

Summary Memorandum

re: ██████████ / Joel Elgin report

During the Spring 2019 semester, ██████████ reported an incident from her first year at UWL, Spring 2015, involving Professor Joel Elgin of the Art Department (and now department chair).

██████████ alleged that JE engaged in verbal and physical behaviors (See reporting form and interview notes) that, if true, may constitute violations of UWL's sexual harassment policy. In particular: bringing ██████████ to an isolated location on the understanding that he would be offering her supplemental drawing lessons; asking her to pose (clothed, in positions that were not overtly sexual); verbal comments regarding her physical appearance and "long legs" (no other body parts mentioned explicitly); asking her to remove her sweater, under which she was wearing a tank top; physical contact consisting of two attempts to lift up the bottom edge of her shirt without her consent.

██████████ stated that while she was in the locked room with JE, another student attempted to open the door of the room by jiggling the handle; JE waited a few minutes and then opened the door, at which time ██████████ left the room. She could not positively identify the student who was at the door, but provided some possible names.

██████████ also made some general allegations about JE including that he admits in class that he has "no concept of personal space", and frequent incidental contact with students in a (putatively) humorous manner during class, not limited to only female students.)

Initial inquiry was conducted by HR; attempts were made to make contact with students who ██████████ identified as possibly being the the student at the door when she left the room. These efforts were unsuccessful. Only one of the students responded to the contact, and she said that she did not recall any incident of this nature.

Nizam Arain met with Joel Elgin and Kim Vogt on June 21. The allegations were shared with JE. He did not recall the incident as described by ██████████ and denied having engaged in the offending behaviors. (He did acknowledge having 1-1 interactions with students for the purpose of supplemental art instruction and mentorship.) He was saddened to hear that ██████████ had an experience that led her to withdraw from the art program and he expressed a desire to convey an apology to her. JE was instructed to not initiate contact with ██████████. Protocol was established for ██████████ to bypass JE in the chair role to take any academic matters directly to the Dean's office. This was communicated to the new Dean of the college (Karl Kunkel) after he started on July 1.

Corrective action taken: JE was given guidance on instructor/student interactions to maintain respectful communication and constructive educational environments so as to avoid situations where a student feels their rights are being violated. The remainder of the meeting focused on the development/enhancement of Art Dept. protocols and guidance for instructor/student interactions and safe, inclusive educational experiences.

The conclusion was that the evidence available was insufficient to sustain a finding, based on the "preponderance of the evidence" standard, that JE violated any university policy. However, the no-contact directive would continue to apply to JE in the interest of avoiding retaliation and ensuring ██████████'s

ongoing educational rights. Ongoing corrective action would be taken to ensure that faculty-student interactions would be safe and appropriate.