

NAVIGATING THE LABYRINTH: MAKING TITLE IX WORK ON CAMPUS

Morgan Levy, JD

Melissa Kelley, MS, CHES

University of Rochester

Our Roles on Campus



□ Melissa

- ▣ Health Educator
- ▣ Advocate for Survivors/Declarants
- ▣ Adviser to Student Groups
- ▣ Adviser to a Sorority

□ Morgan

- ▣ Title IX Coordinator
- ▣ Director of EO Compliance
- ▣ Advisor to Student Group
- ▣ Academic advisor

Educational institutions' obligations



- Title IX of the Education Amendments Act of 1972 (Title IX)
- Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)
- April 2011 Dear Colleague Letter on sexual violence
- VAWA: Campus SaVE Act
- Campus Accountability and Safety Act
- NYS Law
- Existing Institutional Policies

Title IX



- “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”
- Enforced by DOE’s OCR
 - ▣ Complaints
 - ▣ Agency Initiated Reviews
- Guidance by “Dear Colleague” Letters

April 2011 Dear Colleague letter



- Re-iterated much of other guidance letters but in context of sexual violence
- Prompt, fair, equitable investigations
- Equal rights for all parties in procedures
- Even if the student does not want to the University to investigate-investigate as much as possible

Clery



- Jeanne Clery Act
- Requires colleges and universities to disclose information about crime on and around their campuses
 - ▣ Publish an Annual Security Report (ASR)
 - ▣ To have a public crime log.
 - ▣ Disclose crime statistics for incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities

Campus Sexual Violence Elimination Act

- New annual reporting requirements in Clery Report about dating violence, domestic violence and stalking (in addition to existing categories sex assault, liquor law violations, burglary, etc.)
- Inclusion of a “policy statement” in Clery Report
 - ▣ detailed information about procedures for institutional disciplinary action***
 - ▣ training obligations for faculty, staff and students***

CASA



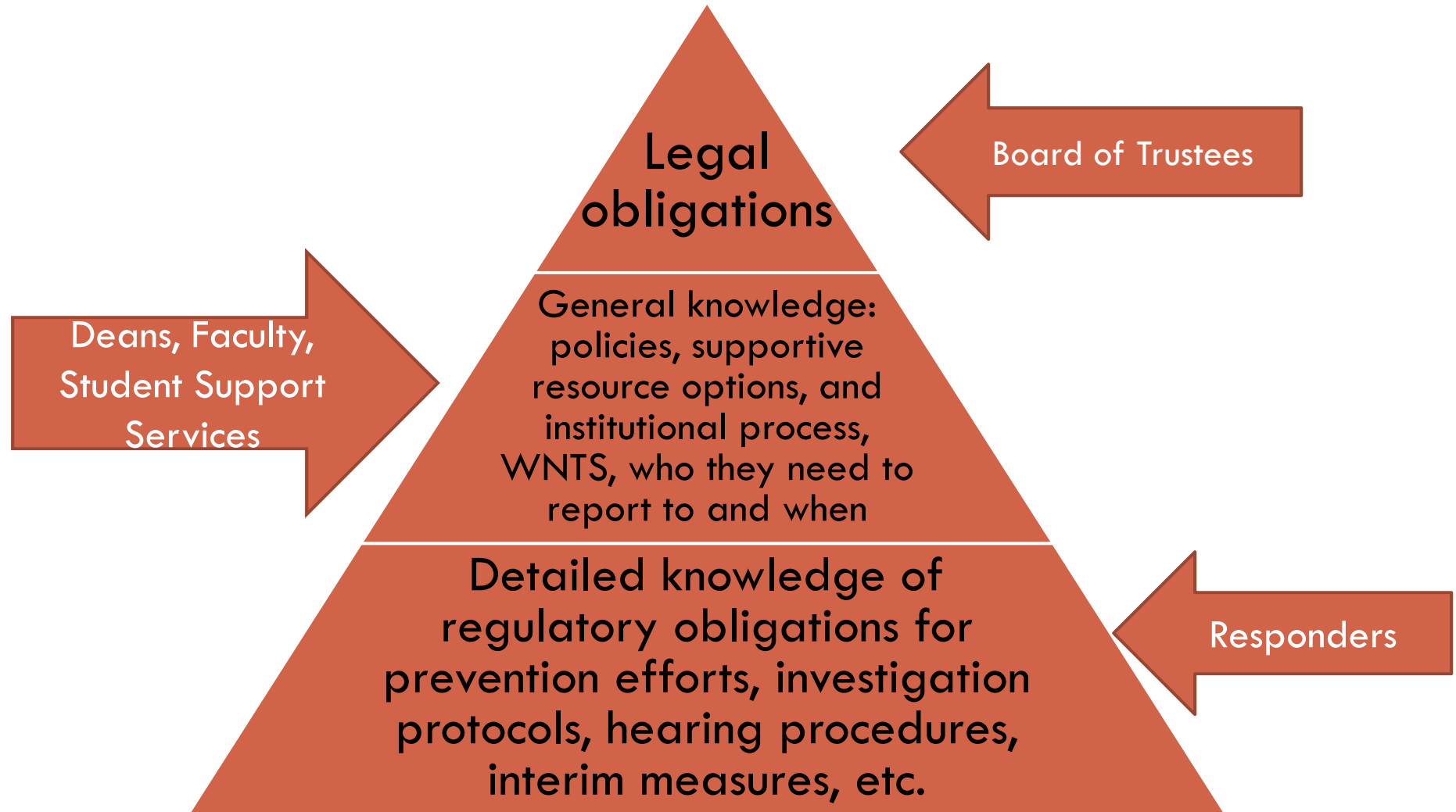
- Campus Accountability and Safety Act
 - ▣ Confidential Advisor
 - Forensic Interview Skills
 - ▣ Expansion of Clery Report
 - Report on internal disciplinary processes and outcomes for sexual assault complaints
 - ▣ Campus Climate Surveys
 - ▣ MOUs and Referrals to Local Law Enforcement

