

# Findings and Recommendations

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Task Force on Employee/Student Relationships

The University of Texas System

December 12, 2013

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  2. Is persuasive and factual.
  3. Provides individual stories and cases which demonstrate the damage that can result to student and faculty members alike.
  4. Provides data that illustrates the frequency of reported cases.
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## Introduction

Sexual misconduct at colleges and universities has garnered a great deal of attention over the past few years from the media, the federal government, concerned citizens and the schools themselves. The U.S. Department of Education Dear Colleague letter in 2011, which announced new requirements for colleges and universities related to allegations of sexual harassment and sexual violence<sup>1</sup>, precipitated much dialogue and change to institutional policies. The University of Texas System responded at the time with improved reporting guidelines and more stringent model policies for the institutions. Further, after the sexual assaults and subsequent reporting failures at The Pennsylvania State University, U. T. System implemented new reporting mechanisms for all significant events.<sup>2</sup> Indeed, the issues of sexual assault and sexual harassment have been a driving force for policy changes and opening dialogue on these critical matters on campuses across the country. While this Task Force has found several areas for change and improvement, it recognized that attention should be paid to another challenging type of relationships-those which are, either initially or by appearance, consensual.

Intense personal relationships develop in the university environment, often grounded in unequal power, age differentials, and some students' desire for approval. What may begin as a seemingly consensual relationship can quickly transform into a sexual harassment complaint from the student. Consider the following:

- A 2001 survey of undergraduate students found that 40% of women and 28% of men had perceived that they had been sexually harassed by a college professor or instructor.<sup>3</sup>
- Women in the traditional college-age range are four times more likely to be sexually assaulted or sexually coerced than those in any other age group, and women in college are at greater risk than their non-college-bound peers.<sup>4</sup>
- Since sexually coercive relationships are often about power dynamics, historically disempowered groups such as ethnic minorities and the lesbian, gay, bisexual, and transgender (LGBT) populations may be particularly vulnerable to these types of relationships and less likely to report them as well.
- Short and long term effects of sexually coercive relationships may include depression, anxiety, alcohol and drug abuse, and post-traumatic stress disorder.<sup>5</sup>

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<sup>1</sup> The U.S. Department of Education Office of Civil Rights "Dear Colleague" letter on Title IX and Sexual Violence, April 4, 2011

<sup>2</sup> See University of Texas System Policy 178

<sup>3</sup> Kalof, Eby, Matheson, and Kroska, "The Influence of Race and Gender on Student Self Reports of Sexual Harassment by College Professors," *Gender and Society*, (2001), <http://gas.sagepub.com/content/15/2/282.full.pdf+html>

<sup>4</sup> *Sexual Assault on Campus: What Colleges and Universities are Doing About It*, U.S. Department of Justice, National Institute of Justice Report (2005), <https://www.ncjrs.gov/pdffiles1/nij/205521.pdf>

These cases are unfortunate, sometimes tragic, as individual careers and lives are impacted, possibly destroyed. Most certainly, these cases adversely influence the learning environment, not only for those directly involved, but for other members of the university community.

Professional organizations all have recommendations cautioning and/or prohibiting relationships between their members and students, and it is important for the institutions to be vigilant in protecting students and integrity of the learning environment. To that end, The University of Texas System is leading an effort to develop rules and procedures that are fair to all involved and, ultimately, protect students and the university community.

As a result, in March 2013, Board of Regents Chairman Wm. Eugene Powell initiated a task force, headed by then-Vice Chairman Paul L. Foster<sup>6</sup>, to examine policies and processes related to employee/student relationships across the U. T. System and to make recommendations for needed changes at the System and campus level.

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<sup>5</sup> The National Institute of Justice, Sexual Assault on Campus (2008 Report), <http://www.nij.gov/nij/topics/crime/rape-sexual-violence/campus/welcome.htm>

<sup>6</sup> Vice Chairman Paul Foster was elected to serve as Board Chairman on August 22, 2013

## Task Force Charge

“Board of Regents Vice Chairman Paul Foster will lead a committee to review and make recommendations to the Chancellor and Board of Regents on the issues surrounding inappropriate relationships between U. T. employees and students across all 15 institutions. The review group is charged to look at all existing programs directed at preventing such inappropriate relationships and shall include the issues of preventing and addressing sexual abuse, sexual harassment, sexual misconduct and other inappropriate relationships to ensure a safe, healthy environment for students.

