin, gender, or race.

Examples of prohibited behavior addressed in this policy include but are not limited to the following:

- physical assault or abuse;
- sexual assault or abuse;
- threats with a weapon;
- verbal or other threats of physical or sexual assault;
- damage or destruction of another's private property.

### **Sexual Assault**

Reports of sexual assault, including **complaints involving student-athletes either as complainant or accused or both, must be directed to the Office of Equal Opportunity and Diversity, as for all other complaints involving faculty, staff or students.**

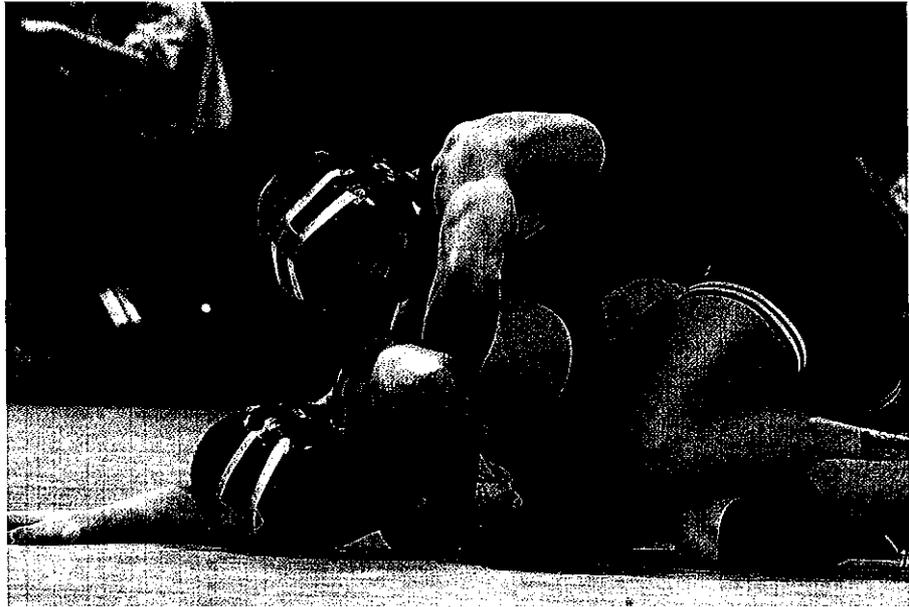
When a University student commits an assault, the report may be made directly to the Dean of Students, who investigates complaints and imposes sanctions for violations of the Code of Student Life. Under the University Violence Policy, residence hall personnel (including resident assistants) are mandatory reporters and will forward reports of assault to the Dean of Students office.

**Student Disciplinary Action and**

**Sanctions:** A University of Iowa student who is found guilty of sexual assault in violation of the Code of Student Life is ordinarily suspended or expelled from the University. Upon receipt of a complaint, the Dean of Students imposes interim sanctions and interviews witnesses as part of the investigation.

University policy prohibits a student accused of misconduct from retaliating against the complainant regardless of the outcome of the complaint. A University-issued no-contact order is put into effect and the student accused of assault is told in writing that any contact with the complainant will result in an interim suspension from the University. In addition, the accused student may be involuntarily transferred to a different residence hall, class, or work unit following receipt of a complaint, depending upon the circumstances of the case and available alternatives.

If the dean has probable cause to bring disciplinary charges, the complaint will be resolved at a formal hearing. At the hearing, evidence will be presented against the accused student. Hearings are conducted by administrative hearing officers who record the evidence presented and determine whether the student charged is guilty of violating University regulations. Both the complainant and the accused are entitled to have an advisor present during the initial investigation and during a hearing. [www.uiowa.edu/~vpss/policies/ii/a.shtml](http://www.uiowa.edu/~vpss/policies/ii/a.shtml)



## The University of Iowa Student-Athlete Code of Conduct

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The Student-Athlete Code of Conduct is designed to alert you, the student-athlete, to the behavior expected of you and to the potential consequences that your behavior may have on your status as a student-athlete.

All student-athletes are members of the University of Iowa's student body. You are a student first, and your participation in intercollegiate athletics derives from your status as a student. Accordingly, all University policies governing student conduct apply to you.

In addition, your participation in the University's intercollegiate athletics program is governed by the policies of the NCAA, the Big Ten Conference, the Board of Regents, State of Iowa and the University of Iowa's Department of Athletics' rules and procedures as set forth in this Student-Athlete Handbook.

The Department of Athletics may take action under the University of Iowa Student-Athlete Code of Conduct

regarding your participation in your sport and also regarding the awarding, renewal and modification of a scholarship that you may have now. The Student-Athlete Code of Conduct is intended to complement, not replace, conduct rules that your sport team has adopted, including consequences for violating those sport team rules.

All student-athletes receive in writing the complete Student-Athlete Code of Conduct along with a full explanation during certification meetings at the beginning of each academic year. <http://hawkeyesports.cstv.com/ot/code-of-conduct.html>

## Student-Athlete Grievance Procedures

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The following procedures are to be used by student-athletes in seeking an appeal to transfer, financial aid, disciplinary and welfare issues.

The University of Iowa Department of Intercollegiate Athletics believes that the following preamble to the student-athlete grievance procedure will assist in clarifying the informal process that occurs prior to a student submitting a formal grievance. This clarification is

University of Iowa News Release

May 10, 2006

### **UI To Require Mandatory Training On Harassment, Violence Policies**

Administrators and new students will be required to complete mandatory training regarding sexual harassment and violence policies, University of Iowa President David Skorton announced today. The mandatory training measures are part of the university's comprehensive responses to recommendations in reports by the Campus Climate Committee and a subsequent campus survey on sexual harassment conducted by the Council on the Status of Women.

"I take seriously my leadership responsibility, along with other senior administrators, to promote a safe, welcoming, inclusive and just university community," Skorton said in his written response to the two reports. "There are several indicators that continued effort is needed to improve the campus climate at the University of Iowa," Skorton said. Those indicators include:

- The fiscal year 2005 report on complaints filed with the UI Office of Equal Opportunity and Diversity documents that "various forms of discrimination continue on our campus."
- The 2005 report of the UI Office of the Ombudspersons shows that cases of incivility continue among faculty, staff and students, ranging from insensitive and discourteous behavior to abuse and violence.
- Some of the responses to the debate over pink locker rooms at Kinnick Stadium "are troubling examples of discriminatory, abusive and disrespectful behavior from our campus."

Skorton thanked the members of both the Climate Committee and the Council on the Status of Women for their efforts to investigate the issues and recommend actions aimed at improving the campus climate.

