

MEMORANDUM

To: President Michael K. Young

From: Arnold B. Combe, Vice President for Administrative Services; John Morris, Vice President and General Counsel

Re: New Policy 1-012 Student Sexual Assault Prevention and Response

Date: August 30, 2010

In August 2009, the United States Department of Education ("DOE") performed an audit of the University's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). One finding of the audit was that the University did not have a required policy on student sexual assault. During the audit, the University committed to DOE to put immediately in place the required policy. On September 25, 2009, you implemented Interim Rule R5-210 Sexual Assault Prevention and Response. The interim rule was approved by the Senate on November 2, 2009 with the recommendation that the University administration work with the President's Commission on the Status of Women ("PCSW") and other campus groups to prepare a final policy to replace the interim rule. The interim rule will sunset in June 2011.

During the past year, the Office of General Counsel has worked with the PCSW to refine the policy on student sexual assault. The result is this proposal for adoption of new University Policy 1-012. Policy 1-012 is designed to educate current and prospective students about sexual assault and about campus resources and process available to student victims of sexual assault. The current draft of Policy 1-012 has been approved by the PCSW. Originally, the plan was to include the sexual assault policy provisions as part of a larger Campus Security policy which has also been under development in this time frame. However, the PCSW felt that the policy on student sexual assault should be its own policy rather than part of the larger Campus Security policy. Therefore the attached Policy 1-012 is being presented as a stand-alone policy, to be considered for approval along with the companion proposal for the Campus Security Policy 1-011. These two separate-but-related Policies (and the accompanying procedure to Policy 1-011) together will bring the University into full compliance with the Clery Act.

If you approve of this new Policy, it should then be presented to the Academic Senate and Board of Trustees for debate and approval.

Questions regarding this proposal may best be directed to

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