This committee should address current campus practices and attitudes surrounding these topics and identify ways to create a culture of no tolerance for inappropriate relationships with students or staff. It should review policies and practices across the 15 institutions of the U. T. System, including how allegations of sexual misconduct between employees and students - specifically between faculty and students and between athletic professionals (including coaches) and student-athletes, student volunteers or student employees - have been handled over the past five years.

The committee will look at best practices across the country and work to define prohibited behavior in a clear and unambiguous way as necessary to create meaningful and well-designed model policies. The committee may involve national experts in the related fields to help understand the full range of issues and problems related to such conduct and its impact on student health and safety.

Inclusive in this task will be a review of best educational efforts for both students and employees. As keys to prevention, such things as awareness, training, support, and annual acknowledgments and commitments to the highest integrity should be considered.

Finally, the committee will look to enforcement practices, which might include mechanisms to require, encourage and ensure reporting, how investigations are conducted, compliance with policies, and, ultimately, how appropriate disciplinary actions are best determined and imposed.

The committee has been asked to provide an interim report in May 2013 with a goal to provide final report and policy recommendations to the Board in August 2013.”

*After preliminary discussion, the consensus of the task force membership was to develop a policy and educational program that can be a model, pro-active guide for other institutions across the country.*

## **Task Force Membership**

The Task Force membership covered a range of campuses and included student and faculty representatives, administrators from both academic and health institutions, along with the U. T. System campus presidents, athletics representatives, and experts from outside the U. T. System:

**Mr. Paul L. Foster, Task Force Chairman**

Chairman

The University of Texas System Board of Regents

**Dr. Ashley Purgason, Student Regent (2012-13)**

The University of Texas Board of Regents

**Dr. Kirk Calhoun, President**

The University of Texas Health Science Center at Tyler

**Dr. Robert S. Nelsen, President**

The University of Texas-Pan American

**Mr. J. Tullos Wells, Attorney**

Bracewell & Giuliani LLP

**Dr. Elizabeth Heise, Assistant Professor**

The University of Texas at Brownsville

**Ms. Lynn Hickey, Director of Athletics**

The University of Texas at San Antonio

**Dr. Gage Paine, Vice President for Student Affairs**

The University of Texas at Austin

**Ms. Jacqueline Rochelle, Manager, Equal Employment Opportunity**

The University of Texas M. D. Anderson Cancer Center

**Dr. James Wagner, Associate Dean for Student Affairs**

The University of Texas Southwestern Medical Center

**Dr. Francisco G. Cigarroa, M.D., Chancellor**

The University of Texas System

**Mr. Dan Sharporn, Vice Chancellor and General Counsel *ad interim***

The University of Texas System



**Dr. Wanda Mercer, Associate Vice Chancellor for Student Affairs**  
The University of Texas System

**Ms. Helen Bright, Managing Attorney**  
The University of Texas System

**Ms. Kristy Orr, Assistant General Counsel to the Board of Regents**  
The University of Texas System

## Process

The Task Force met four times from April through August 2013, with several subgroup meetings.

Task Force members were provided extensive background materials including current U. T. System model policies from the Office of General Counsel, U. T. institution policies, federal government directives including the *Dear Colleague* letter, *The Jeanne Clery Act* documents and *Schools Against Violence in Education (SaVE) Act* documents, sample policies from other universities, the Yale Campus Climate Report, and the NCAA Guidelines and Model Policy. Many of these documents were reviewed and referenced in the early work of the Task Force.

The U. T. System solicited feedback from the U. T. System Student Advisory Council, Faculty Advisory Council, senior student affairs officers at U. T. System institutions, and EEO officers. Their concerns and perspectives were presented at the initial meeting of the Task Force.