"Their recommendations suggest that comprehensive solutions call for administrative leadership and training, involve campus and external constituents, and require raising awareness and improving existing policies and procedures," Skorton wrote. "I am committed to implementing such solutions and view addressing discrimination, sexual harassment and violence as fundamental to promoting diversity, inclusion and equity."

Skorton also thanked Professor Salome Raheim, who was recently appointed as Senior Associate to the President. Raheim helped formulate the response and will monitor implementation of the actions.

- To view Skorton's response to the two reports, click [here](#).
- To view actions taken and actions planned in response to the recommendations of the two committees, click [here](#).

STORY SOURCE: University Relations, 101 Jessup Hall, Iowa City, Iowa 52242-1000.

MEDIA CONTACT: Steve Parrott, [steven-parrott@uiowa.edu](mailto:steven-parrott@uiowa.edu), phone 319-335-0552, cell 319-530-6972

# orientation

BLACK & GOLD HANDBOOK FOR NEW STUDENTS

# orientation 2007

## WELCOME TO THE UNIVERSITY OF IOWA

As a new student, you have accepted a new set of responsibilities, and will be faced with many decisions: choosing your courses, managing your time and money, and exploring a new community. The decisions you are making now will have a great impact on you in the years to come.

Our goal in Orientation Services is to make your transition to University life as smooth as possible by directing you to the offices or services that can give you the help and guidance you need. The *Black & Gold Handbook for New Students* has proven its usefulness to upperclass and first-year students alike. Keep your important academic documents in the folder flaps as you progress through your first year on campus, and bring it with you to meetings with your academic advisor.

While we don't claim to have assembled all of the answers for you, we hope this booklet points you in the right direction when you have questions, and helps you explore the many programs and opportunities that the University provides. We have sought to publish accurate information, but changes may occur. If you have questions or wish to confirm information in this booklet, please contact the appropriate department, office, or service directly.

If you have comments or suggestions for improving this publication, please submit them to Orientation Services, 116 Calvin Hall.



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thoroughly. The office is independent of other University offices and neutral in its approach. Services range from advice and referral to informal investigations and mediation.

In many cases, problems may be resolved by reference to existing University policies and procedures. You may wish to consult *Policies and Regulations Affecting Students*. However, no steps are required before consulting the ombudsperson. In fact, if official channels seem inadequate, it may be entirely appropriate to begin with the ombudsperson.

Office hours are 9 a.m. to 5 p.m. weekdays, but appointments outside those hours may be arranged as necessary. Call for an appointment if possible, but letters, e-mail, phone calls, and drop-ins also are welcome. An answering machine operates when the office is closed or when no one is available to answer the phone. All services are confidential.

### STUDENT LEGAL SERVICES (SLS)

SLS offers legal representation and services to all currently enrolled University students. Student organizations and commercial interests are not eligible for SLS services. Cases are handled by interns from the College of Law who are supervised by a full-time attorney. Please call for an appointment.

SLS can provide advice to help students resolve conflicts on their own or can represent them if the case is appropriate for SLS to handle. Students who become clients are required to pay a low flat fee as well as all resulting court costs and filing fees. SLS handles a limited range of cases, such as:

- criminal defense for simple, serious, and aggravated misdemeanors;
- landlord/tenant disputes;
- small claims actions;
- name changes;
- consumer problems; and
- dissolutions of marriage.

Other types of cases may be taken at the discretion of the supervising attorney. Generally, SLS does not handle cases involving taxes, wills, trusts, corporate law, felonies, real estate transactions, bankruptcies, personal injury, or actions involving the University. Legal advice is not available over the phone.

### TENANT/LANDLORD ASSOCIATION

This student organization's goal is to improve the housing situation in the greater Iowa City area by educating students and nonstudents about rental rights and responsibilities and helping to prevent landlord/tenant disputes. Although the association handles all kinds of landlord/tenant problems and makes referrals when necessary, no legal advice is provided. Counselors are available free



of charge on a phone-in or walk-in basis. In addition, the association provides:

- model leases,
- copies of the *Housing Survival Guide*,
- sublet and assignment agreements,
- copies of the Uniform Residential Landlord and Tenant Law (URLTA),
- rental property condition checklists,
- roommate agreements, and
- attorney referrals.

## Campus Safety

The University of Iowa is dedicated to providing a safe environment conducive to academic pursuits of all kinds. The rights of all individuals to participate in University functions, to use its facilities, to be assured of their physical safety, and to express themselves freely are protected.

The University is a place that fosters intellectual growth, independent thinking, and open communication. However, like any other college campus, the University is not a protected sanctuary. Campuses mirror our larger society; crimes do occur.

Studies show that college students are vulnerable to being victims of crime because they are in a new environment and away from familiar support systems and direct parental supervision.

The college years traditionally have been a time for experimenting and testing limits. Many students come to college with little or no experience in living on their own or making their own decisions. You may face a certain amount of peer pressure as you seek to become part of a new environment. The

newfound freedoms and responsibilities can be exciting and challenging, but they also can be confusing.

### SAFETY PRECAUTIONS

Personal safety begins with the individual. You must assume responsibility for yourself and exercise common sense in your daily life. Theft is the most common crime on campus and is due primarily to carelessness. Most thefts on campus occur when rooms are left unlocked or personal property is left unattended.

Peer pressure exists with regard to alcohol, drugs, and sex. Be aware of potentially dangerous situations, especially the effects alcohol or other drugs can have on a person's judgment. The majority of sexual assaults happen indoors and are committed by someone the victim knows.

Safety, more than anything else, is an attitude. It requires vigilance in recognizing potentially unsafe situations and discipline in taking preventive measures. Remember that when crime does occur, it is not the victim's fault. There are, however, precautions that can reduce your risk of being victimized:

- Do not walk alone. Walk with a friend or take advantage of the free transportation systems. Use well-traveled and well-lit routes.
- Protect yourself and be alert to your surroundings. Walk purposefully and look confident. Keep your doors locked. Report suspicious persons or activities to the Department of Public Safety.
- Protect your personal belongings: Lock your doors at all times. Do not leave valuables (purse, wallet, backpack, etc.) unattended. Engrave your personal belongings.

- Be aware of your own rights and be sensitive to the rights of others. Familiarize yourself with the campus and community resources.
- Remember that you are responsible for your own behavior. Alcohol and other drugs severely impair your judgment and ability to communicate.
- Trust your instincts. If a situation makes you uncomfortable, leave or ask the other person to leave. Be assertive. Use your common sense.

