

Sexual Misconduct Assessment and Recommendations

Submitted by the Sexual Assault Awareness, Prevention and Adjudication (SAAPA) Ad-Hoc Task Force

August 14, 2017

Sexual Assault Awareness, Prevention and Adjudication (SAAPA) Ad-Hoc Task Force Charge

The committee will identify and assess The University of Toledo policies and practices related to sexual assault awareness, prevention and adjudication and compare these to other universities' best practices. Please identify if we are missing any elements of training or policies. If so, suggest programs/policies to address.

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Dear President Gaber,

Campus sexual violence is a topic of concern at colleges and universities across the United States. The University of Toledo takes the issue of sexual misconduct very seriously, as safety is a key concern for our students, faculty and staff. When this Sexual Assault Awareness, Prevention and Adjudication (SAAPA) Ad-Hoc Task Force was convened in April 2017, we began assessing what we are collectively implementing in terms of prevention of sexual assault and sexual misconduct, current efforts to detect when an incident has occurred, and the availability of resources for those who were involved in an act of sexual misconduct. The SAAPA Ad-Hoc Task Force also began to evaluate our internal processes of how such offices as Sexual Assault Education and Prevention, Compliance, Title IX, Student Conduct and Community Standards and the UT Police Department work together and review potential incidents of sexual misconduct, and identify and provide services to both complainants and respondents.

As part of the charge of the task force, we collected comparative data from peer institutions regarding sexual assault policies, staffing and availability of programming, services and resources. In addition to the data collected by task force members, the Ohio Department of Higher Education (ODHE) campus climate survey also was given to students to determine their perceptions of sexual assault and sexual misconduct on campus. Through using multiple data sources, the SAAPA AdHoc Task Force has constructed this assessment document detailing UT's current efforts, policies and perceptions regarding sexual assault and sexual misconduct. The results of this assessment are to be used as a reference point and to provide a framework to examine UT's areas of strength, potential areas of improvement and overall recommendations.

Within the last year, UT has become a leader in many areas regarding how we prevent and address sexual misconduct. It is encouraging to see we have greatly improved our policies, programs and resources. These recent improvements include:

- Formation of this Ad-Hoc Task Force to address the issue of sexual misconduct
- Maintaining consistent University messaging that UT takes the issue of sexual misconduct and campus safety very seriously
- Implementing bystander intervention training
- Encouraging campus conversations on issues of sexual assault
- Starting and expanding the Center for Student Advocacy and Wellness
- Hiring additional victim advocates and counselors

As members of the UT community, we all share in the responsibility of being proactive in preventing sexual misconduct on our campus. Sexual misconduct will not be tolerated. As this assessment is only an initial starting point, our SAAPA Ad-Hoc Task Force is committed to working together to ensure that we improve on our efforts and continue to keep our campus safe.

Cordially,

Dr. Amy Thompson SAAPA Ad-Hoc Task Force Co-Chair

Valerie Simmons Walston SAAPA Ad-Hoc Task Force Co-Chair

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Executive Summary

Background Information

In April 2017, UT President Sharon L. Gaber created the Sexual Assault Awareness, Prevention and Adjudication (SAAPA) Ad-Hoc Task Force. This 15-member task force, co-chaired by Dr. Amy Thompson and Valerie Simmons Walston, was charged with assessing UT data on sexual misconduct, current programs and policies, and developing recommendations for future planning. The committee included representatives from across the UT campuses and community.

One of the first steps in this assessment process was examining the incidence of sexual misconduct on our campus. For the purposes of this report, the definition of sexual misconduct follows what is outlined in the University's Title IX policy to include: sexual harassment, sexual violence, sexual assault, conduct that exploits another person in a sexual and non-consensual way (such as voyeurism and non-consensual recording), stalking, interpersonal relationship violence and indecent exposure. Sexual misconduct also may be discrimination, harassment or violence based on gender, sexual orientation, gender identity or gender expression.

Over the last several years, UT has had consistently low reports of rape, fondling, statutory rape, domestic violence and stalking. For example, in the preliminary 2016 data available from the UT Police Department, there were 13 reported incidents for all these categories combined. Data recently released (2017) from a study conducted by the Ohio Department of Higher Education suggests when compared to other state universities, our students have a higher average percentage of confidence that our campus will follow formal procedures to address complaints of sexual misconduct (UT 3.20 vs. 2.99 All University Main Campus Average; 4 point Likert scale with 4 being the highest score). The University of Toledo also outscored many other campuses regarding the perception that "campus officials would ensure that steps were taken to protect the person from retaliation" (UT 3.67 vs. 3.37 All University Main Campus Average; 5 point Likert scale with 5 being the highest score). These cumulative findings suggest that students perceive that acts of sexual misconduct on the UT campus will be addressed appropriately and that resources will be provided to support complainants.

Data Collection and Recommendations

Data was collected and synthesized on all programs, practices and policies on our campuses pertaining to sexual misconduct. Best practices were gathered from peer institutions that were somewhat similar in standing as UT. This process examined UT's campus data and best practices from comparative institutions, with the goal of integrating them into The University of Toledo's daily landscape.

The SAAPA Ad-Hoc Task Force was impressed by the various offerings on UT's campuses when compared to other institutions. One overall noteworthy finding by the task force was the strong collective staffing and programming around prevention and support services regarding sexual misconduct. It is unique that UT has a Center for Student Advocacy and Wellness that conducts

evaluations, provides prevention programming and response training, and houses victim advocates and a counselor. This is in addition to having a Sexual Assault and Substance Abuse Education and Prevention Coordinator and a Title IX Coordinator. This collaborative approach to address sexual misconduct distinguishes the UT campuses.

From UT's campus assessment and other benchmarking, four emerging themes became evident in terms of areas of strength, gaps in services and ways to improve the delivery of our efforts. These four themes are: Comprehensive University-Wide Efforts, Prevention and Programming Efforts, Resource Availability and Investigation and Adjudication. Based on these four themes, 27 recommendations were made and incorporated into the final report.

In terms of <u>Comprehensive University Wide-Efforts</u>, there is a plethora of various policies, programs and resources offered that are equal to and possibly exceed many of our peer institutions. One recommendation is to connect these activities and stakeholders to coordinate and ensure there is no duplication of services, that there is transparent communication, and that efforts are made to reach multicultural populations who are historically underserved in sexual misconduct prevention, reporting and evaluation. Creation of a Title IX Committee is highly encouraged to help create comprehensive program planning, implementation and an evaluation plan based on the current recommendations provided.

Through improved coordination of services, better communication can occur with University Marketing and Communications to promote programs, create awareness and help maintain the current culture at UT that does not condone sexual misconduct. In collaboration with University Marketing and Communications, there should be a written protocol for the distribution of all public, aggregate, external and internal data collected pertinent to sexual misconduct on our campuses.

The University should ensure full implementation of a university-wide policy and procedures requiring all potential and incoming students to disclose pending and actual student criminal/conduct complaints filed against them, and to submit appropriate information to be reviewed by the University. Policies such as this also are commonly implemented at other institutions.

<u>Prevention and Programming Efforts</u> was the second theme that emerged during the campus assessment. There are many services provided in primary prevention, however, not all of these are evidence-based or best practices. It is important that all implemented efforts towards the prevention of sexual misconduct be assessed for effectiveness. Program evaluation using process, impact and outcome measures should determine if strategies are effective and should continue.

Prevention messaging regarding sexual misconduct needs to be implemented at multiple levels through various channels. A syllabus statement on how to identify and report sexual misconduct on campus should be provided to all faculty through the Provost's Office and Director of Title IX and Compliance. Faculty will have the option to adopt this for their courses. Ongoing sexual misconduct programming should occur for all students. Specifically, there needs to be continuous education beyond the first year to educate all students, including upperclassman, transfer students, online students and graduate students. There also should be intentional programming for marginalized populations who are at an increased risk for sexual misconduct. The continued implementation of bystander training also reinforces the prevention and detection of sexual misconduct.

Resource Availability was the third theme that was discovered during the campus assessment. As mentioned previously, there are many exceptional resources provided on our campus that are available for students, faculty and staff. In examining these resources, however, many of these are targeting primary prevention (preventing the act of sexual misconduct) or tertiary prevention (efforts to support and treat those who have experienced sexual misconduct). Upon reviewing the campus inventory, there are fewer resources targeting secondary prevention (detection and reporting) of sexual misconduct. Increasing programming and resources for respondents (including faculty and staff) of sexual misconduct also is recommended.

Scientific data (Lorenz & Ullman, 2016) confirms that a large percentage of acts of sexual misconduct are often tied to alcohol and other drug use. Graduate students currently deliver alcohol, tobacco and other drug prevention programming. It is recommended that partnerships with other campus groups be explored to strengthen and expand the delivery of evidence-based programming in this area. UT's peer and aspirate institutions have several full-time professionals trained on alcohol, tobacco and other drug prevention who address high-risk behaviors of students on and off campus.

When implementing or maintaining sexual misconduct resources, it is recommended that these be continuously evaluated and data driven. It is recommended that the campus data collected on an annual basis via campus climate surveys distributed by the Ohio Department of Higher Education and the education technology company EverFi, as well as program data, is analyzed and used to determine programming needs and future directions. This also will assist with benchmarking efforts to peer institutions.

The final theme that emerged from our committee work was <u>Investigation and Adjudication</u>. UT wants to ensure all acts of sexual misconduct are reported, investigated and adjudicated utilizing due process. To ensure that this process continues, it is recommended that there be an annual review of the Student Code of Conduct and Title IX policies. Annual training for investigators, hearing officers and board members adjudicating Title IX cases also should be continued. Training sessions for board members should be evaluated regularly to determine if they are meeting best practices. Creation of a Sexual Misconduct Sanction Rubric also would help guide the student adjudication process. Use of this rubric will ensure consistent application of student sanctions.

Sexual Assault Task Force Priorities

The Sexual Assault Task Force established the following priority areas to guide this report:

- 1. Identify and assess UT policy and practices related to sexual assault awareness and prevention.
- 2. Identify and assess UT procedures and policies associated with sexual assault and adjudication matters.
- 3. Compare our policies and practices to other universities (7-9 peer institutions).
- 4. Identify best practices as it relates to sexual assault prevention, advocacy and education.
- 5. List any crucial elements or training or policies that might be missing.
- 6. Where are UT's gaps in services and programming? How do we close the gap in providing proper services and programming regarding sexual assault prevention and programs?
- 7. Provide recommendations that are evidence-based policies that will likely address UT identified shortcomings regarding sexual assault prevention, education and advocacy.

