

https://www.stgeorgeutah.com/news/a-mistake-ex-utah-tech-president-faces-lawsuit-following-zuweenie-prank-allegations-of-misconduct/article_ab401e84-a09e-11ef-b09a-6f5bb5610061.html

FEATURED

'A mistake': Ex-Utah Tech president faces lawsuit following 'zuweenie' prank, allegations of misconduct

Written by Mori Kessler

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Photo by Nick Yamashita, St. George News

In this file photo, Utah Tech University President Richard Williams speaks at a groundbreaking ceremony for a new General Classrooms building, St. George, Utah, Aug. 17, 2023.



Former Utah Tech University President Richard “Biff” Williams and some current university staff members have been named as defendants in a federal lawsuit filed in the Utah District Court last week. The lawsuit alleges that Williams left vegetables arranged in an inappropriate way on the porch of a vice president recovering from a medical procedure and attributed the gesture to three other staff members.

Those three Utah Tech staff members – Rebecca Broadbent, Jared Rasband and Hazel Sainsbury – filed the lawsuit last Thursday against the former university president, his former leadership team, the university proper and higher education officials in the state.

During the November 2023 incident, Broadbent was serving as general counsel, Rasband held the position of senior associate general counsel, and Sainsbury was the director of equity compliance and Title IX coordinator. Broadbent and Rasband also had roles in enforcing nondiscrimination and harassment laws at the university.



This file photo shows a view of Utah Tech University Campus, St. George, Utah, July 15, 2022.

Photo by Truman Burgess, St. George News

The lawsuit notes that this incident, in which Williams arranged two eggplants and a zucchini (referred to as a "zuweenie") to resemble male genitalia on the porch of the vice president with a note that attributing the gag gift to the three staff members, serves as an example of the toxic, hostile and "poisoned well" working environment they have been dealing with since 2021.

Williams resigned as the president of Utah Tech in January after being at the university since mid-2014. He has since taken a position as the president of Missouri State University in Springfield, Missouri.

Following the Salt Lake Tribune's breaking news of the lawsuit last week, Williams sent an email to the MSU campus community in which he apologized for the "undue attention" the incident was creating.

"While I was there (at Utah Tech), I initiated what I intended to be a humorous gesture toward a member of our staff," he wrote. "I have since come to realize that the prank was not appropriate. This was a mistake. I regret my lapse in judgment, and I accept this as a learning moment

"This experience continues to remind me how important it is to always strive to foster a campus environment that is safe and welcoming to all students, faculty and staff."

Other Utah Tech leaders and staff are listed in the lawsuit for allegedly failing to report the "vulgar" prank once they were made aware of it. The Utah System of Higher Education, the Utah Board of Higher Education and the Office of the Commissioner of Higher Education are also listed in the lawsuit on allegations that they conducted a "sham investigation" into the matter.

Utah Tech University has released a statement concerning the issue that was shared with St. George News on Monday.

"We are aware of the complaint filed against the University and are committed to working closely with all parties involved to reach a resolution," the statement reads. "The University takes all allegations seriously. We have been actively following established university procedures to thoroughly review any concerns brought to the University's attention, including hiring neutral third-party professionals to evaluate these complaints, and are taking necessary steps as appropriate. Due to the ongoing



In this file photo, former Utah Tech University President Richard "Biff" Williams speaks during groundbreaking ceremony for Dixie State University's new Human Performance Center, St. George, Utah, Oct. 25, 2017.

Photo by Jeff Richards, St. George News

proceedings, we cannot provide additional details at this time. The University remains committed to providing a supportive and productive space of learning and working for all members of our university community.”

Prime points alleged in the lawsuit

- **Hostile work environment:** Broadbent, Rasband and Sainsbury faced ongoing harassment and a lack of institutional support. Specific incidents included verbal abuse by senior administrators and a culture of disrespect toward Title IX enforcement.
- **Retaliatory actions:** Broadbent, Rasband and Sainsbury allege that after they tried to address and report Title IX violations, they were subjected to further retaliation. In Broadbent’s case, this included involuntary administrative leave, exclusion from decision-making and public humiliation.
- **Defamatory conduct:** Williams' phallic gag gift that was falsely attributed to the three staff members was shared and mocked by university staff. The action is highlighted as an example of harassment and a hostile work environment.
- **Failure to address complaints:** The university and its oversight bodies allegedly failed to provide appropriate processes for handling grievances and instead protected senior officials while marginalizing Broadbent, Rasband and Sainsbury.

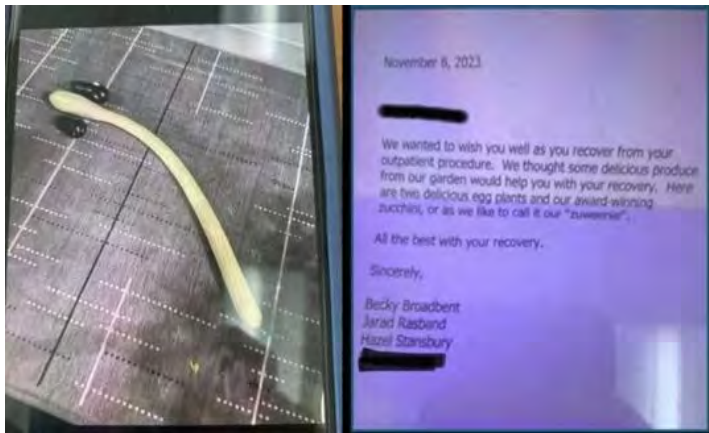
The “zuweenie” incident

The lawsuit alleges that on Nov. 8, 2023, Williams left the eggplants and zucchini in their phallic configuration on the porch of a university vice president who had undergone surgery. With the veggies was a note:

“We wanted to wish you well as you recover from your outpatient procedure,” the note reads. “We thought some delicious produce from our garden would help you with your recovery. Here are two delicious egg plants and our award-winning zucchini.”

