



Office of Government Relations

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February 25, 2021

TO: Honorable Members of the Assembly Committee on Colleges and Universities

FROM: Jeff Buhrandt, Associate Vice President for Government Relations, and Sarah Harebo, Title IX and Clery Administrator

RE: Testimony on Clearinghouse Rules 20-059, 20-060, 20-061, and 20-062

Thank you, Chairman Murphy, committee members, for holding this hearing on the Clearinghouse Rules changes necessary for UW System to become compliant with federal Title IX rules.

The federal Department of Education engaged in the negotiated rulemaking process to adopt changes to the federal Title IX regulations, which update the definitions of sexual misconduct and add additional process requirements for when universities respond to allegations of sexual misconduct against students and employees under Title IX. The final federal rules were published on May 6, 2020, and they took effect on August 14<sup>th</sup> of 2020.

The UW System takes seriously its obligation to provide support to students and employees who allege sexual assault and harassment as well as robust due process protections to students and employees accused of misconduct. Given the short timeframe to come into compliance with federal regulations by August 14<sup>th</sup>, the UW System promulgated emergency rules while simultaneously starting the permanent rule making process. The permanent rule must be in effect by May 11<sup>th</sup> for us to avoid being out of compliance moving forward.

The rules in question are:

- CR 20-059: updates UWS chapter 4, which regulates the procedures for dismissal of faculty.
- CR 20-060: updates UWS chapter 7, which regulates dismissal of faculty in special cases, such as serious criminal conduct like sexual assault.
- CR 20-061: updates UWS chapter 11, which regulates the dismissal of academic staff.
- CR 20-062: updates UWS chapter 17, which regulates nonacademic disciplinary procedures for students.

The UW System is continuously working to improve our policies and procedures to have a respectful and safe campus climate. Thank you again for the opportunity to speak on these rule changes. We are happy to answer any questions you might have.