Background Information

UT is a mid-sized urban institution where more than 20,000 students attend classes across multiple campuses (Main Campus, Health Science Campus and Scott Park Campus). During the last decade, the number of reported cases of sexual misconduct has been relatively low compared to other institutions. For the purposes of this report, the definition of sexual misconduct follows what is outlined in the University's Title IX policy to include: sexual harassment, sexual violence, sexual assault, conduct that exploits another person in a sexual and non-consensual way (such as voyeurism and non-consensual recording), stalking, interpersonal relationship violence and indecent exposure. Sexual misconduct also may be discrimination, harassment or violence based on gender, sexual orientation, gender identity or gender expression.

Data regarding sexual assault, domestic violence, dating violence and stalking at The University of Toledo can be viewed in Appendix 1, which also includes comparative data available from other public universities in Ohio. Studies show "women ages 16-24 experience rape at rates four times higher than the assault rate of all women," making the college years the most vulnerable for women (Department of Justice, 2014). However, data suggests fewer than 5 percent of college women who are victims of rape or attempted rapes report it to police. There are many factors that may influence the above statistics of a college student's reluctance to report, such as victims: 1) fear the emotional trauma of the legal process, 2) fear reprisal by the assailant or others or 3) many may not even be aware that they were victims of sexual misconduct.

Studies confirm that college-aged individuals are an especially vulnerable population for sexual misconduct, and therefore these numbers may seem low for the size of our student population (Cantor, Fisher, Chibnall & Townsend et. al., 2015). However, it is suspected that several factors may influence the above statistics, such as: 1) a college student's reluctance to report, 2) the fact that the university has a high population of commuting students and 3) many may not even be aware that they were victims of sexual misconduct.

UT Campus Data on Sexual Misconduct

To adequately plan programs that meet the needs of our campus community regarding sexual misconduct, it is essential to use internal data that is collected on an annual basis. There are various data collection instruments and methods that can be implemented to glean the implementation of evidence-based programming, campus safety data, crisis response and enforcement of policies and protocols. These data points also can be benchmarked to other institutions.

Changing Campus Culture Climate Survey

Climate surveys provide insight about perceptions, knowledge and attitudes towards sexual violence. Campuses have used climate surveys to tailor their sexual misconduct policies and procedures, campus communication plans, and training and education programs to better meet the needs of students and fill any gaps. The Ohio Department of Higher Education distributed climate surveys in 2016 and 2017. These surveys included a subset of questions that were collected from institutions across the state to set benchmarks for our statewide progress and allow campuses to compare themselves to other campuses. Fourteen public university main campuses, 18 community/state/technical colleges and 30 private colleges/universities participated in the 2017 survey. The 2017 overall sample included 44,704 students across the sampled 62 campuses.

Four hundred seventy students participated from The University of Toledo. The statewide sample description provided above can be used as a comparison point for UT's student population. In this report, comparisons are made for the data from the 13 benchmark questions between The University of Toledo students and "all University Main Campuses." The aggregated data across all University Main Campuses that participated in the survey comprise the comparison group. Appendix 2 provides the average responses for each of the benchmark questions for UT and for all sampled University Main Campuses.

The findings of this survey compared to other state universities in Ohio, suggest that our students have a higher percentage of confidence that our campus will follow formal procedures to address complaints of sexual misconduct (UT 3.20 vs. 2.99 All University Main Campuses Average; 4 point Likert scale with 4 being the highest score). The University of Toledo also outscored many other campuses regarding the perception that "campus officials would ensure that steps were taken to protect the person from retaliation" (UT 3.67 vs. 3.37 All University Main Campuses Average; 5 point Likert scale with 5 being the highest score). These cumulative findings suggest that UT students perceive that acts of sexual misconduct will be addressed appropriately on our campuses and that resources will be provided to support complainants. This year's study is particularly noteworthy given that UT's response rate improved from the 2016 study (See Appendix 3). UT increased its overall scores in 8 of the 10 areas.

Key Stakeholders in Sexual Misconduct Prevention and Response

Title IX Coordinator and Director of Compliance — responsible for assuring that the Title IX Office conducts fair, thorough and impartial investigations; providing a prompt, effective and equitable process for participants; and ending sex-based discrimination, preventing its recurrence, and remedying the effects of sex discrimination and sexual misconduct on campuses. The Title IX Coordinator is ultimately responsible for assuring Title IX compliance efforts across the University to ensure continued Title IX funding. The Title IX Office handles complaints related to sex discrimination and sexual misconduct on an annual basis with one coordinator, one full-time investigator and other investigators trained and available on an as-needed basis.

Associate Vice President of Human Resources —responsible for any sanctions related to Title IX violations by non-faculty staff through policies and appropriate labor agreements.

Academic Provost/Chief Academic Officer — responsible for ensuring that faculty are informed of general Title IX information concerning faculty or students in the realm of academia. The Provost's Office also is responsible for any sanctions related to Title IX violations by faculty through Faculty Affairs and appropriate labor agreements.

Office of Student Conduct and Community Standards — educates the University community about appropriate community behavior and fosters a safe community where academic and personal success can occur. The office imposes sanctions that foster critical thinking and helps students understand the impact their choices have for their immediate and future student experience.

Sexual Assault Prevention Coordinator — works to prevent and detect acts of sexual misconduct on campus. This position works closely with the Counseling Center, Title IX and the Center for Student Advocacy and Wellness to ensure there is a continuum of services.

Sexual Assault Nurse Examiners — registered nurses with specialized training to conduct medical exams for sexual assault or abuse victims. In addition to the collection of forensic evidence, they also provide access to immediate crisis intervention counseling, collection of further evidence if drug-facilitated sexual assault is suspected, photo documentation of injuries, treatment and education of sexually transmitted infections, baseline HIV testing, pregnancy testing and emergency contraception, collaboration with law enforcement agencies, and courtroom testimony for prosecution. Our Sexual Assault Nurse Examiners also will provide referrals for additional follow-up medical care as needed.

Counseling Center — counselors provide free and confidential counseling services to students, including individual counseling, group counseling, intake services, workshops, crisis management, consultation and referral for additional supportive services. In sexual misconduct matters, the Counseling Center is the referral point for student respondents.

Center for Student Advocacy and Wellness — provides free and confidential advocacy and counseling services to enrolled students, faculty and staff. Victims of sexual misconduct can meet with an advocate who will assist and provide options and resources.

YWCA H.O.P.E Center — works with the Center for Student Advocacy and Wellness and the Sexual Assault Education and Prevention Program to reduce incidents of sexual misconduct for the University community. This campus-community partnership assists with providing advocates and referrals.

UT Police Department — responds to UT Police-reported on-campus cases of sexual assault including date/acquaintance rape, domestic violence, dating violence and stalking. UTPD conducts annual training related to domestic violence and sexual assault that focuses on trauma-informed response and interviewing of a victim.

Employee Assistance Program — provides referrals and services for faculty and staff on a variety of issues, including if an employee experiences an act of sexual misconduct. This program is provided as a benefit to all faculty and staff at UT.

Assessment of Current Programs and Resources

The University of Toledo has numerous organizations and programs that address domestic violence, dating violence, sexual assault and stalking (See Appendix 4). The following is a brief narrative of some of the major initiatives on our campus.

Key Prevention-Based Initiatives

Online prevention courses

EverFi is an education technology company that provides online prevention programs to more than 500 higher education institutions on a variety of topics. For 14 years, EverFi has been the leader in alcohol education and student health and wellness. UT utilizes EverFi to assist in helping newly admitted students understand the importance of responsible decision making around alcohol and sexual assault.

All new students are required to complete *Haven-Understanding Sexual Assault*, a sexual assault prevention course, and *AlcoholEdu for College*, an alcohol abuse prevention course.

Haven-Understanding Sexual Assault combines technology, interactive digital media and evidence-based content to provide a comprehensive learning experience for students. Haven-Understanding Sexual Assault helps students identify and reinforce healthy attitudes and behaviors around sex and relationships. It defines key terms around sexual misconduct and provides students with scenarios to help them recognize and understand red flags they may have to address as a new student. Haven-Understanding Sexual Assault is completed in two parts and covers content in the following areas:

- Importance of values
- How to recognize healthy and unhealthy relationships
- Sexual assault and consent
- · How to intervene and stop sexual assault
- Laws and policies around sexual assault
- Understanding how alcohol impacts consent

AlcoholEdu for College, which was developed by a team of behavioral scientists, social psychologists and curriculum architects, is completed in two parts and covers content in the following areas:

- The definition of a standard drink
- Factors that affect blood-alcohol concentration
- The long- and short-term effects of alcohol on the body
- Signs of alcohol poisoning

- Factors that influence decisions and attitudes about drinking
- Bystander and prevention strategies
- Laws and policies around alcohol use
- The relationship with alcohol and sexual assault

In addition to utilizing Haven-Understanding Sexual Assault and AlcoholEdu for College, the University uses AlcoholEdu for Sanctions. AlcoholEdu for Sanctions is designed specifically for students who have violated the University's alcohol policy. The sanctions course reemphasizes the skills and topics around alcohol use and abuse that a student who has violated the Student Code of Conduct needs to consider and understand when making future decisions. The AlcoholEdu for Sanctions course is completed in two parts and provides students with feedback that helps the user think critically about the impact of their continued choices around alcohol use. AlcoholEdu for Sanctions covers content in the following areas:

- What is a standard drink?
- Blood-alcohol concentration and the factors that influence it
- Social norms around student drinking
- How to identify and help someone experiencing alcohol poisoning

For fall 2016, UT was able to collect the following data regarding *Haven-Understanding Sexual Assault*, *AlcoholEdu for College* and *AlcoholEdu for Sanctions*:

Table 1

Haven and AlcoholEdu Program Data

AlcoholEdu For College
1,956 students completed parts 1 and 2 of program

Haven-Understanding Sexual Assault 1,887 students completed program

AlcoholEdu for Sanctions
132 students were sanctioned and completed program

Sexual Assault Education and Prevention Program

The Sexual Assault Education and Prevention Program was established to create a campus community free of abuse, harassment and other forms of sexual and intimate partner violence, in which students enjoy equitable, nonviolent relationships. This program also provides educational programming addressing the role that everyone can take in creating a violence-free UT.

