

RESOLUTION

WHEREAS on July 22, 2008, the Board of Regents created an Advisory Committee to the Board of Regents and directed the Committee to reopen the investigation of the University of Iowa's compliance with policies and procedures while investigating a sexual assault case; and authorized the Committee to hire outside counsel to assist in their investigation. On July 28, 2008, the Committee retained the Stolar Partnership, LLP of St. Louis, Missouri to assist it in the investigation; and

WHEREAS The Board requested that the Advisory Committee issue a report no later than September 18, 2008 that addressed the following:

1. Conduct a review of all actions taken by University personnel in response to the alleged assault from October 14, to the present;
2. Assess whether the University's policies and procedures were followed;
3. Evaluate each of the charges advanced in the November and May letters from the alleged victim's mother to the University;
4. Recommend any policy changes or other actions determined to be appropriate; and
5. Examine the circumstances around the decision not to disclose to the Board of Regents the existence of the November and May letters, how the decision was made, and on what basis. Again, the Advisory Committee is to recommend any policy changes or other actions appropriate; and

WHEREAS, On September 18, 2008, the Board of Regents received a report from the Board of Regents Advisory Committee prepared by Stolar Partnership, LLP, special counsel to the Committee, regarding the University of Iowa's compliance with policies and procedures and statutes while investigating an allegation of sexual assault on campus; and

WHEREAS, the report recommended certain changes in the University of Iowa's policies and procedures; and that the University of Iowa and all other universities governed by the Board of Regents undertake a comprehensive review of their policies and procedures dealing with sexual assault and other related issues to be sure they are consistent with best practices available in higher education; and

WHEREAS, the Board of Regents is statutorily responsible for the governance of the University of Iowa, Iowa State University, University of Northern Iowa, Iowa School for the Deaf and Iowa Braille and Sight Saving School; and

WHEREAS, the Board of Regents is statutorily required to develop and implement written policies which address sexual abuse.

NOW THEREFORE, the Board of Regents directs the heads of all institutions to undertake a comprehensive review of their policies and procedures dealing with sexual assault and other related issues in light of the report's recommendations set forth herein:

- (1) Make available a trained advocate to alleged victims of sexual assault during all stages of the reporting and investigative process;

- (2) Designate a single, coordinating office and procedure to deal with all sexual assaults and other related issues at each institution;
- (3) Consider whether it would be appropriate to mandate Department of Public Safety notification when a university official receives information of an alleged sexual assault;
- (4) Ensure that General Counsel for each institution is not involved in the management of sexual assault and sexual harassment investigations;
- (5) Train all sexual assault advocates with respect to (1) University reporting, (2) investigation options available to alleged victims, and (3) how best to explain those options in a way that can be readily understood by a potentially traumatized victim;
- (6) Make readily available to all members of the institution's community easily comprehensible information with respect to the institution's sexual assault reporting and investigation options;
- (7) Remove authority from any and all departments – other than the single, designated coordinating office -- to conduct investigations of sexual assault, whether formal or informal; and require that all investigations of alleged sexual assaults be handled solely by the office designated to handle such investigations;
- (8) Provide extensive training in the proper handling of sexual assault allegations – with respect to alleged victims and alleged perpetrators -- to the officials charged with this responsibility;
- (9) Implement a formal procedure by which investigators in the office designated to handle sexual assault investigations who may be perceived as having a conflict of interest in investigations conducted by that office, may be recused;
- (10) Ensure that policies for addressing alleged sexual assaults are addressed as part of the institution's *violence policy*, rather than as a part of its *sexual harassment policy*.

The Board of Regents (the "Board"), in pursuit of the objective of the implementation of best practices throughout the institutions governed by the Board, takes the following additional action:

1. Directs the heads of all institutions to work quickly and collaboratively with the Executive Director to develop for discussion common policies and procedures dealing with sexual assault and other related issues that (a) address the recommendations of the report and (b) are consistent with standards and best practices available in the higher education community.
2. Such proposed common policies and procedures shall be presented to the Board for action at the December 11, 2008, Board meeting.

The foregoing development of proposed policies and procedures shall be undertaken in consultation with the Office on Violence Against Women of the United States Department of Justice, and may include securing the assistance of experts with broad experience in dealing with sexual assault on campus. The University of Northern Iowa's Project Director for the Regents' Flagship Campus Grant working with the head of each institution or his/her designee and the Executive Director, is directed to provide the primary staffing for completion of this directive.