

To: The University Senate
From: Purdue Student Government
Purdue Graduate Student Government
Subject: Resolution Calling for Changes to the “False Allegations, Statements, and Evidence” Section of the Title IX and Anti-Harassment Policy
Reference: PSG / PGSG Joint Resolution 22-JR002
[Title IX Harassment \(III.C.4\)](#)
[Anti-Harassment \(III.C.1\)](#)
Disposition: University Senate for Discussion and Adoption
Rationale: [Title IX is a federal law](#) given to universities that protects individuals from discrimination based on sex in educational programs, including but not limited to sexual harassment and sexual violence. 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.

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.

After the decision of Roe v. Purdue, it can be seen that the current policy and procedures regarding false allegations are not clear; and without clear and consistent guidelines and procedures there is more room for error in the system.

Sexual violence is a horrifically underreported crime with only 20% of female student victims, age 18–24, reporting to law enforcement.[1] 20% of female student victims that did not report cited that they declined to do so because of fear of reprisal.[2] Based on our research, there is limited to no accessible statistics on non-female identifying victims under-reporting.

Proposal:

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 that the current policy be rewritten to state the following, based upon policies from the University of Minnesota:

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.
[3]

The Purdue Student Government and Purdue Graduate Student Government will work with Purdue Administration to draft a fair process through which false allegation determinations are made.

Sources Cited:

[1] <https://www.rainn.org/statistics/criminal-justice-system>

[2] Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, “Rape and Sexual Victimization Among College-Aged Females, 1995-2013” (2014).

[3] <https://policy.umn.edu/hr/sexharassassault>