"Men of UT"

Men on the UT campus are encouraged to participate in the "Men of UT" programming, which provides an opportunity for men to discuss and explore their role in the prevention of sexual violence, an initiative started by the White House. First-year students receive mandatory (and tracked) programming, which includes online sexual violence education modules and first year experience classroom programming. Residence Life staff receive, at minimum, annual training related to Title IX, mental health, drug and alcohol abuse prevention, sexual violence prevention and safety programming.

University Counseling Center

There are various sources for victim services and advocacy on campus that are available to UT students. At the University Counseling Center, counselors provide free and confidential counseling services to students, including individual and group counseling, intake services, workshops, crisis management, consultation and referrals for additional supportive services. Counselors also provide outreach services to promote mental health awareness and are available for on-call crisis services 24 hours per day, 7 days per week. The Counseling Center also recently extended its business hours on Wednesday evenings until 8 p.m. to accommodate students whose schedules do not fit traditional business hours. The Counseling Center serves as a liaison between students and other systems including the legal system, academic and residential accommodations and health services.

UTMC Sexual Assault Nurse Examiners

The University of Toledo Medical Center, as well as several other local hospital emergency departments, provides Sexual Assault Nurse Examiners (SANE) who are registered nurses who have received special training to provide comprehensive care to sexual assault victims. In addition, the nurses can conduct a forensic exam (rape kit) that includes, but is not limited to, STD and pregnancy testing. The UTMC SANE program is both a campus and community resource to certify nurses. The UTMC SANE nurse is consulted for patients who were potential victims of sexual assault.

Office of Student Conduct

Additionally, the Office of Student Conduct assists victims of sexual violence with access to the judicial system. The Title IX Coordinator/Investigator documents incidents of sexual violence and provides access to accommodations if requested by victims of sexual violence.

Center for Student Advocacy and Wellness

The Center for Student Advocacy and Wellness serves an important function as a dedicated service provider for those members of the UT community who have had an incident of sexual assault or interpersonal violence. The center is separated from the University Counseling Center so that there is a clear division from complainants and respondents. The Center for Student Advocacy and Wellness offers a sexual assault/domestic violence counselor (free and confidential) on staff who is available full time, with specialized training in trauma, informed care and techniques to help survivors recover from trauma. Additionally, the center provides victim advocacy services.

YWCA H.O.P.E. Center

The University has numerous relationships with partners in the community to ensure our students receive the programming and assistance they need whether on or off campus. The YWCA H.O.P.E. Center provides confidential advocacy services including support, accompaniment to medical exams, legal proceedings, safety planning and crisis management (24/7 hotline). The YWCA H.O.P.E. Center collaborates with UT and other appropriate resources on campus to promote safety and provides referrals for additional appropriate services as needed. The YWCA Battered Women's Shelter and the Bethany House provide emergency housing for women and children who are victims of domestic violence. The Bethany House and the YWCA Battered Women's Shelter also provide confidential advocacy services for female victims of domestic violence along with support, long-term shelter, education, safety planning, crisis management and referrals for additional appropriate services. Other existing partnerships include those with the Toledo Police Department and the Criminal Justice Coordinating Council.

Key Policy and Communication Initiatives

Title IX Policy and Student Code of Conduct

Two of the most significant policies that help guide the detection, investigation and adjudication basis are the Title IX Policy and the Student Code of Conduct. Throughout the assessment process, it was suggested that both policies needed to be updated to reflect national best practices. Both policies can be viewed at utoledo.edu/policies. One of the recommendations set forth in this document is that these policies be assessed on an annual basis and continuously benchmarked for use of evidence-based programs.

Training of University personnel regarding responsibilities under the Clery Act and Title IX has begun and is ongoing. Benchmarking our faculty and staff training services to peer institutions assisted in identifying similar services currently provided by UT and generated ideas for areas to develop further (See Appendix 5).

Communication Protocols

When an act of sexual misconduct is reported on the UT campus, it is important that there is a clear communication protocol established. Below is a listing of various steps in the UT communication protocol regarding sexual misconduct.

Senior Leadership Emergency Communication — In the event of a high-risk/high-visibility campus or local Title IX case, the Title IX Office will issue a senior administration email notification, summarizing significant incidents or crime awareness bulletins.

Telephone Notification — The Title IX Office also will make telephone contacts to the Executive Vice President of Finance and Administration and the Director of University Communications. The Executive Vice President of Finance and Administration will update the President and other senior leaders as needed.

Community Alerting — The Office of Public Safety will disseminate emergency alerts as soon as possible after an immediate threat or danger to the campus community is known. In the absence of available public safety employees, communication employees shall serve as backup to create and disseminate alerts. Alerts will describe the threat as clearly as possible. The University will disseminate Timely Warnings "as soon as pertinent information is available" as required by the Clery Act. When practical, the UT Police Department will confer with University Marketing and Communications prior to the dissemination of messages.

Protocol for Title IX Response and Reporting

A Title IX matter can present in multiple fashions, each offering a different response based on the sex discrimination or sexual misconduct issue being raised. Upon notification of a Title IX issue, the Title IX Office works with appropriate departments to assess duty to warn and provide Timely Warning notifications, if appropriate. The Title IX Office initiates contact with the complainant to provide accommodations, resources, rights and information (See Appendix 6). Based on the information provided by the complainant, after an initial interview the Title IX Office moves forward with an appropriate investigation. The Title IX case investigation may continue if it is assessed that there is a threat to the campus community.

The Title IX Office works with multiple departments across campus to ensure due process is provided to all parties and equitable accommodations and resources are available. The Title IX Office completes its investigation and provides its results to the appropriate department. A recommendation for remedy may be provided in the investigatory report.

If the initial report involves sexual assault or interpersonal violence, appropriate officials on campus will be notified as soon as practicable, if not already notified by the UT Police Department (See Appendix 7). For students, the Student Code of Conduct also will be utilized to guide the adjudication and sanctioning process (See Appendix 8).

Areas of Strength, Gaps in Services, and Ways to Improve Delivery

The University of Toledo supports grant-funded and internal resources that promote awareness, increase education and provide services to those who have experienced either directly or indirectly domestic violence, dating violence, sexual assault and/or stalking. However, we recognize there are many more strategies and approaches to promote programming and education that address underserved/specific populations and bolster our services for victims.

To assess our collective strengths, gaps in services and ways to improve delivery, an open-ended assessment was created and distributed to all stakeholders participating in the SAAPA Ad-Hoc Task Force. Comments were collected and synthesized in Appendix 4. Based on this campus assessment and other benchmarking, four emerging themes were identified: Comprehensive-University Wide Efforts, Prevention and Programming Efforts, Resource Availability and Investigation and Adjudication.

Comprehensive-University Wide Efforts

One of the findings of this assessment was that some of the programs being implemented were not following evidence-based practices and that current approaches utilized can be improved to be more comprehensive. The following guidelines can guide the selection and implementation of evidence-based and comprehensive program design (See Table 2 and Figure 1).

Evidence-Based Practices

A Task Force of the American Psychological Association (APA) conducted a review of effective programs and identified nine characteristics of effective prevention strategies or "principles of prevention" (Nation et al., 2003). Specifically, they found that effective prevention strategies are:

Comprehensive — Comprehensive prevention plans should include components that address risk and protective factors at multiple levels — including the behavior and risk characteristics of individuals, peer and partner relationships, social norms and campus climate, and structural and institutional factors and policies that contribute to risk for, or help prevent, sexual violence. (See Figure 1)

Appropriately timed in development — College prevention efforts should focus on risk and protective factors that are most relevant in young adulthood and in the college environment, such as social norms about sex and gender, alcohol use, changing peer and partner relationships, housing (e.g., fraternities, dorms, apartments), on- and off-campus social activities (e.g., parties, sporting events) and campus climate and safety.

Sufficient "dosage" — Longer, multi-session programs tend to be more effective than brief, single-session interventions. However, the specific length of exposure (e.g., contact hours) needed to change behavior depends on the nature and goals of the specific intervention.

Well-trained implementers — Implementers should be stable, committed, competent and able to connect effectively with students. "Buy-in" to the program model helps staff deliver and reinforce program messages with greater credibility.

Socio-culturally relevant — Prevention programs and strategies should be culturally relevant and appropriate, in both content and approach, to the individuals and/or groups served. Climate surveys and focus groups with students can help college prevention coordinators and administrators select or adapt strategies that will meet the needs of their student body.

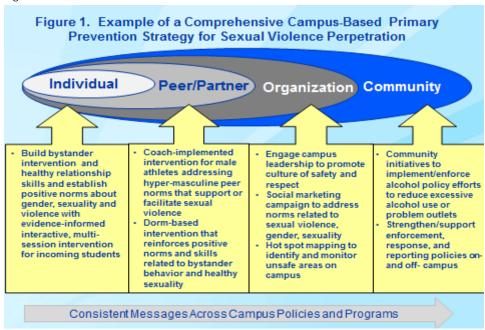
Sound theory of change — Prevention strategies should be supported by a logical theory of change. It is important to understand how the intervention components or content are expected to impact evidence-based risk and protective factors and, ultimately, sexual violence

Build on or support positive relationships — Prevention approaches that build on or foster positive relationships between students and their peers, families or communities may have better outcomes. For example, programs may use trusted mentors, teachers or coaches to deliver the intervention content or they could engage students in peer-facilitated activities or support groups designed to encourage and support positive behavior.

Varied teaching methods — Interactive instruction and opportunities for active, skills-based learning help to engage participants in multiple ways (e.g., writing exercises, role plays) and may be associated with more positive outcomes than interventions, which involve only passive audiences (e.g., lecture, films). Multiple interventions that reinforce the same messages or skills in different contexts and using different teaching methods may also improve outcomes.

Outcome evaluation — Strategies that have been rigorously evaluated and shown to have effects on sexual violence or related outcomes are best bets when selecting a prevention approach to implement. Continuous monitoring and evaluation of implementation quality and key outcomes during program implementation can also provide important ongoing feedback and may improve outcomes. The Getting to Outcomes® Toolkit can help campuses plan, implement, and evaluate the impact of their comprehensive strategy (See Figure 1).