#### DEPARTMENT OF PUBLIC SAFETY

The Department of Public Safety is the police department for the University and operates a 24-hour mobile patrol of the University community. There are also guards on foot patrol at night who cover the campus, including each of the residence halls. Student services include:

- **Project ID**—a program to discourage theft of valuables from student rooms in the residence halls. Students can register their belongings at [www.uiowa.edu/~pubsfty](http://www.uiowa.edu/~pubsfty). In the event of theft, the serial numbers can be run through the National Crime Information Center.
- **RAD (Rape Aggression Defense) Program**—the largest women's self-defense program in the country. Women learn how to defend themselves, in case of physical attack, through instruction by nationally certified teachers.

#### Campus Crime Statistics

The University believes that students should be aware of past incidents of crime on campus to better prepare themselves for living in the campus environment.

Comprehensive crime statistics for the University are maintained by the Department of Public Safety. Copies may be obtained from the department or its web site. For additional information on criminal activity in Johnson County, contact the Iowa City Police Department, Coralville Police Department, and Johnson County Sheriff's Department.

For additional information on sexual assaults, contact the Rape Victim Advocacy Program.

#### RAPE VICTIM ADVOCACY PROGRAM (RVAP)

RVAP provides support, advocacy, and information to sexual abuse victims/survivors and their family and friends immediately after an assault and throughout the healing process.

RVAP provides help, including counseling, for victims of current or past sexual assault, sexual abuse, stalking, and sexual harassment. All services are available by calling the 24-hour crisis line. The office also provides the community with an extensive information bureau, a lending library, and a speaker's

bureau, which provides awareness programs on topics including acquaintance rape, dating violence, sexual harassment, and sexual assault risk reduction.

All services are free of charge, confidential, and available to everyone.

Studies show that sexual assault is significantly underreported in the United States. According to the FBI, only one in 10 rapes is reported to law enforcement. Sexual violence is a concern for all members of the University community, whether it is reported or not.

#### SEXUAL ASSAULT POLICY AND PROGRAMS

The University of Iowa believes that sexual abuse in any form is reprehensible, especially within the University environment. All forms of nonconsensual physical contact of a sexual nature, such as rape, unwelcome touching of genitals or breasts, and forced oral sex, are prohibited.

When an assault occurs and a complaint is filed, the University will undertake every reasonable effort to discipline the offender and pursue criminal charges, regardless of the offender's status in the University community.

For victims of sexual assault, the University provides a variety of confidential and free services, including advocacy and counseling, and makes reasonable adjustments to alleviate related problems with academic class schedules and housing arrangements.

#### RESOURCES FOR STUDENTS, FACULTY, AND STAFF

##### Counseling Resources

- Sexual Abuse Crisis and Resource Line (335-6000 or 800-284-7821), 24 hours a day
- University Counseling Service (335-7294)
- University Integrated Employee Assistance Program (335-2085)

##### Advocacy Resource

RVAP (335-6000 or 800-284-7821) provides advocacy services within any University administrative process or any court proceeding.

##### University Departments That Serve as Resources

- Women's Resource and Action Center (335-1486)
- Office of Equal Opportunity and Diversity (335-0705)
- Office of the Vice President for Student Services and Dean of Students (335-3557)
- Office of the Ombudsperson (335-3608)

#### OPTIONS FOR REPORTING

A victim of a sexual assault has two primary reporting options. An assault may be reported to the University administration or to the appropriate law enforcement agency, or both. The victim should be aware that the option to pursue a criminal investigation is

## ADVOCACY AND PROTECTIVE SERVICES

#### African American Council

Victor Rodgers

335-1401

[www.uiowa.edu/~aacweb](http://www.uiowa.edu/~aacweb)

#### Council on the Status of Latinos

Evelyn Acosta-Weirich

335-1779

[www.uiowa.edu/~csl](http://www.uiowa.edu/~csl)

#### Council on the Status of Women

[www.uiowa.edu/~csw](http://www.uiowa.edu/~csw)

#### Lesbian, Gay, Bisexual, Transgender, and Allied Resource Line

335-1965

[www.uiowa.edu/~glbtau](http://www.uiowa.edu/~glbtau)

#### Tenant/Landlord Association

Suite 260A Iowa Memorial Union

335-3264 or 335-3878

[www.uiowa.edu/~tla](http://www.uiowa.edu/~tla)

#### Office of Equal Opportunity and Diversity

Marcella David, Special Assistant to the President for Equal Opportunity and Diversity and Associate Provost for Diversity

202 Jessup Hall

335-0705 (voice) or 335-0697 (text)

[diversity@uiowa.edu](mailto:diversity@uiowa.edu)

[www.uiowa.edu/~eod](http://www.uiowa.edu/~eod)

#### Rape Victim Advocacy Program (RVAP)

Business Line: 335-6001

24-Hour Crisis Line: 335-6000

[www.rvap.org](http://www.rvap.org)

#### Student Legal Services

155 Iowa Memorial Union

335-3276

[www.uiowa.edu/~legal](http://www.uiowa.edu/~legal)

#### University Ombudspersons

Cynthia Joyce

Craig Porter

C108 Seashore Hall

335-3608

[ombudsperson@uiowa.edu](mailto:ombudsperson@uiowa.edu)

[www.uiowa.edu/~ooombuds](http://www.uiowa.edu/~ooombuds)

#### Department of Public Safety

Charles Green, Director

808 University Capitol Centre

335-5022

[www.uiowa.edu/~pubsfty](http://www.uiowa.edu/~pubsfty)

**EMERGENCY 911**

greatly enhanced if evidence is collected and maintained immediately by the appropriate law enforcement agency.

### **Criminal Justice System**

Assaults should be reported to the law enforcement agency that has jurisdiction over the location where the assault occurred. Institutional officials will assist victims in reporting the incident to the police if requested to do so. If the assault occurred:

- on University of Iowa property, call the University of Iowa Department of Public Safety at 335-5022.
- in Iowa City, call the Iowa City Police Department at 356-5275.
- in Coralville, call the Coralville Police Department at 354-1100.
- in another area of Johnson County, call the Johnson County Sheriff's Department at 356-6020.

If the assault occurred off University property and was reported to another law enforcement agency, victims are encouraged to contact the University Department of Public Safety for assistance with safety issues while on campus.

If you are unsure where to call, contact the RVAP Sexual Abuse Crisis and Resource Line (335-6000) for assistance. If you do not feel safe, call 911 from wherever you are, and a law enforcement officer will respond to assist you.

In many cases, someone who has been assaulted can talk with a law enforcement officer about whether to file charges before making that decision. Victim advocates have special training in working with law

enforcement. The RVAP Sexual Abuse Crisis and Resource Line can help the victim make an appointment with a law enforcement officer to discuss options.

