

Motion 4 10-4-21

WHEREAS President Schlissel falsely stated to the entire University community that he had been unaware of “[any allegation whatsoever](#)” regarding Martin Philbert’s sexual misconduct before January 2020 ([link to documents negating the President’s claim](#)); and

WHEREAS the new “Equity, Civil Rights and Title IX Office” reports to President Schlissel, who had information about sexual misconduct involving Martin Philbert before he took office as Provost, yet made no reasonable inquiry to follow up on significant evidence of the same; and

WHEREAS at least [one member of the 2017 Provost Search committee and many members of the administration knew of sexual misconduct complaints](#) against Martin Philbert while he was being considered for advancement to Provost; and

WHEREAS there is currently no requirement for the provost and president to read annual faculty evaluations of deans, or for deans to read annual faculty evaluations of chairs; and

WHEREAS opaque processes of appointment or reappointment of deans or chairs stifle the possibility of potential information on misconduct being brought forward; and

WHEREAS the new “Equity, Civil Rights and Title IX Office” still employs the deeply problematic single-investigator model, in which one person chooses whom to interview, conducts interviews, examines the evidence, and makes a determination, and which fails to provide due process or checks and balances for bias; and

WHEREAS the new “Equity, Civil Rights and Title IX Office” is still headed by an individual who is defending suits by [multiple women at a peer institution](#) alleging that her office “[repeatedly violated federal civil rights and sex discrimination law when handling cases](#)” (which she denies and which remain unresolved); and

WHEREAS the University is making minor changes in its policies with respect to sexual misconduct, but has largely done so without the input of those most adversely affected by its previous policies; now therefore

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert’s misconduct and their attorney that: For all faculty or administrative appointments for which a search committee of faculty, staff, and/or students is formed, the university shall require and retain a written statement/certification from each committee member that they disclosed all known or suspected details of any allegations of sexual misconduct with all other members of the committee; and

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert’s misconduct and their attorney to: Require all leaders of all units to document in writing in a staff or faculty member’s personnel file the factual basis for decisions on discipline relative to any allegation of sexual misconduct, to ensure accountability of those who do not properly act on such allegations; and

BE IT RESOLVED that the university adopt the recommendation, made by women survivors of Martin Philbert’s misconduct and their attorney to: Require the “Equity, Civil

Rights and Title IX Office (ECRT)” to reference in writing any and all prior reports as a step in investigating and compiling reports on subsequent allegations, i.e., to access the data it has on hand to inform itself of facts, and permit the ECRT to act on iterative reports by re-opening or re-framing investigations as a way to call attention to and actively search for patterns of sexual misconduct; and

BE IT RESOLVED that the University immediately form a committee made up of survivors of sexual misconduct by Philbert, Anderson, Conforth, and Lasecki, if willing, as well as informed faculty and staff to create an additional set of recommended policies to be presented directly to the Board of Regents and published in the Michigan Daily.

Motion Submitted by:

Rebekah Modrak, Professor, Stamps School of Art & Design

Supporting Members:

Stephen Ward, Associate Professor in the Department of Afroamerican and African Studies and the Residential College and Director of Semester in Detroit, LSA

Yi-Li Wu, Associate Professor of Women's and Gender Studies and History, LSA

Stefan Szymanski, Stephen J. Galetti Collegiate Professor of Sport Management, School of Kinesiology

A total of 701 votes were cast in support of Motion 4 and a total of 243 votes were cast in opposition. The motion passed. 134 abstentions were recorded.

Link to News Item: <https://facultysenate.umich.edu/17002-2/>