Components of a Comprehensive Plan



- Knowledgeable leadership
- Consistent Policies
- Prevention
- Response
- Assessment

Knowledgeable Leadership



Consistent Policies



- Consistent with
 - ▣ Regulations
 - Fair and equitable for all parties
 - Timelines stated
 - Options and Procedures spelled out
 - Discuss IPV and stalking
 - ▣ Language in Prevention Efforts
 - ▣ HR policies
- Consistent across
 - ▣ Schools, populations

Policy Changes



- Clarified timelines
- Fundamental fairness created specific to SM cases
- Affirmative consent policy
- Examples
- Simplified language
- Definitions

Prevention-VAWA



- VAWA Regulations Require:
 - ▣ Primary Prevention Programs
 - For incoming students and new employees
 - ▣ Ongoing Prevention and Awareness Programs
 - For students, faculty and staff

Prevention-VAWA



- Training for all groups must include
 - ▣ Statement that institutions prohibits such conduct
 - ▣ Definition of domestic violence, dating violence, sexual assault and stalking (in applicable jurisdiction)
 - ▣ Definition of consent in reference to sexual activity (In applicable jurisdiction)
 - ▣ Safe and positive options for bystander intervention
 - ▣ Information on risk reduction to recognize warning signs of behavior

Prevention @ UR

- Orientation Programming
- Haven (Ever Fi)
- Stop.Ask.Clarity.
- Publicity around policy updates
- UR SEGway/MOVE
- Campus Resource Cards
- Bathroom Stickers
- CARE



Prevention @ UR



- Orientation Programming
 - ▣ Red Light/Green Light
 - ▣ Who are You? (www.whoareyou.co.nz)
 - ▣ HAVEN

Prevention @ UR

□ Campus Resources

- ▣ Cards
- ▣ Stickers
- ▣ CARE

care  **resource center**

Search all concerns...