### **Reporting an Assault to University Administration**

University administrators affiliated with nonpolice departments also receive reports of crimes. The Office of Equal Opportunity and Diversity is the administrative department designated to investigate complaints of sexual assault involving faculty, staff, or students. Under the University Violence Policy, residence hall personnel (including resident assistants) are mandatory reporters and will forward reports of assaults to the dean of students and the Office of Equal Opportunity and Diversity.

When a complaint is filed, an investigation is undertaken pursuant to the Policy on Sexual Harassment. The findings of the Office of Equal Opportunity and Diversity will be forwarded to the appropriate University administrator responsible for discipline of the respondent, depending upon the status of the person accused of misconduct.

### **SEEKING MEDICAL ASSISTANCE**

If you were assaulted recently, you may want to consider going to a hospital or clinic to have a sexual abuse evidentiary examination. This examination preserves evidence in case you decide to press charges. It is a time when you can get medical advice and medication in case you have contracted a sexually transmitted infection (STI). The evidentiary exam is paid for by the State of Iowa.

Some survivors don't seek medical care

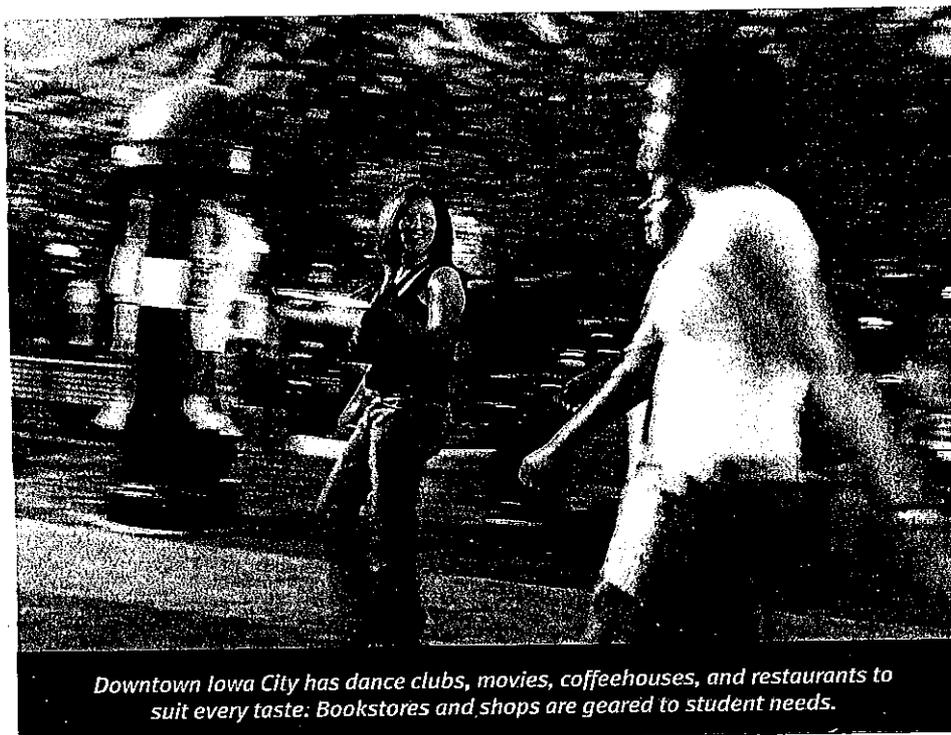
right away. Even if you were assaulted some time ago, it is okay to go to the doctor to be tested for STIs, pregnancy, etc. Some local clinics may provide free or reduced rates for people who have been sexually assaulted but choose not to have the evidentiary exam.

Whether you want to seek medical help is your decision. The following information may help you decide:

- You are entitled to have an advocate from a sexual assault crisis center present with you to provide support during the exam.
- The sexual assault evidence exam and follow-up treatment are paid for by the State of Iowa. You should not receive a bill.
- The exam is available to women and men. When children are assaulted, they are often seen at one of Iowa's Child Protection Centers. You may want to check with your local law enforcement agency about this possibility.
- You can get an evidentiary exam even if some time has passed since you were assaulted.
- If the assault just happened, try to wait until after the exam to shower or bathe, so that the greatest amount of evidence might be preserved. If you have already showered, it is still fine to have the exam.
- If you have had any period of amnesia associated with the assault, tell the sexual abuse examiner you would like to give a urine sample to screen for possible drugs. If you cannot remember what happened, you may have been given drugs without your knowledge.
- If you are still wearing the clothes you had on during the assault, it might be best to wear them to the exam and bring a change of clothing with you to wear home.
- If you have already changed your clothes, you may want to bring the clothes you were wearing during the assault with you to the hospital in a paper bag. The clothing you wore during the assault probably will be kept as evidence. Even if the assault was some time ago, your clothing may contain evidence.

### **STUDENT DISCIPLINARY ACTION AND SANCTIONS**

A University of Iowa student who is found guilty of sexual assault in violation of the Code of Student Life is ordinarily suspended or expelled from the University. When a complaint is filed alleging that a student has committed a sexual assault, the Dean of Students imposes interim sanctions as appropriate in consultation with the Office of Equal Opportunity and Diversity. A University no-contact order is issued, and the student accused of assault is told in writing that any contact with the complainant will result in disciplinary action.



*Downtown Iowa City has dance clubs, movies, coffeehouses, and restaurants to suit every taste. Bookstores and shops are geared to student needs.*



If the accused student is found guilty, the sanctions determined by the dean of students will be imposed. A student found guilty of violating the Code of Student Life may appeal. A complete description of this procedure is printed in the *Policies and Regulations Affecting Students*.

#### **EDUCATIONAL PROGRAMS**

The University urges all students and employees to be aware of one's personal safety and assume a responsible role in educating others. People 16 to 24 years old are more vulnerable to sexual assault than any other age group, and the Iowa City community is not immune to the problems that persist in densely populated environments. Although no single individual is invulnerable to sexual assault, research indicates that most victims of unwanted sexual attention are women, and in many cases, the male aggressor is not a stranger.

Throughout the academic year, members of the University community are invited to attend a variety of extracurricular programs presented on campus. Programs include sexual harassment seminars; security awareness skits; date rape discussions; RAD (Rape Aggression Defense) classes; healthy relationship and communication workshops; professional training on sexual assault issues provided for University staff; and SafeRide, a late-night fixed route transportation service. In addition to investigating reports of sexual assault and filing criminal charges, Department of Public Safety officers are available to speak to the University community about security-related issues, including sexual assault.

In addition, the accused student may be involuntarily transferred to a different residence hall, different class, or different work unit following receipt of a complaint, depending upon the circumstances of the case and available alternatives. University policy prohibits a student accused of misconduct from retaliating against the complainant or witnesses, regardless of the outcome of the complaint.