The Task Force invited experts to present issues and recommendations to the group:

- Ms. Melinda Grier, an attorney and nationally recognized expert on sexual harassment and sexual misconduct, who led a discussion on changing policies and attitudes related to consensual relationships.
- Dr. Janet Duckerich, Professor, U. T. Austin McCombs School of Business, presented ideas to change institutional organizational culture.
- Dr. Gage Paine, Vice President for Student Affairs at U. T. Austin, presented models of coordinating conduct issues between athletics' offices and student conduct offices.

The task force also reviewed facts surrounding recent U. T. System cases to determine the magnitude and nature of typical complaints on a week-to-week basis.

Finally, the task force extensively discussed the background information, the feedback and the expert testimony in order to develop the recommendations included in this report.

## Recommendations for Policy Change

1. *Recommendation: A careful review of sexual harassment and assault policies should be conducted to ensure full institutional compliance.*

Scrutiny on sexual harassment and assault policies and the subsequent treatment of victims by colleges has recently increased. Complaints have sparked investigations by the U.S. Department of Education Office for Civil Rights at several universities.

As noted earlier, U. T. System has already taken strides to create a safer environment for students, faculty, and staff by tightening up policies related to sexual assault and harassment. However, a systematic review of U. T. System institutional policies has not been conducted since the Office of General Counsel published new model sexual harassment policies and procedures in 2012 in response to the 2011 Office of Civil Rights Dear Colleague Letter and other emerging legal issues, including the proper handling of allegations of sexual assault. The Task Force recommends that the Office of the General Counsel undertake a review of compliance with these provisions as well as with any new policies adopted in response to this report and provide a report to the Chancellor no later than March, 2014.

2. *Recommendation: The central elements of the consensual relationships policy at each U. T. institution, including the definition of what is prohibited, should be the same for all institutions.*

There is no single consensual sexual relationships policy across U. T. System institutions. In fact, the Task Force found that the types of policies and definitions of key terms are quite varied. Additionally, while several institutions acknowledge the potential complications that may arise from a consensual relationship in the workplace, many have no clear prohibition against such relationships.

To ensure adherence to System expectations, and to enhance the ability to change culture in the area, this Task Force finds that the key elements of the policy and central definition of what is prohibited should be uniform System-wide. Some variation in procedures will be appropriate, and, as discussed in greater detail later, certain units within an institution may require more stringent policies. Further, each policy should be included in the institution's Handbook of Operating Procedures (HOPs) after review by the U. T. System Office of General Counsel to ensure compliance with System rules, standards, and state and federal law, and approval by the appropriate Executive Vice Chancellor.

3. *Recommendation: A consensual relationships policy should not merely discourage inappropriate relationships, it should prohibit them unless they are disclosed and the conflict can be mitigated.*

The Task Force has identified three basic types of policies across universities:

- (1) A consensual sexual relationship between a faculty member and a student or between a supervisor and a supervisee is discouraged, usually strongly discouraged.
- (2) Any consensual sexual relationship between a faculty member and a student or between a supervisor and a supervisee is prohibited; and
- (3) A consensual sexual relationship between a faculty member and a student or between a supervisor and a supervisee is prohibited unless it has been disclosed and any conflict mitigated.

The Task Force finds that the first type of policy, in which relationships are merely discouraged, even strongly discouraged, is inconsistent with U.T. System values and insufficient to attain the goals of creating a safe environment for students and staff and should not be adopted.

A blanket prohibition against relationships is not deemed reasonable. It may not be inappropriate for a faculty member or supervisor to have a relationship, even a familial one, with a student or subordinate employee who is in no way under the supervision or control of the faculty member or supervisor.

The Task Force recommends a policy that prohibits a consensual sexual relationship between a faculty member and a student or between a supervisor and a supervisee unless the relationship has been disclosed and any conflict mitigated, if possible. This is consistent with *Regents' Rule 30106* on nepotism which requires conflict mitigation. If mitigation is not possible, the relationship must be prohibited.

4. *Recommendation: The consensual relationships policy should permit institutions to develop and adopt more stringent policies for units and programs where mitigation is not possible.*

There may be certain contexts where disclosing the relationship and mitigation of the disclosed relationship is not appropriate or not possible. For example, one of the parties changing offices can, in some circumstances, mitigate a supervisor-supervisee relationship. A faculty member changing to a class other than the one the student is in may mitigate a faculty member-student relationship. There may, however, be situations where a teaching assignment or mentor-mentee relationship or a supervisor-supervisee relationship cannot be changed in a way to manage the conflict. An example can be found in athletics when the impact of the head coach of an athletic team in a relationship with one of the athletes on the team is impossible to mitigate. This may also be the case with a faculty member and a graduate or professional school student who is wholly dependent on the faculty member for his or her graduate research. In such cases, the relationship must be prohibited, as no disclosure or management plan can cure the conflict.