Figure 1



Source: CDC, 2014

Based on these guidelines and our assessment, it was determined that many existing programs, such as *Haven-Understanding Sexual Assault* and *AlcoholEdu for College*, target freshman students, who according to the scientific literature, are at increased risk for acts of sexual misconduct. There were fewer programs that were designed using a comprehensive approach to engage students throughout their college experience. The need to plan for and implement incremental programming is set forth as one of the recommendations in this document. During the assessment, it also was suggested that there be increased efforts to deliver programming to prevent and detect sexual misconduct among faculty and staff. Boston University and Loyola University Chicago have programming that can guide the design of such programming.

The ability to plan programs that are comprehensive and integrate various units across campus would be improved by the creation and maintenance of a new Title IX Committee that would replace the SAAPA Ad-Hoc Task Force. This new committee would be charged with creating a strategic plan with goals and objectives based on the recommendations proposed in this document. The Title IX Committee also would evaluate annual progress towards meeting the recommendations in this report.

In examining the current policies and practices regarding Title IX and the Student Code of Conduct, it was determined that both policies needed to be updated. Because of this assessment and recommendations, work is already underway. One of the specific recommendations for these policies is that they are evaluated on a regular basis and benchmarked against other institutions. During the work of this committee, a policy requiring a new university-wide training on the prevention and reporting of sexual misconduct was implemented. The committee views this as a best practice and encourages this to continue on an annual basis.

Another policy that should be fully implemented is a university-wide policy and procedures requiring all potential and incoming students to disclose pending and actual student conduct complaints filed against them, and to submit appropriate information to be reviewed by the University. Collaboration between the Office of Student Conduct and Community Standards and Admission should occur to fully implement this practice. Finally, the creation and approval of a class syllabus statement regarding sexual misconduct prevention should be fully implemented (See Appendix 9).

Prevention and Programming Efforts

The University of Toledo has many prevention programs across campus. One evident finding of this report is that regular evaluation of all programs should occur in the form of process, impact and outcome assessment. The use of standardized evaluations and compiling of data should occur regularly to determine if programming is effective and based on the needs of our campuses. Utilizing supplemental data sources from Everfi and the Ohio Department of Higher Education is recommended for the development and maintenance of programming.

During the assessment, it was found that while freshman often receive the majority of programming on the prevention of sexual misconduct, transfer students and upperclassman may not receive the same level of programming. Sexual misconduct prevention education should be required for all UT students. Consideration should be given to require existing education programs *AlcoholEdu for College* and *Haven-Understanding Sexual Assault*, or similar education programming, before classes begin. This would prepare students ahead of time and provide additional time in first year experience courses to further implement sexual misconduct prevention and alcohol, tobacco and other drug prevention programming.

Resource Availability

Another positive finding of our assessment was the high number of programs and resources for sexual misconduct that are provided on our campus. These offer the opportunity to create awareness and access to various services. It should be noted that UT is doing an exceptional job providing victim advocate services and specialized counselor services devoted to working with those experiencing acts of sexual misconduct. It is important that these services continue and that external funding is continuously applied for to help support these programs. While reviewing these programs, however, the committee recommends that diversification is needed in the types of resources provided. For example, at UT we have many prevention programs and resources for those who have experienced an act of sexual misconduct. The offering of programs for respondents, however, is not as common. Creation of programing, services and resources for respondents is one area to enhance. Such efforts should include assistance for respondents (including staff and faculty) through the adjudication process. Resources for online and underserved populations is recommended, given this is an evidence-based practice. The task force also identified the need to continuously inventory our resources and align them with the priority areas of our campus.

Another discovery of the assessment is the need to develop a comprehensive sexual assault and interpersonal violence crisis response protocol. As part of the work of this committee, there are now drafts for internal communication, a crisis protocol for responding to an act of sexual misconduct and a flow chart depicting the adjudication process. These draft documents included in this report need to be fully developed and approved for implementation.

While the delivery of alcohol, tobacco and other drug prevention programming on campus is often separate from sexual misconduct prevention programming, based on numerous studies (Lorenz & Ullman, 2016) it creates a higher risk for victimization to occur. To ensure that program delivery is evidence-based in this area and supervised by content experts, it is recommended that there is a strong partnership established with Rocket Wellness. Rocket Wellness currently delivers all faculty and staff prevention programming and will be expanding its scope in fall 2017 to include student wellness. Such a partnership also can assist with the sharing of resources and integration of program planning.

Investigation and Adjudication

To maintain the strong campus culture and climate in preventing sexual misconduct, it is necessary to have a transparent and appropriate adjudication and due process. The task force recommends the creation of a Sexual Misconduct Sanction Rubric to help guide the adjudication process and ensure that consistent and fair sanctions are assigned. University of California San Diego, University of Iowa, University of Kentucky and Xavier University implement this practice and can help guide development of this document. To ensure the adjudication process is fair and that there is consistency in reviewing Student Code of Conduct and Title IX cases, it is recommended that annual trainings occur for investigators, hearing officers and board members adjudicating cases. Training sessions for board members should be evaluated continuously to ensure they are meeting best practices criteria.

Given the high number of acts of sexual misconduct that go unreported, it is recommended that there be intentional programing to help detect and facilitate the reporting and investigation of sexual misconduct. The implementation of a student leader-training program focusing on the prevention and detection of peer sexual misconduct may assist those experiencing or committing acts of sexual misconduct. This program should emphasize the rights of complainants and respondents when a case is reported.

Development of Recommendations

In April 2017, UT President Sharon L. Gaber created the Sexual Assault Awareness, Prevention and Adjudication (SAAPA) Ad-Hoc Task Force. This committee was charged with assessing our current programs and policies regarding sexual misconduct and developing recommendations for future planning. The task force was made up of representatives from across The University of Toledo campuses and community. Many have expertise in the judicial processes, while others were more familiar with campus life and academia. This group of stakeholders and experts conducted benchmarking and assessment of all sexual misconduct programming, policies and resources on campus. This group reviewed and provided feedback on each item several times before this document was finalized.

Best practices were gathered at institutions that were similar in standing as UT. Our goal was to take the best practices from these institutions and make them part of The University of Toledo's landscape. There was thoughtful discussion from all involved to develop the most appropriate methods to accomplish the work of the task force. The collaboration from the task force allowed the opportunity to work as a team so everyone could share their ideas and refine this report and enclosed recommendations.

Through the systematic work of this task force, all members had many opportunities to make recommendations that would be incorporated into this report. Through the implementation of these recommendations, the SAAPA Ad-Hoc Task Force believes that The University of Toledo can be a leader in utilizing best practices against sexual misconduct and can continue to keep our students, staff and faculty safe.

Task Force Recommendations

The University of Toledo puts the safety and well-being of its students, staff and faculty as a priority. It is evident through the data presented in this report, when compared to other institutions¹ we are providing comparable programs, services and resources on our campuses to address the issue of sexual misconduct. The efforts of many campus and community partners are strong and will continue to make The University of Toledo one of the safest places to work and to seek an academic degree.

As UT strives to be a leader in the prevention and adjudication of sexual misconduct, it is essential to continuously evaluate our efforts. Using both formative and summative assessments, the SAAPA Ad-Hoc Task Force has developed the following recommendations to prevent, detect and provide resources to address the issue of sexual misconduct on UT's campuses:

Comprehensive University-Wide Efforts

- 1. Create a Title IX Committee, chaired by the Director of Title IX and Compliance, that will create and disseminate a comprehensive program implementation plan based on the current recommendations provided. Universities such as Western Michigan University, Xavier University and University of Washington use this model. Goals, objectives and action items should be developed by this committee to guide further efforts. The Title IX Committee should collaborate with appropriate campus resources and organizations.
- 2. The Title IX Committee will evaluate the implementation of the recommendations annually and provide progress reports to the President or a member of senior administration.
- 3. Explore reporting structures following the U.S. Department of Education Office for Civil Rights' guidance. The Title IX Coordinator should report directly to the President or a member of senior administration.
- 4. Develop a written protocol for the distribution of all public, aggregate, external and internal data collected pertinent to sexual misconduct on our campuses.
- 5. Maintain the current culture on our campuses that does not condone sexual misconduct. This will be continuously assessed through data analysis tools, such as EverFi and the Ohio Department of Higher Education.
- 6. Continue collaboration with various departments across the University, including University Marketing and Communication to develop and disseminate targeted messaging supporting a positive campus culture.

¹ Ball State University, Bowling Green State University, Central Michigan University, Cleveland State University, Eastern Michigan University, Western Michigan University, University of Alabama-Birmingham, University of Buffalo, University of Illinois at Chicago, University of Nevada-Reno and University of Memphis.

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- 7. Ensure full implementation of a university-wide policy and procedures requiring all potential and incoming students to disclose criminal/student conduct complaints filed against them, and to submit appropriate information to be reviewed by the University.
- 8. Enhance efforts to prevent, detect and report sexual misconduct in and by faculty and staff. Such programming and training should include best practices, such as creating an advocacy network, intervention bystander training and other trainings, such as the currently implemented mandatory compliance training programs on our campuses. Sample programs can be viewed at Boston University and Loyola University Chicago.

Prevention and Programming Efforts

- 9. There are many services being provided in primary prevention, however, not all of these are evidence-based. An annual program evaluation using process, impact and outcome measures should determine if strategies are effective and should continue.
- 10. Provide an optional syllabus statement on how to identify and report sexual misconduct on campus to all faculty through the Provost's Office and Director of Title IX and Compliance.
- 11. Sexual misconduct prevention education should be required for all students. There are many programs aimed at freshman students on the UT campus entering fall semester. Special emphasis needs to be placed on ensuring that any student entering the University at any level receives sexual misconduct prevention education. Consideration should be given to require the currently used *Haven-Understanding Sexual Assault* and *AlcoholEdu for the College*, or similar education programming, before classes begin.
- 12. Ongoing sexual misconduct programming should occur for all students. There needs to be continuous education beyond the first year to educate all students, including upperclassmen, transfer students, online students and graduate students.
- 13. Develop evidence-based programming to address the disparities in victimization rates for marginalized populations, including sexual and gender minorities. Partnerships with such organizations as Prism, Black Student Union, Greek Life, Center for International Studies and Programs, and other student groups/organizations should be established to help promote and champion these programs.
- 14. Bystander training needs to be fully implemented to encourage prevention of sexual misconduct to the University community.