Welcome to the CARE Resource Center! This application is designed to help you find resources on the University of Rochester campus by concern. Please select the category associated with your concern, search for your concern above, or check our alphabetical listing of concerns. Don't see your concern? No problem. Simply click the email button below and we will respond to your concern with resource information as soon as possible.

Categories	
Academic	>
Emotional	>
Financial	>
Physical	>
Sex and Relationships	>
Social	>
Spiritual	>
Veteran Services	>
Browse	
All Concerns Alphabetically	>
All Offices Alphabetically	>



Help is here for you.

RESTORE SEXUAL ASSAULT SERVICES
WHERE *healing* BEGINS.

585-546-2777

University Public Safety

585-275-3333

www.rochester.edu/sexualmisconduct

Prevention @ UR



- Stop.Ask.Clarify.
 - ▣ Bystander programming to help engage all of campus.
 - ▣ Started with the “hug” campaign....
 - ▣ Students bought into the message
 - ▣ Examine own sexual behavior and responsibility
 - ▣ Stand up and be a better bystander
 - ▣ Challenge the attitudes that make rape acceptable

Prevention @ UR

UR SEGway/MOVE

□ UR SEGway

- University of Rochester – Survivor Empowerment Group
- Started out small, grew quickly
- Students raising awareness
- Students encouraging others to step up

□ MOVE

- Men Opposing Violence Everywhere
- Men have a unique role and place in sexual assault prevention
- Men have voices that should be heard
- A partner organization to UR SEGway

Response



- Prompt and Equitable Response
- Solid response protocol for when an incident occurs
 - ▣ Who @ University is contacted when?
 - Decision tree for OTG folks
 - ▣ Who makes decisions about whether and how to proceed with an investigation?
 - ▣ Criteria for moving forward with a hearing?
 - ▣ Procedural obligations outlined?

Response @ UR



- Public Safety and Res Life Staff have clear phone tree if incident reported
- Title IX Coordinator determines
 - ▣ If investigation warranted
 - ▣ How to proceed
- Case Conferences w/relevant parties to determine
 - ▣ Path of investigation
 - ▣ How to best support each student
- Carefully scripted hearing process with timelines

UR SEGway Ambassador Program



- Want multiple entry points to accessing resources
- Students are a connecting point between an incident and help
- A way for students to do our “work” in ways we cannot

Assessment @ UR

- Core Survey/ACHA Data
- Core Survey – Spring 2014:
 - ▣ The social atmosphere on campus supports/encourages:
 - Pre-gaming: 86% Agree/Strongly Agree
 - Hooking Up: 74% Agree/Strongly Agree
 - ▣ Imagine the following scenario: While at a party, you notice a friend taking another student who is visibly intoxicated back to their room.
 - I would feel comfortable doing something to interrupt my friend
 - 79% Agree/Strongly Agree
 - I would wait for my friends to do something
 - 26% Agree/Strongly Agree
 - I would not think it is my place to do something
 - 19% Agree/Strongly Agree

Assessment @ UR



- ACHA Survey – Spring 2014
 - ▣ In the last 12 mos, UR students experienced:
 - Sexual touching without consent – 8%
 - Sexual penetration attempt without consent – 3%
 - Sexual penetration without consent – 1.3%
 - Sexually abusive intimate relationship – 2.3%
- Haven
 - ▣ We will receive feedback soon!

Multidisciplinary Team



- Title IX Coordinator
- Deputy Title IX Coordinators
- Health Promotion
- Center for Student Conflict Management
 - ▣ Hearing Board Members
- University Public Safety
- Students

Brainstorming Activities

- Knowledgeable leadership
 - ▣ Where are the gaps in knowledge in your pyramid?
 - ▣ What is the first step to filling those gaps?
- Consistent Policies
 - ▣ Recently conducted a review of ALL policies re: sex-based H&D at your institution? Consistent?
- Prevention
 - ▣ What is the biggest prevention effort at your institution? Who does it connect with? Who are you missing?
- Response
 - ▣ Who is on your response team? What are their roles? Who are you missing?
- Assessment
 - ▣ How well are you assessing your efforts!