The Task Force also emphasizes the critical and primary concern of protecting the student at all times. Remedies, including mitigation, should look first to the best interests of the

student. Mitigation should only be implemented when it does not cause further harm to a student.

5. *Recommendation: The consensual relationships policy should require mitigation plans to be documented.*

The Task Force believes it is important that any mitigation plan be reduced to writing by the university official with overall supervisory responsibility for individuals involved. It must be clear that the agreement is fully understood by all parties.

6. *Recommendation: The consensual relationships policy should address the impact of “indirect authority” on these imbalanced relationships.*

After review of different types of consensual relationship policies, it is clear that a common practice has been to ban only relationships where there is a direct reporting or supervising relationship, as in the “direct” supervision of an employee, a mentee, or a student. This Task Force has found that such a policy does not address relationships that should be of concern in creating an appropriate and safe environment. For example, such a policy does not address a student majoring in a particular field who would still be indirectly under the control or influence of a senior professor or individual in the department or school, or an employee in the same organizational unit who is under the indirect control of all more senior individuals in the unit. Thus, the prohibition and mitigation requirements must be expanded to cover these “indirect authority” relationships, as well as the direct ones and the policy should include definitions and examples of “direct” and “indirect” authority.

7. *Recommendation: The concept of “consensual sexual relationships” in the consensual relationships policy should be expanded to include “romance and dating.”*

In reviewing U.T. System policies and experiences, as well as policies elsewhere, the Task Force concluded that limiting the “consensual sexual relationships” policy to “sexual” relationships did not adequately cover the full range of concerns. It was found, for example, that the NCAA model policy employs the definition “Amorous Relationship: Any sexual, romantic, or dating relationship.” (*Staying in Bounds. An NCAA Model Policy to Prevent Inappropriate Relationships Between Student-Athletes and Athletics Department Personnel*” Deborah L. Brake, J.D. and Mariah Burton Nelson, MPH, CAE, page 36.) Similar language has been found at other universities. In terms of the concerns attendant to consensual relationships between supervisors and supervisees or faculty and students, e.g. conflicts of interest, favoritism, and abuse of power, the relationship need not be sexual for the concern to be present. Thus, the policy should be expanded to include such nonsexual relationships.

8. *Recommendation: The U.T. System Office of General Counsel should provide guidance and monitor the handling of and any sanctions imposed for violations of consensual relations policies or sexual harassment policies to ensure reasonable consistency across System institutions.*

While acknowledging and respecting differences among U. T. System institutions, the Task Force believes that it is important for there to be reasonable consistency in how cases of sexual harassment or inappropriate relationships between faculty and students or supervisors and supervisees are treated. Therefore, the General Counsel should be tasked with responsibility for providing guidance and monitoring the handling of these cases.

9. *Recommendation: Athletic Departments should be required to adopt more stringent consensual relationships policies.*

It is the Task Force's view that the nature of the coach-athlete relationship, as well as other relationships between student athletes and athletic department staff, can be and usually is closer and more intense than other faculty-student or supervisor-supervisee relationships. There is no means for the student-athlete to avoid that relationship short of leaving the team. To address this concern, the Task Force recommends that the Office of General Counsel, working with student affairs offices and athletic directors, develop a more stringent model policy for athletic departments. While the Task Force recognizes that small differences and some flexibility for change may be necessary, the group has identified the NCAA policy as an appropriate model for all campuses. The NCAA policy includes, for example, the expanded definition of sexual relationships to include amorous relationships mentioned above and a strict prohibition against such relationships anywhere within an athletic department.

