

Title IX Assessment Initiative Results Overview

April 14, 2015



Overview Topics

- UT Title IX Objectives
- Assessment Initiative Background
- A Review of Title IX-Related Legislation
- Assessment Recommendations
- Key Initiatives & 90-Day Priorities



The University of Toledo Title IX Objectives

- The University of Toledo is deeply committed to preventing and addressing sexual harassment and sexual violence in its programs and activities.
- UT strives to ensure that students and employees are safe on campus and that it responds promptly and appropriately to reports of sexual misconduct.
- UT ensures that the rights of all members of the campus community are respected, including complainants, respondents, and others.



Assessment Initiative Background

During Fall, 2014, President Naganathan commissioned Ballard Spahr, LLP to conduct a comprehensive review of the university's Title IX program, policies, and procedures under Title IX of the Education Amendment of 1972.

A detailed assessment was conducted including...

- Approximately 100 individuals interviewed
- UT's Title IX policies and procedures were reviewed
- UT's website and communications vehicles were assessed



A Review of Title IX-Related Legislation

Federal government increasingly scrutinizes how educational institutions address sexual harassment, particularly sexual violence, in their programs and activities.

April 2014:

U.S. Department of Education's Office for Civil Rights and the President's White House Task Force to Protect Students from Sexual Assault...

- Provided detailed guidance on expectations with regard to institutional response to sexual violence on campus.



A Review of Title IX-Related Legislation

- October 2014: The Department of Education implemented amendments to the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”), commonly called the Campus Sexual Violence Elimination or Campus SaVE Act.
- Sets forth a number of new obligations for colleges and universities, including new reporting requirements for certain offenses.
 - Requirements for education and prevention programs for sexual assault and other crimes.

These enhanced obligations require educational institutions to take an increasingly deliberate approach to preventing and addressing sexual misconduct on campus.



Assessment Findings: UT's Strengths*

(*as noted in the report)

- UT Police Department's leadership role in contributing to a prompt response to sexual misconduct on campus.
- Commitment of UT's senior leadership to preventing and addressing sexual misconduct in UT's programs and activities and ensuring the UT responds to sexual misconduct in a thoughtful and compliant manner.
- Students and employees voiced strong commitment to participating in ongoing enhancements to the Title IX process and expressed a desire to assist in maintaining a strong and compliant Title IX process.



Recommendations

Recommendations center on actions that will ensure UT's success in implementing an exemplary Title IX program that fully addresses the needs, safety, and rights of students and employees.



Recommendations: Title IX Policies & Procedures

- Continue efforts to streamline, coordinate and revise policies and practices to ensure compliance with Title IX and The Violence Against Women Act.
- Reduce the number of Title IX policies in effect and ensure the policies communicate a clear and concise message.



Recommendations: The Role of the Title IX Coordinator

- Restructure the Title IX office to include one Title IX Coordinator primarily devoted to Title IX issues and Deputy Title IX Coordinators responsible for major campus constituencies.
- Provide on-going training and resources to the Coordinator and Deputies to ensure prompt and equitable implementation of policies and procedures, successful investigation of complaints, prompt administration of interim measures, accurate record keeping, and coordination with law enforcement and others.



Recommendations: Handling Title IX Complaints

- Utilize clear protocol for responding to Title IX complaints that notifies responsible employees of their duty to report to Title IX Coordinator incidents of sexual misconduct in UT programs and activities.
- Establish a procedure for handling Title IX complaints that identifies who will address and investigate reports, how interim measures will be provided, and sets forth a clear adjudicatory process.
- Complaint process should include timeframes to ensure that complaints are addressed in a prompt manner and within 60 days, absent extraordinary circumstances.
- Incorporate the use of an electronic tracking and data maintenance system across campuses, to allow the university to effectively monitor and address sexual misconduct on campus.



Recommendations: Education and Training

- Develop and implement a sexual misconduct prevention and awareness campaign that
 - educates students and employees about Title IX topics
 - where and how to report sexual misconduct
 - the role of the UT Campus Police
 - how to obtain resources
 - how complaints are investigated and adjudicated
- Educate students regarding the process and the rights of the complainants and the respondents.
- Expand educational efforts by offering programs throughout students' college careers, in multiple locations, at multiple times and in an interactive format.
- Investigators and adjudicators should be provided with in-person specialized training, at least annually.



Recommendations: Website and Other Resources

- Develop a series of electronic resource guides included on UT's Title IX website that provide information about:
 - The Title IX complaint process
 - Reporting options for complainants
 - Confidentiality
 - The rights of students accused of sexual misconduct
 - UT's definition of consent
 - On- and off-campus resources
 - Information about the role of drugs and alcohol
- Update Title IX website to include these guides, as well as relevant policies and procedures.
- The Title IX website should be coordinated with web pages created by the Counseling Center, the Police Department and Student Affairs.



Recommendations: Assessing Climate

- UT should utilize existing resources in the Women's Center and elsewhere on campus to develop an instrument to assess the campus climate with regard to sexual harassment, including sexual violence.
- UT may wish to hold a series of roundtable discussions among campus constituencies to encourage further dialogue about this topic.



Recommendations: Historical Case Review

- To ensure consistent and appropriate handling of Title IX reports, the university should undertake a historical review covering the past three (3) years of its response to Title IX matters.
- The review may consider topics such as communications with the parties regarding complaints, provision of interim remedies, preparation of investigatory reports, and the adjudicatory process, as appropriate.



Key Initiatives & 90-Day Priorities

- Streamline and reduce the number of Title IX-related policies to ensure a clear process and consistent message.
- Address staffing levels dedicated to Title IX including appointment of Title IX Coordinator with a focus on these issues and assigning three Deputy Coordinators.
- Provide clarity regarding the handling of Title IX complaints including clear timelines and individual accountabilities throughout the process.
- Develop a campus wide awareness campaign to educate the community on sexual assault prevention as well as prohibited conduct and resources available to survivors.