Resource Availability

- 15. Diversify resources that are provided for those experiencing acts of sexual misconduct. Many of the resources we currently have focus on prevention. Special consideration should be given to develop resources for online and underserved populations.
- 16. Explore creating potential partnerships with the Healthy Campus Coalition members, particularly in the area of alcohol and other drug prevention, to provide year-round programming. Our peer and aspirate institutions have several full-time professionals trained on sexual assault and alcohol, tobacco and other drug prevention that address high-risk behaviors of the campus community.
- 17. Implement an annual program evaluation to ensure that students are receiving education and information about resources on UT's campuses to address sexual misconduct and relationship violence.
- 18. Analyze campus data collected on an annual basis via campus climate surveys distributed by the Ohio Department of Higher Education and EverFi, as well as program data, to determine future programming needs.
- 19. Implement the newly revised comprehensive sexual misconduct and interpersonal violence crisis response protocol and notification processes.
- 20. Continue to seek out and secure long-term funding to enhance our ongoing sexual misconduct programming and resources.
- 21. Create and promote resources to assist parties through the investigation and adjudication process.
- 22. Partner with community and campus groups to link complainants and/or respondents to behavioral health programs and support groups. Explore how to best assist students in nontraditional settings, such as distance learning students or those with military service.

Investigation and Adjudication

- 23. Conduct an annual review of the Student Code of Conduct and Title IX policies.
- 24. Conduct annual training for investigators, hearing officers and board members adjudicating Title IX cases. Training sessions for board members should be evaluated continuously to ensure they are meeting best practices criteria.
- 25. Create a Sexual Misconduct Sanction Rubric that will help guide the adjudication process for students. Use of this rubric will ensure consistency in the application of student sanctions. Ohio University, University of Iowa, University of Kentucky and Xavier University have implemented this practice and can serve as a guide for the development of this document, as well as many of the institutions we benchmark against.

- 26. Develop and implement a student leader-training program on the prevention and detection of peer sexual misconduct. This program also would emphasize the rights of complainants and respondents.
- 27. Explore the feasibility of having all respondents found responsible for alcohol, tobacco and other drug violations meet with a staff member in the alcohol, tobacco and other drug prevention unit.

Conclusion

Through the work of the SAAPA Ad-Hoc Task Force, various aspects of sexual misconduct and the adjudication of these acts were explored. A thorough inventory of policies, procedures, programs and resources demonstrate a robust offering at The University of Toledo, particularly when compared to other institutions. In addition to the efforts on our campuses regarding sexual misconduct, the strong support and attention to this issue from members of senior administration is noteworthy. Such support, including the creation of this task force, clearly indicates the importance of this issue on our campuses and that safety is a priority. While we excel in our many efforts to maintain the safety of our students, staff and faculty, it is important to continue to assess our efforts and strive to be a leading university in the prevention of sexual misconduct. Becoming a leader in prevention is one of the main goals of the task force. This goal will likely be realized though the implementation of the SAAPA Ad-Hoc Task Force Recommendations.

In the Executive Summary, there are themes listed related to prevention, programming, resources and adjudication. Additional themes emerged in relation to the task force's recommendations. Collaboration efforts, broad-based and comprehensive educational programming, and overall accountability are themes evidenced by the topics included within the list of recommendations. While there are 27 action items listed in the body of the recommendations section, high priority should be given to specific proposed changes. Any recommendation related to revising protocol and enhancing support linked to Title IX reporting and services should be a high priority. Additionally, recommendations associated with developing evidence-based practices, coupled with prevention programs directly aligned with alcohol, tobacco and other drug prevention programs, are a priority.

Future Directions

The next steps in this process include:

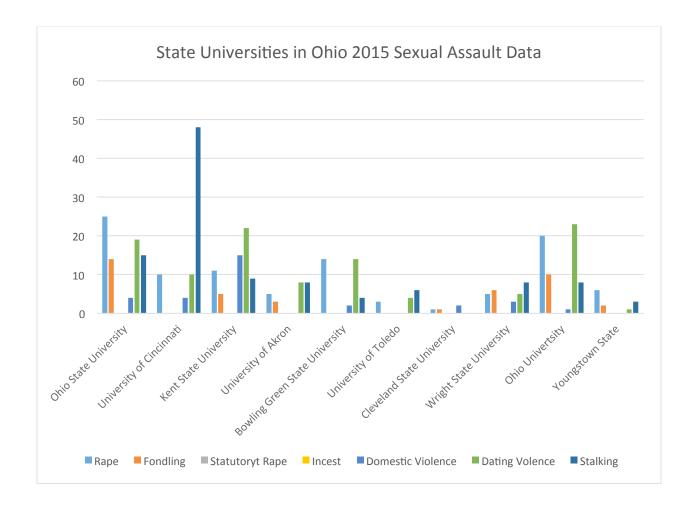
- 1. Acquiring approval from senior leadership as to which recommendations will be approved.
- 2. Establishing a specific timeline as to when and how the approved recommendations will be implemented.
- 3. Implementing the identified approved recommendations.

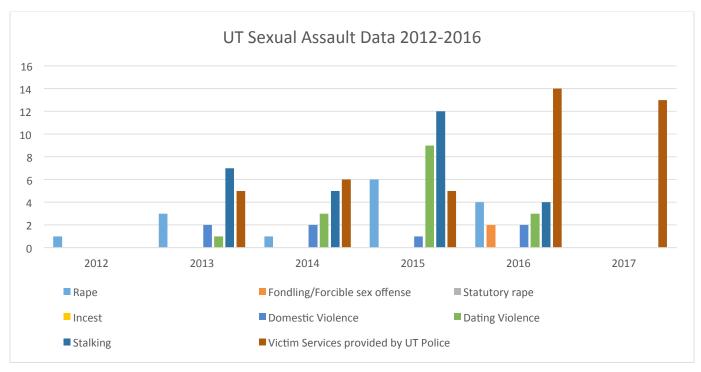
When this initiative originated, President Gaber provided the task force's priorities to be examined. These included: assessment of policy, benchmarking our practices against other institutions, identifying gaps in services and, most importantly, providing a list of succinct recommendations. The recommendations developed by this task force should provide reinforcement to continue and refine many of our programs and resources; however, these also provide clear direction for future planning on our campus.

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Appendix 1: UT Campus Data





Data provided by UTPD

The University of Toledo 2017 Campus Climate Survey Results Summary

The State of Ohio's Changing Campus Culture Initiative seeks to strengthen its ability to better respond to, and ultimately prevent, sexual violence on the state's college campuses. All Ohio campuses were encouraged to participate in 13 common benchmark questions associated with recommendation #1 in the Changing Campus Culture report: use data to guide action. The purpose of the benchmark questions was to provide the Ohio Department of Higher Education with a common set of data to measure statewide progress in addressing prevention and response to sexual violence, and to track trends over time. In October 2016, a revised set of benchmark questions were released to Ohio campuses who were asked to disseminate these questions to their campus community. The revised questions do not allow for accurate comparison between 2016 and 2017, but moving forward campuses will be able to compare their progress from year to year.

Methodology and Sample

Data collection began in the 2016 fall semester and ended by June 2017. Institutions collected data in various ways, including through paper surveys and electronically. All responses were anonymous. Response scales for benchmark questions varied slightly for some institutions, therefore any questions with substantively different response scales were excluded from the aggregate analyses.

Fourteen public university main campuses, 18 community/state/technical colleges, and 30 private colleges/universities participated in the survey. The overall sample included 44,704 students across the sampled 62 campuses.

Four Hundred Seventy students participated from The University of Toledo. The state-wide sample description provided above can be used as a comparison point for The University of Toledo's student population. In this report, comparisons are made for the data from the 13 benchmark questions between The University of Toledo students and "all University Main Campuses". The aggregated data across all University Main Campuses that participated in the survey comprise the comparison group. Appendix A provides the average responses for each of the 13 benchmark questions for The University of Toledo and for all sampled University Main Campuses. See Appendix B for a complete list of participating institutions.

Summary of Results

Perceptions of Campus Leadership, Policies, and Reporting

Six questions assessed how students believe The University of Toledo leadership would respond to a report of sexual assault based on their opinions. Averages for each question for the campus sample are provided below along with the sample wide averages across all surveyed University Main Campuses.

1 = Not at all likely, 2 = A little bit likely, 3 = Somewhat likely, 4 = Very likely, 5 = Extremely likely

	The University of Toledo	All University Main Campuses
Campus officials would take the report seriously.	3.92	3.93
Campus officials would take steps to protect the safety of the person making the report.	3.86	3.86
Campus officials would support the person making the report.	3.81	3.77
Campus officials would take action against the alleged offender(s).	3.55	3.58
Campus officials would take steps to protect the person making the report from retaliation.	3.67	3.37
Campus officials would take action to address factors that may have led to the sexual misconduct.	3.49	3.51

Additionally, The University of Toledo students were asked how confident they are that the campus will follow formal procedures to address complaints of sexual misconduct (with responses ranging from 1 = Strongly disagree to 4 = Strongly agree).

The University of Toledo average = 3.20

All University Main Campuses' average = 2.99

Student Education, Efforts, and Knowledge

Students indicated whether or not they have participated in training on the prevention of sexual misconduct.

The University of Toledo = 59.36% of respondents participated

All University Main Campuses = 56.38% of respondents participated

The University of Toledo students also reported if they were actively involved in activities to address sexual misconduct (with responses ranging from 1= Strongly disagree to 4 = Strongly agree).

The University of Toledo average = 2.03

All University Main Campuses average = 1.75

Furthermore, if an incident of sexual misconduct occurred, students indicated how knowledgeable they were with resources to get help (with responses ranging from 1 = Not at all knowledgeable to 4 = Very knowledgeable).