10. *Recommendation: The consensual relationships policy should place the burden on the supervisor or faculty member if he or she was having an inappropriate relationship with a supervisee or student and the supervisee or student alleges sexual harassment.*

This recommendation stems from the not uncommon occurrence wherein a student or employee complains about a relationship that is currently, or was previously, claimed to be consensual by either or both parties. In numerous identified instances, a student or supervisee becomes uncomfortable with what has happened, and comes to believe that the relationship was not actually consensual. There may have been pressure, indirect or otherwise, to enter or continue the relationship. In such cases, both the sexual harassment policy and consensual relations policy may be invoked. With respect to a sexual harassment charge, some policies explicitly state that the university will be unsympathetic to a defense that the relationship was consensual if the student or supervisee alleges it was not consensual and files a sexual harassment complaint. The Task Force recommends that, the burden will be on the supervisor or faculty member to show by a preponderance of the evidence that the relationship was consensual unless the supervisor had disclosed the relationship and a management plan implemented .

11. *Recommendation: A procedure should be developed for allowing the suspension of individuals during investigations of alleged violations of the consensual relationships or sexual harassment policy.*

There are instances in which an individual accused of an inappropriate relationship or sexual harassment should be suspended during investigation and adjudication of the

allegation. The general standard for such suspension is when there is an imminent threat to person or property. After reviewing different fact scenarios, the Task Force concluded that automatic suspension in all cases is not appropriate. Thus, it is recommended that the procedures for handling inappropriate relationship and sexual harassment cases include a process for promptly reviewing an allegation, providing the accused with required due process, taking into account the impact on all parties, and making a decision as to whether the individual should be suspended pending completion of the investigation and final adjudication.

*12. Recommendation: Guidelines should be provided to ensure robust reference checking and hiring practices.*

The Task Force was apprised of a common problem where a faculty, staff member or coach who engaged in sexual harassment, or other misconduct, leaves one university and is able to find a job at another. At one end of this move, reference and background checking are inadequate. At the other end, institutions are often advised by their attorneys to be cautious when responding to reference requests so that the institution is not sued for defamation or tortious interference with an employment opportunity. This can be a particular problem when the individual resigns before the institution's investigation and adjudication process is complete, because then there may be no formal record of the misconduct.

The Task Force recommends that guidance be given to institutions to ensure that thorough background checks are completed on all job candidates, particularly faculty, coaches and senior staff. Consideration should be given to requiring that such candidates request their current, and any significant former, employers provide certification that there have been no established incidents of misconduct and no discipline for any behavior, and that there are no unresolved allegations of misconduct.

The Task Force further recommends that when a faculty member, coach, or senior staff leaves the university after a finding of misconduct or while an allegation of misconduct is open, the university's official employment record so indicate and that the university makes it clear that such record will be shared with any future employer who requests it.

*13. Recommendation: Student discipline policies and procedures should make it clear that all allegations of misconduct by student athletes are to be reported through the appropriate channels within each institution, as well as to the athletic department.*

Student athletes are members of multiple communities. They are members of their teams, but also of the larger academic community and the community beyond their university. They also may be members of other communities within the university, such as a residence hall. Misconduct, be it sexual harassment or other misconduct, may subject a student athlete to discipline by all communities to which he or she belongs, depending on the behavior and its nexus to each community. Thus, a violation of a team rule, such as missing a practice, may only implicate the student athlete's membership on the team and may lead to only discipline by the athletic department, while other misconduct, including conduct off



campus, may lead to discipline by the athletic department, but also by the appropriate office responsible for all student discipline matters, and even by the criminal justice system in some cases.

*14. Recommendation: Ensure the availability of counseling services for individuals concerned about inappropriate consensual relationships or sexual harassment.*

It is important for students and faculty/employees to have a place where they can get advice about sexual harassment, sexual assault, and consensual relationship concerns without triggering an institutional response, such as an investigation. However, institutional officials may have a duty to take action, if only to forward to the appropriate offices, any report of a violation of relevant policies or laws. The Task Force recommends that steps be taken to ensure each institution has widely known, readily available, and well-trained officials who can provide faculty/employees, and particularly students, confidential advice on sexual harassment, sexual assault, and consensual sexual relations concerns and the policies and procedures that apply to such concerns. This should include reviewing the confidentiality of various institutional ombudsmen offices, and proposing policy changes where necessary.

