

**PURDUE UNIVERSITY
STUDENT GOVERNMENTS**

Joint Resolution 22-JR002



**Resolution Calling for Changes to the False Allegations, Statements, and
Evidence section of the Title IX and Anti-Harassment Policy**

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WHEREAS, Title IX is a federal law given to universities which protects individuals from discrimination based on sex in educational programs, including but not limited to sexual harassment and sexual violence¹; and

WHEREAS, Despite the fact that this regulation is given to the university, each educational institution has the ability to create policy within these guidelines to best serve students; and

WHEREAS, The current Purdue “False Allegations, Statements and Evidence” section of both the Title IX Harassment (III.C.4) and the Anti-Harassment (III.C.1) policies reads as follows, “This policy may not be used to bring charges against any faculty, staff, students or Recognized Student Organizations, including fraternities, sororities and/or cooperatives, in bad faith. Disciplinary action will be taken against any person or group found to have brought a charge of Title IX Harassment in bad faith or any person who, in bad faith, is found to have encouraged another person or group to bring such a charge. In addition, individuals who, in bad faith, provide false statements or evidence, or who deliberately mislead a University official conducting an

¹ <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-I/part-106>

investigation under this policy may be subject to discipline under this policy or another University policy or process”²; and

WHEREAS, After the decision of Roe v. Purdue, it can be seen that the current policy and procedures regarding false allegations are not clear; and

WHEREAS, Without clear and consistent guidelines and procedures there is more room for error in the system; and

WHEREAS, Sexual violence is a horrifically underreported crime with only 20% of female student victims, age 18 – 24, reporting to law enforcement³; and

WHEREAS, 20% of female student victims that did not report cited because of fear of reprisal⁴; and

WHEREAS, Based on our research, there is limited to no accessible statistics on non-female identifying under-reporting.

NOW, THEREFORE, BE IT RESOLVED That Purdue reevaluate the “False Allegation, Statements and Evidence” section of both the Title IX Harassment (III.C.4) and Anti-Harassment (III.C.1) policies; and

BE IT FURTHER RESOLVED That the current policy be rewritten to state the following, based upon policies from the University of Minnesota⁵:

“Individuals who knowingly or intentionally file a false formal complaint or provide false or misleading information during a grievance process may be subject to disciplinary action up to and including termination of employment or expulsion. Disciplinary action is not warranted where an individual provides information in good faith, even if the information is ultimately not substantiated. An individual provides information in good faith when that individual reasonably believes that the information they have provided is accurate.”

BE IT FURTHER RESOLVED That the Purdue Student Government and Purdue Graduate Student Government work alongside Purdue Administration to draft a fair process in which false allegation determinations are made.

² <https://www.purdue.edu/policies/ethics/iic4.html> and <https://www.purdue.edu/policies/ethics/iic1.html>

³ <https://www.rainn.org/statistics/criminal-justice-system>

⁴ Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, Rape and Sexual Victimization Among College-Aged Females, 1995-2013 (2014).

⁵ <https://policy.umn.edu/hr/sexharassassault>

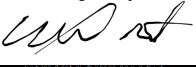
BE IT FURTHER RESOLVED That this resolution be considered a joint resolution of the Purdue Student Government and the Purdue Graduate Student Government.

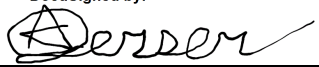
BE IT FURTHER RESOLVED That this Resolution be delivered to the Purdue Office of Legal Counsel to verify that the enclosed policies are both legal and ethical.

BE IT FURTHER RESOLVED That Purdue Student Government shall deliver this resolution to the University Senate for consideration.

BE IT FURTHER RESOLVED That Purdue Student Government shall deliver this resolution to Mitch Daniels, President of Purdue University; Jay Akridge, Provost of Purdue University; Dr. Beth McCuskey, Vice Provost for Student Life; Todd Wetzel, Assistant Vice Provost for Student Life.

BE IT FURTHER RESOLVED That Purdue Student Government shall deliver this resolution to the Title IX office within the Office of Institutional Equity.

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President, PGSG

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President, PSG

Legislation History

Purdue Student Government (PSG) Passage Date: November 9, 2022
PSG President: Andrew Jensen
PSG Senate President: Izzy Webber

Purdue Graduate Student Government (PGSG) Passage Date: November 16, 2022
PGSG President: Alex Seto
PGSG Senate Chair: Josiah Davidson