The typed note had Broadbent, Rasband and Sainsbury’s names on it, some of which were misspelled. The three had no knowledge of their names being on the note, and none of them gave consent.

According to the lawsuit, Williams initially denied being the one who left the display and note at the vice president’s home, yet told his chief of staff he was leaving a gift with the vice president that he figured they would all laugh about later.



This image shows the "zuweenie" display and accompanying note left on the doorstep of a Utah Tech vice president as a gag gift by former Utah Tech President Richard "Biff" Williams, location and date not specified.

Image from court documents

The vice president would soon share an image of the display and note with other university staff members, along with doorbell camera footage of a man in a hoodie cinched up to hide his face who would later be identified as Williams.

The lawsuit further states that photos of the phallic display and note were also shared in a group chat where several members made mocking comments and continued spreading misinformation, blaming the display on

the three staff members.

The staff involved in the group chat or otherwise learned about the incident are alleged to have failed to report the sexual harassment despite Title IX training. Others are also accused of deceiving investigators by misrepresenting their involvement in the incident.

When they eventually learned of the incident, Broadbent, Rasband and Sainsbury felt humiliated, embarrassed and unsupported, particularly as no immediate action was taken on complaints they made, according to the lawsuit.

Pattern of a hostile work environment

The "zuweenie" incident is alleged to be an example of a pattern of harassment, hostility and discrimination toward Broadbent, Rasband and Sainsbury since 2021.

In September 2021, Williams and other senior administrators are alleged to have allowed vulgar, sexually explicit content to be displayed in a breakroom. When the three raised concerns and initiated corrective actions, they reportedly faced negative perceptions and retaliation from other staff and senior leadership.

Sainsbury also raised allegations of tokenism and exploitation due to her being of African descent. Sainsbury's image was frequently used in Utah Tech's rebranding efforts for perceived diversity benefits, yet she claims she was given little actual authority in her Title IX role, indicating tokenistic rather than genuine support.

Sainsbury states in the lawsuit that she was verbally and physically intimidated during a meeting in 2022 by a provost who questioned her authority in a demeaning manner. She said the aggressive conduct led her to feel unsafe and unsupported.



This file photo shows Utah Tech's Eccles Fine Arts Building at Utah Tech University, St. George, Utah, March 27, 2024.

Photo by Chris Reed, St. George News

The lawsuit also alleges mockery and humiliation by senior staff. Certain deans, unhappy with Title IX enforcement, held a "Title IX mocking party," mocking Sainsbury's role and efforts. The display went unaddressed by the university administration.

The three also say they experienced retaliatory actions and marginalization. Throughout 2023, they allege they were systematically excluded from meetings

and professional opportunities and were given limited support in their roles, effectively undermining their ability to fulfill Title IX responsibilities.

Broadbent specifically was placed on involuntary administrative leave during the investigation, which is not compliant with federal law, according to the lawsuit. She has since been "banished" from her job at the university and has been unable to return despite the conclusion of the investigation.

Despite their ongoing complaints and reports of harassment, the three also say they have received minimal or no response from the university, which they say failed to provide appropriate investigation or support, leaving them in a toxic and unsupportive environment.

Williams resigns

Williams announced in December 2023 that he was resigning as the president of Utah Tech. He left office on Jan. 5 and went on to become the president of Missouri State University in July.

Due to Williams' pending resignation at the time, Broadbent, Rasband and Sainsbury were told allegations made against Williams were dismissed by the Utah Board of Higher Education. They were told this was due to the board no longer having jurisdiction over Williams. However, Title IX laws don't allow complaints related to it to be dismissed just because someone resigns.



This file photo shows President Richard "Biff" Williams at a ribbon cutting at the new Utah Tech University branch campus, Hildale, Utah, May 17, 2022.

Photo by E. George Goold, St. George News

The general counsel for Utah's Higher Education institutions said they "misspoke" about the Title IX allegations, according to the lawsuit, so they remain in place.

"To the Plaintiffs' detriment while the (Utah Board of Higher Education, Utah System of Higher Education and Office of the Commissioner of Higher Education) and Utah Tech secretly negotiated the favorable separation agreement for Williams, they also failed to take any action whatsoever concerning Plaintiffs' Formal

Grievances against (other university staff), thereby subjecting Plaintiffs to an ongoing hostile work environment and further defamation and retaliation," the lawsuit states.

The "favorable separation agreement" mentioned in the lawsuit included Williams reportedly being allowed to keep his university-issued laptop, being able to stay at the university president's home for up to six months, getting public praise and support from the university, using social media to give him a positive send off and receiving a salary of \$357,000 that will terminate in January 2025.

Williams was inaugurated as the 12th president of Missouri State University last month. According to the Springfield News-Leader, the university's governing board held an emergency meeting on Monday to likely address issues surrounding Williams and the lawsuit.

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