## **Recommendations for Culture Change**

*1. Recommendation: Change the status quo and start with leadership.*

This Task Force heard from several experts and read numerous studies that lead to the same conclusion: to change the campus culture it is important to create discomfort with the status quo. Creating this discomfort involves targeting specific groups with a clear message, creating a context with specific cases and stories, and appropriately supporting those who make reports with quick and focused action. In the campus environment, changing the climate involves influencing the attitudes, beliefs, and actions of four specific, but related, groups: faculty, staff, and students, along with those in all three categories who are part of athletics. We have identified specific recommendations for each below, but first recognize that culture change must start with leadership.

It is extremely important for campus presidents and provosts to support a strong policy that severely restricts consensual relationships between employees and students and that creates a culture where these behaviors are unacceptable. Provosts should exercise their leadership with academic deans. Also, a clear message must be sent that consensual relationships are generally unacceptable and faculty members will be held accountable for inappropriate relationships. This message should be communicated in a variety of settings throughout the year so it is understood as a priority.

*2. Recommendation: Identify campus champion(s) and seek support of campus opinion leaders.*



Faculty members are the most influential members of a campus community. Not only do they hold significant power over students, these individuals are often revered for their ability and knowledge and the prestige they bring to the institution from their teaching, writing, and research. Some are even “stars”. In order to change the campus climate related to consensual relationships between employees and students, faculty members must support the initiative.

A campus champion is an articulate and respected faculty member who feels passionately about the institutional stance against inappropriate employee/student relationships and who can lead the campus effort, especially among the faculty.

Campus opinion leaders are an excellent resource in developing initiatives specific to the campus and suggesting support mechanisms to support the change in campus attitude. By position and by persona, these faculty members can provide tremendous assistance in developing understanding of the issue and the legitimacy of the institution’s stance in opposition.

3. *Recommendation: Engage the Faculty Advisory Council.*

Campus leaders should meet early and often with the campus faculty groups to help these representatives understand the importance and priority of establishing a climate in which consensual relationships between employees and students are unacceptable. It is important to initiate the input of these faculty members in how to impact specific departments and programs and how to make reporting acceptable and less complicated.

System leadership should request support from the U. T. System Faculty Advisory Council in emphasizing the importance of discouraging inappropriate employee/student relationships as a priority and developing recommendations that might assist the campus in gaining support for policy and campus climate change.

4. *Recommendation: Develop a workshop or presentation for faculty members that:*

8. Emphasizes the campus’ core values.
9. Is persuasive and factual.
10. Provides individual stories and cases which demonstrate the damage that can result to student and faculty members alike.
11. Provides data that illustrates the frequency of reported cases.
12. Provides policy information.
13. Emphasizes collateral damage to faculty members and students.
14. Allows open and frank discussion.

5. *Recommendation: Change student culture by reinforcing student responsibility and by helping students understand collateral damage.*

It is especially important for students to understand the values of the institution that they have entered and campuses should make extraordinary effort to communicate these values to beginning and transfer students, and to reinforce them for students at all levels. In communicating these values, it is an ideal time to address the issue of consensual employee/student relationships. Therefore, campuses should selectively use the variety of opportunities available as undergraduate and graduate students are welcomed, oriented and introduced to the campus to reinforce (1) the student's responsibility in avoiding these relationships, along with (2) helping students understand the collateral damage that can result when such relationships occur. These two concepts are at the heart of helping students to see their important role in eliminating these inappropriate relationships.

6. *Recommendation: Raise awareness with students through presentations and workshops.*

As with faculty, it is extremely helpful to have a presentation or workshop that could be employed to develop a discussion with all variety of student groups, formal and informal: such as residence hall students, Greeks, academic organizations and honor societies, ROTC, band, intramurals, student athletes, and student governments. These presentations can educate, raise awareness and provide a context for the importance of the policies. They also help to create personal responsibility among student participants, so that an environment of no tolerance is created.

7. *Recommendation: Engage student leadership and upperclassmen.*

It is very important to employ student leaders in efforts to understand and publicize the policy, develop initiatives to reinforce it among students, and to determine mechanisms for student reporting. These student leaders should represent a broad spectrum of student groups from across the university.