If the dean has probable cause to bring disciplinary charges based on the investigation of the Office of Equal Opportunity and Diversity, the complaint will be resolved at a formal hearing. At the hearing, evidence will be presented against the accused student. Hearings are conducted by administrative hearing officers, who record the evidence presented and determine whether the student charged is guilty of violating University regulations. Both the complainant and the accused are entitled to have an advisor present during the initial investigation and during a hearing. A student accused of misconduct is provided a minimum of seven business days to prepare for a hearing, and the hearing officer will issue a decision within two weeks following the conclusion of the hearing. Both parties will be informed in writing of the final determination regarding the outcome of the complaint and any sanctions imposed upon the accused.

#### **University Departments That Serve as Resources**

- Rape Victim Advocacy Program (335-6000)
- Women's Resource and Action Center (335-1486)
- Office of Equal Opportunity and Diversity (335-0705)
- Office of the Vice President for Student Services and Dean of Students (335-3557)
- Office of the Ombudsperson (335-3608)

### **Getting Around Safely**

#### **CAMBUS**

Cambus is a student-operated bus system serving the entire University campus, including frequent service to the residence halls. It is free and available to everyone. On weekdays, Cambus operates from 6 a.m. to 1 a.m. and on weekends from noon to 1 a.m. Bus stops for these big yellow buses are located throughout the campus.

#### **CAMBUS/SAFERIDE**

SafeRide is a free on-campus, late-night transportation service available to everyone. It operates Friday and Saturday nights during the fall and spring semesters.

Campuswide bus service is provided by the Red and Blue routes, which circle the entire campus. The buses operate until 2:30 a.m.

#### **DEPARTMENT OF PUBLIC SAFETY**

In a medical emergency, the Department of Public Safety is a final transportation option for those students who live on campus.

**Cambus and SafeRide**  
335-8633  
[www.uiowa.edu/~cambus](http://www.uiowa.edu/~cambus)



## Guidebooks

# THE UNIVERSITY OF IOWA

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## University Housing



[About Us](#) [Guidebooks](#) [A-Z Search](#) [FAQs](#) [Contact Us](#) [Housing Home](#)

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### Prospective Residents **Policies, Rules, and Regulations**

#### Current Residents

#### Parents & Visitors

#### Residence Halls

#### University Apartments

#### Residential Dining

#### Summer Camps & Conferences

#### Our Departments

All residents are expected to be familiar with and abide by the University of Iowa Policies and Regulations Affecting Students, the Standards of Student Behavior in the Residence Halls, this Residence Hall Guidebook, and the terms and conditions of the residence halls contract. Violations of these rules are handled through the disciplinary procedures of the residence halls and/or through the University.

University Housing policies may be amended at any time by the authority of the director of the department. Amendments are effective upon approval by the vice president for student services and dean of students and once the University Housing has made a reasonable attempt to notify residents of the change.

Individuals who pose a clear and present danger to other residents are not eligible to live in University housing. Registered Sex Offenders at risk to re-offend according to State of Iowa law or the law of any other jurisdiction represent a clear and present danger and are not eligible for University housing.

All residence hall room assignments and room transfers are made without regard to a student's race, religion, sexual orientation, or nationality. Students of the opposite gender may not occupy the same room.

#### **Violence, Harassment, and Human Rights**

The conduct regulations in the *Residence Hall Guidebook* specifically prohibit harassment, verbal abuse, physical abuse, and threats of physical abuse in the Residence Halls. When such cases arise, the University Housing will enforce the University's Policy on Violence. In addition, the University's Policy on Sexual Harassment and Consensual Relationships and the University Policy on Human Rights may be applicable. These policies, which specifically define the prohibited conduct and delineate the procedures to be followed, are found online in the Policies and Regulations Affecting Students, 2007-08 at <http://student-services.uiowa.edu/students/policies/index.php>.

The University's Policy on Violence prohibits physical assault, sexual assault, threats with a weapon, and verbal threats, conduct which may lead to suspension or expulsion from the University. The Violence Policy also sets forth sanctions in cases where a person's property has been damaged for purposes of demeaning the owner on account of race, gender, sexual orientation, etc.

Under the mandatory reporting system set forth in the Violence Policy, residence hall staff members are mandatory reporters. Whenever a resident assistant or hall coordinator receives information about conduct in violation of the Violence Policy, this staff member will forward the information to the area coordinator who in turn will forward it to the Office of the Vice President for Student Services. Only a brief description of the incident need be included in

the mandatory report. The names of persons involved will not be included in the report unless the apparent victim consents to the disclosure.

Residents with questions about the Policy on Violence are encouraged to contact residence hall staff member or the Office of the Vice President for Student Services. Information regarding discrimination is available in the Office of Equal Opportunity and Diversity, which administers the Policy on Sexual Harassment and Consensual Relationships. For information about the Committee on Human Rights, contact the Committee Chairperson or the Office of the Vice President for Student Services.

### **Standards of Student Behavior in the Halls**

Living in residence halls is a community living experience where all members have certain rights and responsibilities.

Any resident who commits, incites, or aids others in committing any acts of misconduct shall be subject to disciplinary action by University Housing and/or the University. This applies to any resident regarding his/her own actions as well as student or non-student guests. Non-resident students may be charged by the Vice President for Student Services under the judicial procedure for alleged violations of the code of student life. Non-student guests found violating residence hall policies may be banned from the residence halls or from campus.

1. Unauthorized occupation or use of, or unauthorized entry into, any residence hall facility or student room.
2. Interference with the right of access to residence hall facilities or with any contractual right of any person in residence halls.
3. Individual or group activities within any area of the residence halls that causes a disturbance, including hallway sports, inappropriate behavior, or behavior that threatens the rights and safety of other persons and/or University property.
4. Harassment, verbal or physical abuse, or the threat of physical abuse against any person, including yourself, in the residence halls or at any University Housing authorized function or event, or other conduct that threatens or endangers the health or safety of any such person.
5. Failure to respond to a summons (verbal and/or written) from a residence hall staff member or other University official and/or failure to comply with the direction of a University Housing staff member acting in the performance of his or her duties.
6. Obstruction or disruption of disciplinary procedures, University Housing administrative procedures, or any other University Housing authorized function or event.
7. Tampering with or the misuse of fire alarms (including sounding a false fire alarm), fire extinguishers, fire hoses, or any fire equipment or limiting egress from buildings by tampering with exit signs and doors.
8. Unlawful manufacture, distribution, sale, use, or possession of illegal, addictive, dangerous, or controlled substances (including alcohol) on residence hall property. Empty alcohol containers and illegal drug paraphernalia are prohibited.
9. Theft, vandalism, misuse, or misappropriation of University property or private property, or possession of stolen goods, including the misuse of surveillance cameras
10. Possession or use of an item prohibited by the guns and weapons policy on page 22.
11. Possession or use of an item prohibited by the explosive and combustible policy on page 17.
12. Misrepresentation of identity or misuse of any identification card in the residence halls or failure to show appropriate identification upon request