Where to go to get help if a friend or the student was the victim of sexual misconduct:

The University of Toledo average = 2.79

All University Main Campuses average = 2.87

Where to make a report of sexual misconduct on campus:

The University of Toledo = 2.67

All University Main Campuses = 2.70

Campus policies on sexual misconduct:

The University of Toledo = 2.79

All University Main Campuses = 2.51

Campus formal procedures to address complaints of sexual misconduct:

The University of Toledo = 2.35

All University Main Campuses = 2.28

Prevalence

Students at The University of Toledo evaluated how much they agreed with the statement "Sexual misconduct is a problem on campus" (with responses ranging from 1 = Strongly disagree to 4 = Strongly agree).

The University of Toledo average = 2.79

All University Main Campuses' average = 2.34

Moreover, The University of Toledo students indicated how likely they think it is that they will experience sexual misconduct on campus (with responses ranging from 1= Not likely at all likely to 5 = Extremely likely).

The University of Toledo = 2.26

All University Main Campuses = 1.99

The sample of students also reported if they have experienced any sexual misconduct since attending The University of Toledo. Percentages for each question for the campus sample are provided below along with the sample wide percentage across all surveyed University Main Campuses.

	The University of Toledo	All University Main Campuses
Percent that have experienced sexual harassment	21.91%	29.77%
Percent that have experienced stalking	10.43%	5.10%
Percent that have experienced non-consensual sexual contact	17.66%	12.32%
Percent that have experienced non-consensual sexual intercourse	7.66%	5.78%
Percent that have experienced intimate partner violence	10.21%	6.47%

Average Responses to all Benchmark Questions

See notes below table for response scales

Question	The University of Toledo	University Main Campuses
Campus officials would take the report seriously.1	3.92	3.93
Campus officials would take steps to protect the safety of the person making the report. ¹	3.86	3.86
Campus officials would support the person making the report. ¹	3.81	3.77
Campus officials would take action against the alleged offender(s). ¹	3.55	3.58
Campus officials would take steps to protect the person making the report from retaliation. ¹	3.67	3.37
Campus officials would take action to address factors that may have led to the sexual misconduct. ¹	3.49	3.51
Percent of students who reported taking a training on the prevention of sexual misconduct (Examples would include an online training, a workshop, a session, or a course).	59.36%	56.38%
If yes, how useful did you think the training was? (on prevention of sexual misconduct) ²	2.88	3.08
Knowledge regarding where to make a report of sexual misconduct on campus. ³	2.67	2.70

Knowledge regarding where to get help if you or a friend were the victim of sexual misconduct. ³	2.79	2.87
Knowledge regarding your campus' policies on sexual misconduct. ³	2.79	2.51
Knowledge of your campus' formal procedures to address complaints of sexual misconduct. ³	2.35	2.28
I have confidence that my college/university will follow the formal procedures to address complaints of sexual misconduct. ⁴	3.20	2.99
I can do something about sexual misconduct on campus. ⁴	2.95	2.69
Doing something about sexual misconduct is solely the job of the college/university. 4	1.95	1.80
I am actively involved in activities to address sexual misconduct on campus. ⁴	2.03	1.75
Sexual misconduct is a problem on campus. ⁴	2.79	2.34
How likely do you think it is that you will experience sexual misconduct on campus? ⁵	2.26	1.99
Percent of students who experienced sexual harassment since attending The University of Toledo	21.91%	29.77%
Percent of students experienced stalking since attending The University of Toledo	10.43%	5.10%
Percent of students who experienced non- consensual contact since attending The University of Toledo	17.66%	12.32%
Percent of students who experienced non- consensual intercourse since attending The University of Toledo	7.66%	5.78%
Percent of students who experienced intimate partner violence since attending The University of Toledo	10.21%	6.47%

Notes:

The Ohio State University was the only institution to include a response of "Neither Agree nor Disagree" which lowered the overall average.

¹Response scale: 1 = Not at all likely, 2 = A little bit likely, 3 = Somewhat likely, 4 = Very likely, 5 = Extremely likely

²Response scale: 1 = Not useful, 2 = A little useful, 3 = Somewhat useful, 4 = Very useful, 5 = Extremely useful

³Response scale: 1 = Not at all knowledgeable, 2 = A little knowledgeable, 3 = Somewhat knowledgeable, 4 = Very knowledgeable

⁴Response scale: 1 = Strongly disagree, 2 = Disagree, 3 = Agree, 4 = Strongly agree

⁵Response scale: 1 = Not at all likely, 2 = A little likely, 3 = Somewhat likely, 4 = Very likely, 5 = Extremely likely

Institutions Participating in the 2017 Survey

University main campuses:

Bowling Green State University

Central State University

Cleveland State University

Kent State University

Miami University

Northeast Ohio Medical University

Ohio University

Shawnee State University

The Ohio State University

University of Akron

University of Cincinnati

University of Toledo

Wright State University

Youngstown State University

Community/state/technical colleges:

Belmont College

Central Ohio Technical College

Cincinnati State Technical & Community College

Clark State Community College

Columbus State Community College

Cuyahoga Community College

Eastern Gateway Community College

Hocking College

Lorain County Community College

Marion Technical College

North Central State College

Northwest State Community College

Owens State Community College

Rio Grande Community College¹

Sinclair Community College

Southern State Community College

Stark State College

Terra State Community College

Washington State Community College

Private colleges:

Antioch University

Ashland University

Aultman College

Baldwin Wallace University

Capital University

Case Western Reserve University

Christ College of Nursing and Health Sciences

College of Wooster

Defiance College

Franciscan University of Steubenville

Franklin University

Good Samaritan College of Nursing & Health Science

Heidelberg University

Hiram College

Lourdes University

Marietta College of Ohio

Mercy College of Ohio

Mount Carmel College of Nursing

Mount St. Joseph University

Muskingum University

Ohio Northern University

University of Findlay

University of Mount Union

University of Northwestern Ohio

University of Rio Grande¹

Urbana University

Ursuline College

Wilmington College Wittenberg University Xavier University

Notes:

¹The University of Rio Grande and Rio Grande Community College represent a unique partnership between a private and public institution of higher education. Students attending these institutions share staff, faculty, and facilities across a single campus. Due to this unique campus arrangement, surveys were collected from students attending each respective institution, combined, and aggregated with the both private and community colleges surveyed.

Ohio Department of Higher Education 2016-2017 Changing Climate Survey Data Comparison

In October 2015, the state of Ohio developed and released the Changing Campus Culture initiative in which the state released five recommendations, which included: (1) use data to guide action, (2) empower staff, faculty, campus law enforcement and students to prevent and respond to sexual violence through evidence-based training, (3) communicate a culture of shared respect and responsibility, (4) develop a comprehensive response policy and (5) adopt a survivor-centered response. The University of Toledo was charged with developing and implementing strategies to fulfill these recommendations.

In April 2016, the Changing Campus Culture Climate Survey was administered to help establish a baseline regarding the climate of the campus regarding sexual misconduct. This survey was established to be administered annually to campuses in the spring semester. Upon receiving the climate survey data, recommendations were put forth by the state of Ohio.

Some highlighted concerns from the report included:

- Student respondents expressed much more confidence in campus support system than faculty, staff and administrators.
- A much lower percentage of respondents (35.4-68.4%) are knowledgeable of the University's formal procedures to address complaints of relationship violence, sexual assault, stalking and sexual harassment.
- Students report having less training in all four types of violence policy and procedure than
 faculty, staff and administrators. Both student respondents and faculty, staff and
 administrator respondents report having less prevention training than policy and procedure
 training for the four types of violence.
- Students are a lot less likely than faculty, staff or administrators to intervene in a sexual assault situation (sexual assault includes sexual harassment, stalking or rape). More than half of the students reported other students would let personal loyalty and/or concerns for someone getting punished get in the way of reporting sexual assault.

Recommendations included:

Convene a Campus Advisory Board (CAB) and charge the board with oversight of campus activities related to prevention and response to relationship violence, sexual assault, stalking and sexual harassment.

- a) Assign a staff member to coordinate the Campus Advisory Board.
- b) Include membership from among those listed in the next steps for prevention and response planning.
- c) Name a Campus Coordinator/Contact Person through whom all prevention and response communications are coordinated.

Convene a workgroup of the Campus Advisory Board that consists of students, faculty, staff, administrators and local partners from rape crisis and/or domestic violence agencies that will:

- a) Determine strategic directions, goals and outcomes of campus-based prevention plan using the Campus Climate Survey and Campus Readiness Assessment results (if a Campus Readiness Assessment was conducted).
- b) Determine a menu of options for campus-based prevention activities including whole campus and population-based activities (e.g., activities focused on athletics or engaging men) that meet the goals and outcomes of campus-based plan.
- c) With support from campus leadership, implement planned activities.
- d) Evaluate planned activities for outcomes.
- e) Use evaluation findings to make course corrections in implementing prevention activities.
- f) Obtain prevention focused training and technical assistance from local and state partners such that members of the workgroup clearly understand their charge of comprehensive planning for campus-based prevention.

Convene a workgroup of the Campus Advisory Board that will:

- a) Develop and provide oversight on policies, procedures and protocols for responding to incidents of relationship violence, sexual assault, stalking and sexual harassment on campus.
- b) Develop, implement and disseminate relationship violence, sexual assault, stalking and sexual harassment reporting mechanisms to ensure all campus community members are informed.
- c) Provide a coordinated response to relationship violence, sexual assault, stalking and sexual harassment on campus; coordinate with the broader community in which the campus resides.
- d) Identify appropriate interim measures.
- e) Issue campus safety warnings/alerts (if required or necessary).
- f) Implement adjudication/investigation processes.

Charge the multidisciplinary, stakeholder workgroup to ensure the following:

- a) Provide advocacy services to survivors.
- b) Make confidential counseling available for survivors.
- c) Provide services and referrals to community resources (e.g., going beyond a hotline number to a warm referral).
- d) Address interventions for perpetrators.
- e) Establish support for individuals, parents, friends and community recovery.

Consider adopting social marketing campaign or other strategies to shift social norms related to gender-based violence.

Increase campus community member's understanding of policies and practices related to relationship violence, sexual assault, stalking and sexual harassment. Best practices for training students, faculty, staff and administrators about policies and procedures indicate that the most effective methodology for doing this includes the following: providing policies/procedures in written form (online or on paper); providing a short video or web-based video about the policies/procedures; and providing Q&A sessions.

Provide more trainings in all four types of gender-based violence prevention and response. Consider the principles of prevention (Nation, et. al., 2003) as you determine what this training should include and how it should be implemented with students, faculty, staff and administrators. Do not rely solely on online training.

