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## PURDUE GRADUATE STUDENT SENATE

### RESOLUTION No. FA22 – R004

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



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**Author(s):** Eleanor Didonna, Lilli Ferguson, Grace Kowalski, Madisyn Arnold, Erin Burke, Amelia Williams, Morgan Oliverrez

**Sponsor(s):** Kristin McPeake; Sophia Babcock; Izzy Weber; Robert Kim; Sydney Terrel; Brayden Johnson; Georgia Boyd; Erika Wheeler; Anna Hampton; Josh Mariani; Evan Chrise; Andrew Jensen; Katie Freund; Shreya Jain; Andrew Askounis; Eanna DeGuzman; Abidemi Aregbe; Addy Famuyiwa; Michael Brown; Mason Merkel; Shye Robinson; Parker Woodruff; Evan Adam; Gabriella Da Silva; Irene Scudder; Zoe Alexander; Purdue Panhellenic Association Executive Board; Jacob White, PGSG Senator, Computer Science

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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 violence<sup>1</sup>; 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 investigation under this policy may be subject to discipline under this policy or another University policy or process”<sup>2</sup>; and

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

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

**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 enforcement<sup>3</sup>; and

**WHEREAS,** 20% of female student victims that did not report cited because of fear of reprisal<sup>4</sup>; 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 Minnesota<sup>5</sup>:

*“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.

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

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

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

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


**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 and Purdue Graduate Student Government shall jointly deliver this resolution to the University Senate for consideration.

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

**PASSED, APPROVED, AND ADOPTED** this 16<sup>th</sup> day of November 2022.

DocuSigned by:  
  
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President, PGSG

DocuSigned by:  
  
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Senate Chair, PGSS

## Certification

I, Mary Brown, Senate Clerk of the Purdue Graduate Student Senate, do hereby certify that the foregoing resolution was regularly passed and adopted by the Purdue Graduate Student Senate of Purdue University, at a regular meeting thereof held on the 16<sup>th</sup> day of November 2022 by the following vote:

**AYES (42):** Agricultural and Biological Engineering - Mike Sserunjogi  
Agricultural Economics - Haseeb Daudzai  
Agricultural Sciences Education and Communication - Bryanna Nelson  
Animal Sciences - Sarah Innis  
Anthropology - Olivia Palepoi  
Biochemistry - Steven McKenzie  
Biological Sciences - Morgan Chaney  
Botany and Plant Pathology - Ricky Critchfield  
Chemical Engineering - Annie Sun  
Chemistry - Solita Wilson  
Civil Engineering - Agustin Quinones  
Communication - Jonathan Martz (Acting Senator)  
Comparative Literature - Marisa J Bryans  
Computer Science - Jacob White  
Curriculum and Instruction - Theodora Amuah  
Doctor of Veterinary Medicine (DVM) - Alaunie Smiley  
Earth, Atmospheric, and Planetary Sciences - Austin Blevins  
Economics - Talha Cakir  
Educational Studies - Stephanie Contreras  
Electrical and Computer Engineering - Somosmita Mitra  
Engineering Education - Barbara Fagundes  
Engineering Technology - Pragatheiswar Giri  
English - Marisa Yerace (Alternate, Acting Senator)  
Environmental and Ecological Engineering - Kendrick Hardaway  
Food Science - Anaël Kimble  
Forestry and Natural Resources - Ken Yao Chong  
Health Sciences - Sydney Stradtman  
Horticulture and Landscape Architecture - Camila Ulloa Gomez  
Hospitality and Tourism Management - Rachel Zhang  
Human Development and Family Studies - Amy Loviska  
Industrial Engineering - Utkuhan Genc  
Languages and Cultures - Santiago Parra Giraldo  
Materials Engineering - Daniel Sinclair  
Mechanical Engineering - Meghavin Bhatasana  
Nuclear Engineering - Stepan Ozerov  
Philosophy - Mary Brown  
Physics and Astronomy - Shayamal Singh

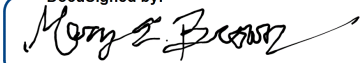
Public Health - Sidney Smith  
Purdue University Interdisciplinary Life Sciences (PULSe) - Lauren Wilbanks  
Sociology - Reilly Kincaid  
Speech, Language, and Hearing Sciences - Brooke Rodgers  
Statistics - Imon Banerjee

**NAYS (0):**

**ABSENT (8):** Biomedical Engineering - Michael Zimmerman  
Ecological Sciences and Engineering (ESE) - Neha Shakelly  
Interdisciplinary Biomedical Sciences (IBSC) - Antonia Susnjar  
Management - Arindam Roy Chowdhury  
Mathematics - Alexandra Cuadra  
Political Science - Matthew Ellis  
Technology, Leadership, and Innovation - Ralph Rivera  
Veterinary Clinical Sciences - Ojo Oluwabunmi T.

**ABSTAINED (6):** Aeronautics and Astronautics - Krishna Bansibhai Thakkar  
Agronomy - Binod Gyawali  
Aviation and Transportation Technology - Luigi Dy (Acting Senator)  
Basic Medical Sciences - Siyuan Sun  
Industrial and Physical Pharmacy - Pradnya Prakash Bapat  
Nutrition Science - Qianyue Wang (Acting Senator)

**IN WITNESS WHEREOF**, I have hereunto set my hand this 27<sup>th</sup> day of November 2022.

DocuSigned by:  
  
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Senate Clerk, PGSS