- by a residence halls or University staff member.
13. Misuse of room or building keys/proximity cards.
  14. Failure to follow emergency procedures (fire, tornado, etc.).
  15. Violation of quiet hours and/or courtesy hours as determined by residence hall units/floors as approved by University Housing.
  16. Setting of a fire or the possession or use of candles or any type of open-flame (including incense) or open-flame device.
  17. Violations of the terms and conditions in the residence hall contract or policies and procedures prescribed in the *Residence Hall Guidebook*.
  18. Conviction of any federal, state, or local crime committed on campus.
  19. Violation of the Policy on Sexual Harassment and Consensual Relationships, the Policy on Violence, the University Policy on Human Rights, or a Department of University Housing roommate contract.
  20. Violation of the Resnet policy as described on page 47-48 and 53-57.
  21. Engaging in self-destructive behavior as described on page 48.

In addition, persons living in the residence halls are not exempt from prosecution in civil or criminal court in cases where such action is deemed necessary.

#### **Violations Warranting Eviction**

The following violations are considered significant violations of community standards and would normally result in a students' permanent suspension from the residence halls, regardless of previous disciplinary history.

- Possession/consumption of drugs or paraphernalia.
- Possession of a large amount of alcohol.
- Physical assault (including sexual assault).
- Possession of firearms.
- Intentionally setting a fire, falsely pulling a fire alarm or causing a fire alarm to occur.

#### **Alcohol Policy**

The University of Iowa Residence Halls are considered substance-free environments (page 39). All students and guests, regardless of age, are not permitted to consume or possess alcoholic beverages in residence halls. Any alcohol found will be destroyed and disciplinary sanctions, including fines ranging from \$200 - \$500, imposed. Persons found in a room where alcohol is present and/or being consumed are subject to disciplinary action whether or not they were drinking.

The presence of full or empty alcoholic beverage containers including alcohol "suitcases" is prohibited. This includes containers used as decoration. Severe sanctions, including the possibility of immediate suspension from the residence halls, are imposed upon residents who host alcohol for others in their rooms or possess large quantities of alcoholic beverages, even if there are no prior sanctions on record. In addition, these alcohol violations may be referred to the Dean of Student's Office for disciplinary action, including possible suspension from the University.

Students who violate University Housing policies and procedures while under the influence of alcohol and/or drugs will be subject to disciplinary action on the basis of their offenses. Students who are intoxicated in the residence halls may be subject to arrest. Residents who violate the alcohol policy will be subject to a monetary fine.

Residents are responsible for the behavior of their guests and persons in the company of their guests. If their guests violated the alcohol policy, residents will be sanctioned for the conduct of their guests and persons in the company of their guests.

**Drug Policy  
(Marijuana and/or Controlled Substances)**

Illegal, addictive, dangerous, or controlled substances are not allowed on residence hall property. Possession of drugs or drug paraphernalia, use, manufacture, distribution, or sale of illegal drugs is prohibited. Furthermore, any use of illegal drugs is considered by the University to be self-destructive behavior. Persons found in a room where drugs are being used or present are subject to disciplinary action whether or not they were engaging in the behavior.

In most cases, University of Iowa Police officers will be called to the scene if there is a suspicion of drug use in the residence halls. All residents assigned to a particular room are subject to sanctions for violating the drug policy if illegal drugs are found in the room. If your roommate is involved in illegal activity, you are advised to call the University of Iowa Police and contact your area/hall coordinator.

A resident found guilty of violating the drug policy will ordinarily be suspended from the halls and will be required to complete a substance abuse program at Health Iowa.

Residents are responsible for the behavior of their guests and persons in the company of their guests. If their guests violate policy, residents will be sanctioned for the conduct of their guests.

Students who violate University Housing policies and procedures while under the influence of drugs will be subject to disciplinary action on the basis of their offenses.

A comprehensive list of applicable state and federal drug laws, legal sanctions, and health risks of illegal drugs and alcohol are contained in the Policy Regarding the Use of Illegal Drugs and Alcohol in *Policies and Regulations Affecting Students* which is distributed to all University of Iowa students each fall semester.

**Gambling Policy**

Residence hall student government associations and floor government boards may **not** organize games of skill or chance where money changes hands. Hall government associations or floor government boards organizing pools, drawings, or raffles can only do so when money is not involved. All fundraisers must be approved by the Office of Residence Life programs staff.

The practice of illegal gambling among residents has a disruptive effect upon the residence hall environment, and residents are expected to observe state laws governing games of skill or chance are subject to discipline under the residence hall disciplinary policy. The Code of Iowa (Section 99B) regulates games between individuals for cash or credit, betting pools, raffles, and electrical amusement devices, and strictly prohibits bookmaking.

In the event a resident is found to be violating state gambling laws in the residence halls, criminal charges may be filed against the resident by the appropriate law enforcement agency, as well as disciplinary action taken under the residence hall disciplinary procedure or the University of Iowa Code of Student Life. In addition, residents who violate other conduct regulations (theft or assault, for example) as a result of engaging in games of skill or chance will be subject to disciplinary action on the basis of their offenses. Residents of legal gambling age are eligible to participate in games of skill or chance conducted at licensed gaming locations off-campus.

**ResNet Acceptable Use Policy**

As a student in the Residence Hall Network (ResNet), you will be connected to the campus network and the global Internet. This connection is a privilege, not a right. The University expects ethical and responsible behavior in the use of this network. That is, you are expected to be a good Internet citizen. Don't participate in any illegal or inappropriate activity that will negatively impact the other users of the network.

Your use of all campus information technology resources, including this network, is subject to The University of Iowa Policy on Acceptable Use of Information Technology Resources<sup>1</sup>, as well as to all other applicable University policies and state and federal laws. In addition, the following standards are in effect. This list is meant to be illustrative, not exhaustive.

- Student is responsible for all activity originating from this connection. Student must take reasonable precautions to prevent unauthorized use by others of this connection, and his/her accounts, programs, or data.
- Student should not engage in activities that consume excessive amounts of network bandwidth.
- Student must not modify or extend residence hall network services and wiring. This applies to all network wiring, hardware, and in-room jacks. The only device you can connect is a personal computer. You may not connect servers of any type, hubs, or network printers.
- Residence hall connections are provided for individual use only. Student may not create accounts on his/her computing system that provide campus network access for anyone else.
- Residence hall connections are for University-related activities only. Student may not conduct a commercial business via the residence hall connection.
- Student may not run sniffers or any other software or hardware designed to intercept packets or to disrupt the security or operation of the campus network.
- Student may not participate in illegal activities such as software piracy—either the distribution of copyrighted software or illegal attainment of software or other copyrighted materials—from the residence hall connection.
- Student may not host chat lines from computers connected to this network.