With beginning students, upperclassmen can be a positive and powerful influence. If support and adherence to this no tolerance policy is important to their upper-class peers, those new to the campus are much more likely to adopt these values.

Consistent effort should be made to acquaint transfer students with the campus values, the institutional stance regarding employee/student consensual relationships, and the student's role in avoiding and reporting them.

8. *Recommendation: Develop a clear message and reinforce it.*

Students, in conjunction with faculty and staff, should consider creating an honor pledge, which reinforces integrity in every aspect of campus life. Honor pledges are extremely valuable, as they are posted, repeated and acknowledged, and can serve as an important value-laden guide to behavior at the campus.

A consistent and constant message, whether it is an honor pledge or a simple slogan, should employ all campus media, especially social media.

Institutions should develop a readily accessible webpage specific to the campus which provides the policy, processes, resources, key personnel, frequently asked questions, and other information students may need. Institutions should use social networking to reinforce the message and reference this information.

To fully initiate the media campaign to students, campus officials should identify a staff member who will be responsible for this initiative. It is important to understand that these communications and strategies are not a one-time initiative, but involve repeated and varied messages and mechanisms throughout the year. Attention at this level is unlikely unless it is someone's assigned responsibility.

*9. Recommendation: Engage the Student Advisory Council.*

Institutions should request the assistance of the U. T. System Student Advisory Council to reinforce, as a priority, a culture of no tolerance of sexual harassment or consensual relationships between employees and student. University officials should seek the students' guidance on messaging, initiatives and culture change on the campuses.

*10. Recommendation: Engage all staff members at the institutions.*

Campus staff members frequently form close relationships with students they supervise and students often approach individual staff members to lodge complaints, to confide about problems, or to seek advice. It is very important to engage staff members to understand and support the campus approach of no tolerance for sexual harassment or consensual relationships between employees and students. Staff members must be keenly involved in helping to educate students and in overseeing the important messaging that needs to be implemented.

The presentation and/or workshop to be developed will be equally useful in educating staff members across the university. It is particularly difficult for a staff member to report a person of greater perceived power, so understanding the priority of this new policy initiative will be important in gaining staff support. In addition, staff members are sometimes in a powerful role and can become involved in relationships with students, as well, so the campus position and the consequences need to be very clear.

It would be advisable to identify a campus champion among the staff members who could work in conjunction with the faculty champion on marketing and initiatives. This type of solidarity can be very helpful in reinforcing the important priority of the campus no tolerance policy.

*11. Recommendation: Engage each campus's Staff Council and Student Governments.*

It is important to initiate the support of the campus' Staff Council including the System Employee Advisory Council and student governments, so that these key administrators know and understand the consensual relationship policy and implications. Again, these key staff members can help in increasing awareness across the institution and in engaging the support of colleagues.

*12. Recommendation: Recognize the unique sets of challenges in campus athletic departments, and adjust policy and culture initiatives accordingly.*

Because of the nature of relationships in athletic departments and because of the students' increased vulnerability in the power relationship, the Task Force has recommended a stricter policy for students and employees of any athletic program. As a result, special attention is required in training, processes and support systems related to consensual employee/student relationships in athletics.

Ideally, the strategic plan in the athletic department includes values of importance in the program and any conversation with prospective athletes or coaches should be grounded in those values. The integrity of any program should include references that prohibit employee/student relationships and that should be clear from the initial contact.

Coaches' contracts should include language that specifically prohibits consensual relationships with any athlete with the consequence of termination noted as the likely result. This standard can be repeated in meetings or in-service programs or by speakers to the coaches and reinforced as presentations are provided for student athletes.

The policy prohibiting consensual relationships between employees and students should be clearly stated in the Athlete's Handbook along with resource people, processes and references to web-based materials.

A campus resource person, outside the athletic department, should be available for coaches and athletes to respond to any concerns, including policy, process and interpretation. This person's name should be included on student athlete reference cards or materials.

## **Moving Forward**

The recommendations developed by this Task Force and set forth in this report are designed to create a safer environment for students and employees across U. T. System. Ongoing support at all levels is crucial to the success, however, and this group recommends that review should be done on an annual basis at the System level to ensure change in both policy and culture.