In 2017, a variation of the Changing Campus Culture Climate Survey was administered, including the established benchmarking questions. The University of Toledo has worked this past year to address the recommendations and concerns put forth in the 2016 Changing Campus Culture Climate Survey results. In comparing the 2016 benchmark data to the 2017 benchmark data The University of Toledo increased it's overall rating in 8 of the 10 areas as evidenced below.

- There was an increase from 3.23 to 3.92 that the University would take the report seriously, a +0.69 change.
- There was an increase from 2.98 to 3.86 that the University would take steps to protect the safety of the person making the report, a +0.88 change.
- There was an increase from 3.00 to 3.81 that the University would support the person making the report, a +0.81 change.
- There was an increase from 2.98 to 3.55 that the University would take corrective action against the offender, a +0.57 change.
- There was an increase from 2.82 to 3.67 that the University would take steps to protect the person making the report from retaliation, a +0.85 change.
- There was an increase from 32.44% to 59.36% in the number of survey respondents who indicated training in sexual misconduct issues, a +26.92% change.
- There was an increase from 3.02 to 3.20 that the survey respondent has confidence in the University following the formal procedures to address complaints of sexual misconduct fairly, a +0.18 change.
- There was an increase from 1.85 to 2.03 in the number of survey respondents who reported being actively involved in activities to address sexual misconduct, a +0.18 change.
- There was a decrease from 2.93 to 2.79 in the number of survey respondents who report knowing where to seek help if they were a victim of sexual misconduct, a -0.14 change.
- There was a decrease from 2.50 to 2.35 in the number of survey respondents who report understanding the University's formal procedures to address complaints of sexual misconduct, a -0.15 change.

Overall The University of Toledo has greatly improved its efforts in sexual misconduct education. The University has made great strides in improving education, prevention and awareness tactics. Intentional programming was completed around our deficiencies and improvements were made based on the numbers highlighted. It also highlights two areas of growth that are needed in which

we have a campus community need to continue to strive to be better at including reporting procedure and what the formal procedure structure looks like.

Sexual Assault Prevention Assessment

Directions: Please place programs/activities/polices that you or your department are currently implementing to prevent sexual assault on The University of Toledo's campus, in the appropriate columns.

Primary Prevention:

Aims to prevent sexual assault before it ever occurs. This is done by altering unhealthy or unsafe behaviors that can lead to sexual assault, as well as education programs to define sexual assault and raise awareness.

Secondary Prevention:

Aims to reduce the impact of a sexual assault that has already occurred. This is done by detecting, encouraging personal strategies to prevent recurrence of sexual assault, establishing support for the survivor and implementing programs to return people to their original health and function to prevent long-term problems.

Tertiary Prevention:

Aims to soften the impact of the lasting effects of sexual assault. This is done by helping people manage long-term, the often-complex health problems and injuries that occur after sexual assault to improve as much as possible their ability to function, their quality of life and their life expectancy.

- Students enrolled in professional development courses receive information (to various degrees) pertaining to sexual harassment/assault.
- Freshman student-athletes enrolled in a summer orientation course (Orientation Strategies for College Success) receive sexual assault awareness education and training.
- Provide student-athletes, coaches and staff with annual training and education on sexual assault awareness and prevention through Title IX Office.
- Discuss Title IX with student-athletes at biannual meetings.

- Free and confidential advocacy services provided through Center for Student Advocacy and Wellness and the YWCA H.O.P.F. Center
- Dr. Ruth Ann Tetz, a clinical psychologist, is available to assist with any resultant issues.
- Utilize campus resources.
- Intersections online training by EverFi/LawRoom for faculty/staff.
- Bridges online training by EverFi/LawRoom for faculty/staff.
- Group training presented by Title IX Office to faculty and staff.

- Dr. Ruth Ann Tetz, a clinical psychologist, is available to assist with any resultant issues.
- Utilize campus resources.
- 3364-50-01 The University of Toledo Title IX Policy
- UT Police Victim Services with Lt. Johnson
- Materials provided with information, resources and accommodations to individuals impacted
- The Clothesline Project T-Shirt Making
- Dedicated, free and confidential counseling through Center for Student Advocacy and Wellness provided by an independently licensed

- Arrange for the Sexual
 Assault Education and
 Prevention Program
 (SAEPP) to speak with
 student-athletes at the
 beginning of the academic
 year at the annual student athlete kickoff picnic.
- Provide SAEPP contact information in the studentathlete handbook, which is published annually and provided to all studentathletes.
- Utilize NCAA My Playbook initiative to provide education to second year student-athletes on sexual assault awareness and prevention.
- (Future) Received Healthy
 Masculinity Grant to
 educate male student athlete population in
 becoming campus leaders
 in preventing sexual assault.
- Healthy Boundaries Presentation
- Pizza with Police
- UT Police Safety Presentation
- RAVE Guardian App
- UT Police Crime Prevention Flyer
- PAVE Poster campaign
- UT Police Personal Safety and Self Defense Program
- Online training by EverFi.
- One-on-one training conducted by Title IX Coordinator with specific groups on campus as

- Materials provided with information, resources and accommodations to individuals impacted
- The Clothesline Project T-Shirt Making
- UTMC forensic nursing program, conducting sexual assault exams and collaborating with community resources for referrals.
- Members of the forensic nursing program represent UTMC on the Lucas County Human Trafficking Coalition, the Lucas County Sexual Assault Response Ream, the Lucas County Domestic Violence Task Force and Fatality Review Committee.

professional counselor specially trained in trauma-informed care and techniques to reduce the impact of trauma resulting from sexual assault and/or interpersonal violence.

	requested.	
•	Classroom training with students working for Transit Services.	
•	Classroom training with students working for Recreation Center.	
•	Title IX Policy	
•	Brown bag lunches	
•	The Clothesline Project/ RAINN Day	
•	A Cup of Prevention	
•	Various Speakers	
•	Red Flag Event	
•	Denim Day	
•	Healthy Boundaries Presentation	
•	Bystander Intervention Presentation	
•	SAEPP Services Presentation	
•	V/RA Training Presentation	
•	Hall Director Training Presentation	
•	Staff Presentations	
•	Everfi – Haven- Understanding Sexual Assault	
•	UTPD Self Defense Classes Presentation	
•	Life@College	
•	Greek Life Presentation	
•	FYE Presentations	
•	White Ribbon Campaign	
•	One Love Presentation	
•	Collaboration: AXO Domestic Violence Luminary	

Silent Witness Project Welloween Be-Wise-er Individual Greek Life Presentations #Consentls Campaign Technology Table Program Collaboration: UTPD and Healthy Relationships Presentation Spring Break Safety Fair Collaboration with AXO: Walk-A-Mile Collaboration: Center for Student Advocacy & Wellness Speaker Under the forensic nursing umbrella, we lecture annually for the physician assistant program, the BSN mental health nurses, PEOPLE in healthcare medical students, PGY1 emergency medicine residents about caring for the sexual assault patient, dynamics of rape trauma syndrome, and sexual assault nurse exams SANE trainings On a monthly basis at new employee orientation hospital clinical staff receive information on sexual assault, human trafficking and domestic violence. This lecture is aimed to educate new employees about the UTMC forensic nurse

program and resources available to them should they encounter this patient

population

Title IX Benchmarking Report Summary

The Title IX benchmarking subcommittee consisted of: Katie Bush, Donn Kamm, and Jon Pawlecki.

The Title IX benchmarking task consisted of: contacting peer institutions as determined by the UT Office of Institutional Research to identify existing practice with regards to faculty/staff training on Title IX, sexual assault, sexual harassment and prevention at each respective institution.

Universities Benchmarked ²	
Ball State University	
Bowling Green State University	
Central Michigan University	
Cleveland State University	
Eastern Michigan University	
Western Michigan University	
University of Alabama	
University of Arkansas*	
University at Buffalo	
University of Illinois at Chicago*	
University of Nevada – Reno	
University of Memphis	
* Institutions not identified as peer institutions by Institutional Research	

Utilized telephone interviews and emails to answer the following questions:

- Who are your responsible employees under Title IX?
- 2.) Can you advise us of any training programs you have related to sexual assault, sexual harassment and prevention?
- 3.) Do you have bystander training?
- 4.) What trainings are you not providing that you feel may be beneficial?
- 5.) Other ideas, suggestions or discussion points that resulted from calls.

Respondents reported that their responsible employees under Title IX range from Office of Civil Rights definition to all employees. There are some employees who are exempt and these include: health service employees, counselors and mental health employees. The findings here are consistent with UT policy.

Respondents reported that training programs related to sexual assault, sexual harassment and prevention are conducted and facilitated by the Human Resources Department or the Title IX Office. Most institutions reported that trainings are not elective. Responsible employees are required to complete the trainings. Other institutions reported that their training programs are elective or departmentally mandated. These training sessions are conducted as many as three times annually and are facilitated online and in person. The vendor mostly utilized to conduct the online trainings is EverFi/Lawroom. If the training is in person, it is facilitated by a staff member from the Human Resources Department or the Title IX Office. In conjunction with the Title IX training, trainees are provided with physical or electronic collateral materials as a resource. UT provides mandatory training for responsible employees via EverFi/Lawroom on an annual basis. In person training is available through the Title IX Office upon request. UT offers limited collateral material and is working to enhance collateral offerings. In addition, the UT Title IX Office is working to increase collaboration with various stakeholders across campus.