At its discretion, the University may use its capability to examine network resources for violations of this policy. Sanctions for violation of this policy may result in disconnection from the campus network, other disciplinary action, or referral to external authorities.

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<sup>1</sup> The University of Iowa Policy on Acceptable Use of Information Technology Resources is available in printed form at the Customer Information Desk, 100 Lindquist Center South or on the web at </resnet/acceptable-use-policy.htm>.

**Self-Destructive Behavior Policy**

The University has a clear and distinct interest in maintaining a safe and sound educational environment in the residence halls, where most first-year students experience for the first time life on their own. A residential setting designated to foster student interaction and interdependence can become disrupted by self-destructive behavior. Among the most disruptive forms of misconduct are intentional attempts to injure oneself seriously, threats to do the same, and reckless behavior that puts oneself or others in physical danger. Students who become incapacitated as a result of their own actions and students who deliberately injure themselves are subject to University actions.

In light of the impact of self-destructive behavior upon the residential community, affected individuals are encouraged to utilize counseling resources provided to students free of charge. Residents interested in learning more about referral resources available on campus are welcome to call University Counseling Services (5-7294), which keeps all inquiries confidential.

Residents who engage in self-destructive behavior must accept responsibility for their actions and are subject to disciplinary sanctions under residence hall disciplinary policy and the University of Iowa Code of Student Life on the basis of their offense. In the event a resident with a recognized mental disorder engages in self-destructive behavior, the University will take into consideration before determining a response the resident's medical diagnosis, the gravity of the injury, the impact of the behavior upon fellow residents, the appropriateness of reasonable accommodations, and other pertinent factors. When there occurs a severe act of self-destructive behavior or an apparent threat of serious harm, the University reserves the right to notify the resident's parent, guardian, or appropriate relative.

#### **Smoking Policy**

The use of smoking or smokeless tobacco products is prohibited in residence hall student rooms and in public areas. Public areas include hallways, stairways, elevators, lobbies, lounges, restrooms, etc. Students over 18 years of age may possess and are allowed to store tobacco and legal smoking products but may not use them in the halls. University policy requires that you smoke within 25 feet of any residence hall or building on campus.

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<-- Skip Z-A Contents <--

**Clery Act - 20 U.S.C. § 1092(f) Disclosure of campus security policy and campus crime statistics**

**(1)** Each eligible institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall on August 1, 1991, begin to collect the following information with respect to campus crime statistics and campus security policies of that institution, and beginning September 1, 1992, and each year thereafter, prepare, publish, and distribute, through appropriate publications or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual security report containing at least the following information with respect to the campus security policies and campus crime statistics of that institution:

**(A)** A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.

**(B)** A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

**(C)** A statement of current policies concerning campus law enforcement, including--

**(i)** the enforcement authority of security personnel, including their working relationship with State and local police agencies; and

**(ii)** policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.

**(D)** A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

**(E)** A description of programs designed to inform students and employees about the prevention of crimes.

**(F)** Statistics concerning the occurrence on campus, in or on noncampus buildings or property, and on public property during the most recent calendar year, and during the 2 preceding calendar years for which data are available--

**(i)** of the following criminal offenses reported to campus security authorities or local police agencies:

- (I)** murder;
- (II)** sex offenses, forcible or nonforcible;
- (III)** robbery;
- (IV)** aggravated assault;
- (V)** burglary;
- (VI)** motor vehicle theft;
- (VII)** manslaughter;
- (VIII)** arson; and

**(IX)** arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession; and

**(ii)** of the crimes described in subclauses (I) through (VIII) of clause (i), and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported according to category of prejudice.

**(G)** A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at off-campus student organizations which are recognized by the institution and that are engaged in by students attending the institution, including those student organizations with off-campus housing facilities.

**(H)** A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1011i of this title.

**(I)** A statement advising the campus community where law enforcement agency information provided by a State under section 14071(j) of Title 42, concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.

**(2)** Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to campus crimes or campus security.

**(3)** Each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local law police agencies. Such reports shall be provided to students and employees in a manner that is timely and that will aid in the prevention of similar occurrences.

**(4)(A)** Each institution participating in any program under this subchapter [20 U.S.C. § 1070 et seq.] and part C of subchapter I of chapter 34 of Title 42 [42 U.S.C. § 2751 et seq.] that maintains a police or security department of any kind shall make, keep, and maintain a daily log, written in a form that can be easily understood, recording all crimes reported to such police or security department, including--

- (i)** the nature, date, time, and general location of each crime; and
- (ii)** the disposition of the complaint, if known.

**(B)(i)** All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim, be open to public inspection within two business days of the initial report being made to the department or a campus security authority.

**(ii)** If new information about an entry into a log becomes available to a police or security department, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police or security department.

**(iii)** If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information.

**(5)** On an annual basis, each institution participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 [42 U.S.C. § 2751 et seq.] shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(F). The Secretary shall--

**(A)** review such statistics and report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate on campus crime statistics by September 1, 2000;

**(B)** make copies of the statistics submitted to the Secretary available to the public; and

**(C)** in coordination with representatives of institutions of higher education, identify exemplary campus security policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus crime.

**(6)(A)** In this subsection:

**(i)** The term "campus" means--

**(I)** any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

**(II)** property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

**(ii)** The term "noncampus building or property" means--

**(I)** any building or property owned or controlled by a student organization recognized by the institution; and

**(II)** any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

**(iii)** The term "public property" means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street,

other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

**(B)** In cases where branch campuses of an institution of higher education, schools within an institution of higher education, or administrative divisions within an institution are not within a reasonably contiguous geographic area, such entities shall be considered separate campuses for purposes of the reporting requirements of this section.

**(7)** The statistics described in paragraph (1)(F) shall be compiled in accordance with the definitions used in the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act. Such statistics shall not identify victims of crimes or persons accused of crimes.

**(8)(A)** Each institution of higher education participating in any program under this subchapter and part C of subchapter I of chapter 34 of Title 42 shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding--

- (i)** such institution's campus sexual assault programs, which shall be aimed at prevention of sex offenses; and
- (ii)** the procedures followed once a sex offense has occurred.

**(B)** The policy described in subparagraph (A) shall address the following areas:

- (i)** Education programs to promote the awareness of rape, acquaintance rape, and other sex offenses.
- (ii)** Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, acquaintance rape, or other sex offenses, forcible or nonforcible.
- (iii)** Procedures students should follow if a sex offense occurs, including who should be contacted, the importance of preserving evidence as may be necessary to the proof of criminal sexual assault, and to whom the alleged offense should be reported.
- (iv)** Procedures for on-campus disciplinary action in cases of alleged sexual assault, which shall include a clear statement that--

- (I)** the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and
- (II)** both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault.

**(v)** Informing students of their options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses.

**(vi)** Notification of students of existing counseling, mental health or student services for victims of sexual assault, both on campus and in the community.

**(vii)** Notification of students of options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available.

**(C)** Nothing in this paragraph shall be construed to confer a private right of action upon any person to enforce the provisions of this paragraph.

**(9)** The Secretary shall provide technical assistance in complying with the provisions of this section to an institution of higher education who requests such assistance.

**(10)** Nothing in this section shall be construed to require the reporting or disclosure of privileged information.

**(11)** The Secretary shall report to the appropriate committees of Congress each institution of higher education that the Secretary determines is not in compliance with the reporting requirements of this subsection.

**(12)** For purposes of reporting the statistics with respect to crimes described in paragraph (1)(F), an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur--

**(A)** on campus;

**(B)** in or on a noncampus building or property;

**(C)** on public property; and

**(D)** in dormitories or other residential facilities for students on campus.

**(13)** Upon a determination pursuant to section 1094(c)(3)(B) of this title that an institution of higher education has substantially misrepresented the number, location, or nature of the crimes required to be reported under this subsection, the Secretary shall impose a civil penalty upon the institution in the same amount and pursuant to the same procedures as a civil penalty is imposed under section 1094(c)(3)(B) of this title.

**(14)(A)** Nothing in this subsection may be construed to--

**(i)** create a cause of action against any institution of higher education or any employee of such an institution for any civil liability; or

**(ii)** establish any standard of care.

**(B)** Notwithstanding any other provision of law, evidence regarding compliance or noncompliance with this subsection shall not be admissible as evidence in any proceeding of any court, agency, board, or other entity, except with respect to an action to enforce this subsection.

**(15)** This subsection may be cited as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act".

# The Handbook for Campus Crime Reporting



U.S. DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION  
2005

# The Handbook for Campus Crime Reporting

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# Special Considerations: Policies Regarding Sex Offenses and Offenders

## CHAPTER 9



**W**hat are the *Clery Act* requirements regarding policies and procedures for sex offenses? As mentioned in Chapter 8, the *Clery Act* requires you to provide policy statements regarding sex offenses and obtaining access to information regarding registered sex offenders in the campus community.

### Sex Offenses

The FBI's National Incident-Based Reporting System (NIBRS) edition of the *UCR* defines a sex offense in general as *any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.* (See Chapter 3 for definitions of forcible and non-forcible sex offenses.)

The *Clery Act* requires you to include a statement about your institution's sex offense policy, procedures and programs in your annual security report. Specifically, the regulation requires a statement of policy regarding **the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs.** The statement *must* include:

- a. A description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses.

These programs are required by Section 485(f) of the *Higher Education Act*. We encourage your institution to contract with experts in the area of sex offense education to provide training to students and staff. Such experts include rape crisis intervention specialists, local law enforcement officials and social services personnel.

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Sex offense policy  
statement cite  
34 CFR 668.46(b)(11)

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34 CFR 668.46(b)(11)(i)

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34 CFR 668.46(b)(11)(ii)

- b. Procedures students should follow if a sex offense occurs, including:

- Procedures concerning who should be contacted;
- The importance of preserving evidence for the proof of a criminal offense; and
- To whom the alleged offense should be reported.

Note that the *Clery Act* does not mandate whom to contact or to whom the offense should be reported. It requires only that your institution include this information in the procedures. Be specific with regard to this information. For example, if students are directed to a rape crisis counselor for support and the campus police department for reporting purposes, provide contact information. We encourage institutions to consult law enforcement about what constitutes “preserving evidence.”

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34 CFR 668.46(b)(11)(iii)

- c. Information on a student’s option to notify appropriate law enforcement authorities, including:

- On-campus and local police; and
- A statement that institutional personnel *will* assist the student in notifying these authorities, if the student requests the assistance of these personnel.

Provide information so that students know what notifying law enforcement authorities entails. Be specific about both campus and local police, as applicable. The statement that your institution will comply with a student’s request for assistance in notifying authorities is mandatory.

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34 CFR 668.46(b)(11)(iv)

- d. Notification to students of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses.

Your statement should provide specific information identifying the appropriate available services for victims. Be sure to include both on- and off-campus services, as applicable. If there are no on-campus services or no off-campus services, state this.

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34 CFR 668.46(b)(11)(v)

- e. Notification to students that the institution *will* change a victim’s academic and living situations after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available.

An institution is obligated to comply with a student's request for a living and/or academic situation change following an *alleged* sex offense. The options should be identified.

These requirements allow an institution flexibility. For example, an institution could permit a victim to break a housing contract with the institution so that the student may seek off campus housing. But, it would not be reasonable to expect the institution to pay for the rental of a private apartment for the student.

- f. Procedures for campus disciplinary action in cases of an alleged sex offense, *including a clear statement that:*
- i. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
  - ii. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act* (FERPA). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Your statement regarding procedures for campus disciplinary action for alleged sex offenses must include both (i) and (ii). Add any other procedures as appropriate for your institution. The right to have others present and to be informed of the outcome apply to the institutional disciplinary proceedings, regardless of where the alleged sex offense occurred. Disclosure concerning the outcome of proceedings must be unconditional; a victim cannot be required to sign a nondisclosure agreement or to otherwise agree to a prohibition from discussing the case.

- g. Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offenses.

Note that this does not require you simply to state that sanctions may be imposed. You are required to list the sanctions.

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34 CFR  
668.46(b)(11)(vi)(A)&(B)

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34 CFR 668.46(b)(11)(viii)

It is very important that you understand that:

- Simply stating the topic of a policy does not meet the requirements. All of the required components of a policy must be included in the policy statement.
- For the most part, institutions have discretion in the wording of these statements and how the policies and procedures are put into practice.
- It is imperative that an institution's policy statements accurately reflect what the institution does currently to prevent sex offenses, and the procedures that are followed when a sex offense occurs.

**262.9 Powers and duties.**

The board shall:

27. Develop and implement a written policy, which is disseminated during registration or orientation, addressing the following four areas relating to sexual abuse:

- a. Counseling.
- b. Campus security.
- c. Education, including prevention, protection, and the rights and duties of students and employees of the institution.
- d. Facilitating the accurate and prompt reporting of sexual abuse to the duly constituted law enforcement authorities.