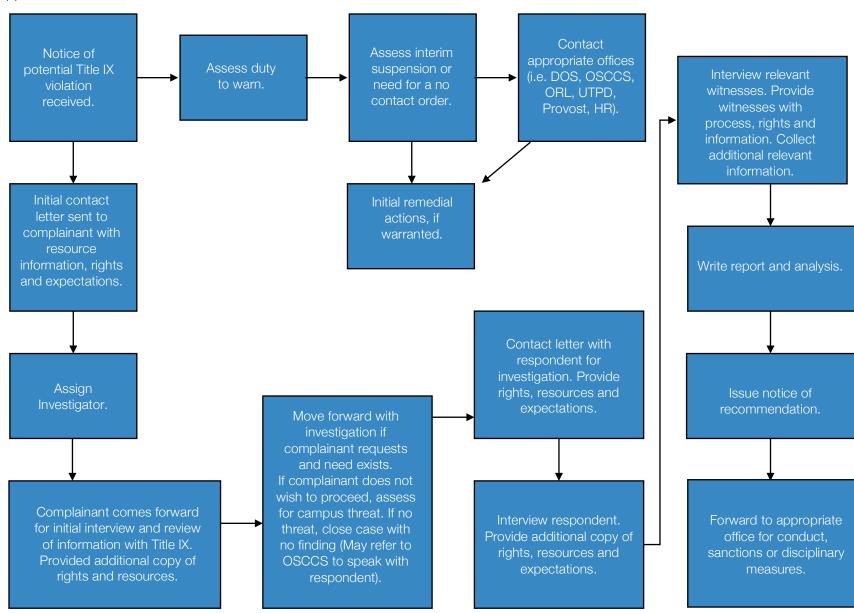
Most institutions reported that as it relates to sexual assault and sexual harassment prevention, bystander intervention training is commonly available for students, but currently faculty and staff do not receive the training. Faculty and staff also can benefit from engaging in such training. Green Dot was the prevalent bystander intervention choice among peer institutions. Others would have liked to offer additional in person training programs, but did not have the personnel to do so. Institutions suggested that it would be beneficial to distribute a campus-wide climate survey, as well as develop and implement a better mechanism for getting prevention messages out to the entire campus community. UT currently offers an underutilized bystander intervention program called Bringing in the Bystander, which is an in person training available upon request.

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² 26 Universities were contacted. Only 12 participated in this survey.

Title IX Process

Appendix 6: Title IX Flow Chart



Draft Campus Response Protocol

The purpose of this draft document is to generate more discussion as we move toward solidifying a permanent protocol regarding sexual assault. Included within this draft document are suggested protocols along with other topics that require more analysis involving the University's response to sexual assault. Until the process is complete, we will utilize the summer, interim, on-call emergency response schedule.

The University of Toledo's response to sexual assault involves a concerted effort between multiple offices on campus. The following offices have a role in support of a student who may be impacted by sexual assault: UT Police Department (UTPD), Sexual Assault Education and Prevention Programming (SAEPP), YWCA H.O.P.E. Center, University Counseling Center and on-call staff from the Department of Student Affairs.

The following information is pertinent to students, as well as staff, faculty and parents, in need of assistance and/or support regarding incidents involving sexual assault:

- (1) If a student feels like their safety is at risk, they should contact UTPD at 419.530.2600.
- (2) The Sexual Assault Crisis Hotline is available 24 hours a day at 419.530.3431 to acquire information, support and advocacy regarding sexual assault or interpersonal violence. This help line is connected to the Center for Student Advocacy and Wellness and rings to the main office during regular business hours (8:15 a.m.-5 p.m.). Students, staff and/or parents may utilize this number. The caller will be connected to an advocate or counselor. These calls will be triaged to determine what personnel, if any, are required to respond.
- (3) If the help line rings more than twice, calls are immediately routed to the YWCA H.O.P.E Center where students will be connected with an advocate or counselor. Direct contact for the YWCA H.O.P.E. Center is 866.557.7273. If a student is routed to YWCA H.O.P.E. Center, the advocate provides warm handoff to on-campus advocates the next business day to continue to work with the UT student.
- (4) Students also may receive walk-in services at the Center for Student Advocacy and Wellness located in Health and Human Services Room 3017. Students also can connect with a YWCA H.O.P.E. Center on campus advocate through this center. The center also can be contacted by phone at 419.530.2497.
- (5) Advocates provide crisis management triage and assist in getting students, faculty and staff resources that include: medical advocacy, housing advocacy, academic advocacy, Title IX advocacy, legal advocacy and mental health advocacy.
- (6) Should a student require support from the University Counseling Center (for everything other than sexual assault or interpersonal violence), the on-call mobile phone is 419.297.1226. A client should contact 419.530.3431 or utilize walk-in services during normal business hours. Students, faculty and staff may utilize the Center for Student Advocacy and Wellness or YWCA H.O.P.E. Center for advocacy services. If the Sexual Assault/Domestic Violence Counselor is not available for immediate crisis or triage, defer to Counseling Center. The overall process is

driven by student, faculty or staff request. If the person in services is not a student, they may only defer to Sexual Assault/Domestic Violence Counselor with the Center for Student Advocacy and Wellness. If counselor is not available, the client would seek outside referral source, such as Rescue Crisis.

(7) Only UT staff would be contacting the University Counseling Center on-call cell phone after standard business hours, as determined by triage of call by Center for Student Advocacy and Wellness personnel or YWCA H.O.P.E. Center Advocates. The next steps of the call, depends on the inquiry of the call.

The Center for Student Advocacy and Wellness is currently completing its protocol. Once complete, this document will be shared with the task force.

Specific names and phone numbers of select staff members can be added once those essential staff members have been unanimously identified.

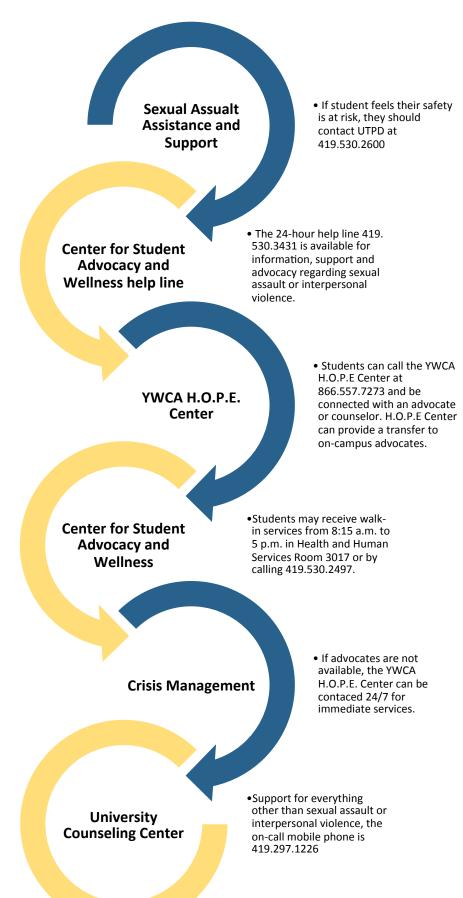
Other important contact information:

Rescue Mental Health and Addiction Services: 419.255.9585

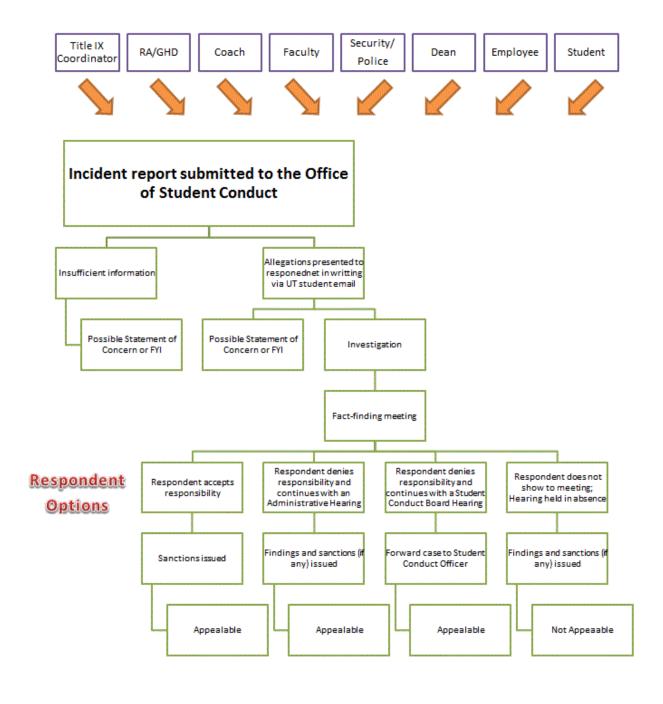
YWCA H.O.P.E. Center (24-hour rape crisis line) 419.241.7273

Other topics linked to this protocol:

- Timely Warning (How specific should the information be)
- Confidential vs. non-confidential support services
- Acquiring proper medical treatment
- Mental health services needed as a result of an occurrence of sexual assault
- Specific roles of the following areas: UTPD, SAEPP advocates, YWCA H.O.P.E. Center advocates and counselors, and University Counseling Center staff



Incident Investigation Process for the Office of Student Conduct



Draft Sexual Misconduct Syllabus Statement

The University of Toledo cares greatly about the health and well-being of our students, staff, faculty and guests to our campuses. Federal law, specifically Title IX, and University Policy require that all employees are mandated reporters of incidents involving sexual or gender-based violence or harassment.

Disclosures made to faculty or teaching assistants (TAs) about sexual or gender-based harassment, sexual assault, dating violence, domestic violence and/or stalking on or off campus are forwarded to the Title IX Coordinator. The Title IX Office will contact you regarding your rights, your option to request an investigation, interim safety measures and/or academic accommodations. In certain circumstances, the Title IX Coordinator may need to proceed with an investigation, even if none is requested, if there are safety risks to the student or campus community. Participation in the process is voluntary.

If you want a confidential place to disclose sexual assault, sexual harassment or intimate partner violence, the Center for Student Advocacy and Wellness provides free and confidential advocacy services to students, faculty and staff. Victims of sexual assault, sexual harassment, domestic violence, stalking or intimate partner violence can meet with an advocate who will assist you and provide you with options and resources. The center also provides free and confidential counseling services to students, faculty and staff. The center is in Health and Human Services Room 3017. Anyone who has been a victim can call 419.530.3431 to receive immediate assistance from a trained advocate.

Additionally, YWCA H.O.P.E. Center Campus Outreach is located in the University Counseling Center. Walk-ins are available Monday-Thursday 8:30 a.m. to 5 p.m. and offer confidential one-on-one supportive services for survivors and co-survivors and medical, legal and Title IX assistance. The Counseling Center is located in Rocket Hall Room 1810 and can be reached at 419.530.3431 or the on-call mobile phone at 419.297.1226. The YWCA H.O.P.E. Center also can be accessed as an off-campus resource at 419.241.7273.

The University is here to support your academic success. Should you be struggling in your classes and need further assistance regarding academic distress, mental health and/or substance abuse, The University of Toledo provides additional free resources at the Counseling Center.