

Task Force on Preventing Sexual Assault and Harassment
September 12, 2014

Members Present:

Ginger Ambler, Chair

Anna Martin

Rowan Lockwood

Chon Glover

Dave Gilbert

Marjorie Thomas

Peel Hawthorne

Eric Garrison

Ed Schardein

Kiersten Boyce

Mallory Tucker

Donna Haygood-Jackson

David Dessler

Kelly Petrey

Alex Greenspan

Cynthia Ward

Carla Costello, Staff to the Task Force

Jodi Fisler, invited by the chair

Absent: Deb Love, Susan Grover

I. Introductions and Welcome

- a. Ambler opened the meeting at 4:30 p.m. Members of the task force introduced themselves.
- b. Ambler noted that her administrative assistant would be in touch regarding future meeting times.

II. The Context in which we are working

- a. Ambler touched briefly on what the College has done over the years in regard to combatting sexual assault and harassment.

- She noted that it is a significant step in the right direction to have a task force devoted to this issue. Further, she added that the task force is stepping into a flowing river – the university will continue to innovate and strengthen our approach to sexual assault prevention and response, even as the committee does its work between now and June 30. We will not wait until June 30 to take needed action. Updates on activity will be shared with the committee and the campus community in real time.

b. Federal, state, legislative

- Boyce discussed the new Discrimination, Harassment and Retaliation Policy
- She also discussed federal and state legislation surrounding this issue, in particular Title IX and the creation of new legislation.
- New laws are focusing more on campus safety such as the Clery Act. Under the Clery Act, certain members of the W&M faculty and staff have been identified as Campus Security Officers. This act requires that these officers report any incidences of assault or violence against students, to be disclosed with other crime statistics.
- 2013-Violence Against Women Act-requires policies and procedures against dating and domestic violence and stalking, and disclosure of these policies and procedures.
- The proposed Campus Accountability and Safety Act would impose additional requirements of reporting obligations, the creation of one or more confidential advisors, mandatory training, and would also provide increased enforcement tools to the US Department of Education (up to 1% of annual operative budget per violation).
- Governor McAuliffe has established a Task Force to combat sexual violence and signed joint declaration with Attorney General and Virginia university presidents.

c. The W&M Context-Where we are and what is expected

- Organizational Chart-The task force reviewed the organization chart to obtain a better understanding of which offices and staff members are part of the sexual assault and harassment infrastructure.
- Increased enforcement-Office of Civil Rights. W&M is in the midst of an investigation.
 - The investigation will be broad based. OCR will examine the climate, our adjudication process, and they will continue to monitor what we do.
 - Next week OCR will visit campus next meet to meet with student focus groups and review files from the Dean of Students' Office.
- There is an expectation of immediate action.
- Standard required by OCR for cases of sexual misconduct is clear and convincing evidence.
- 3 crimes added: Dating and Domestic Violence and Stalking
 - Must apply for students, faculty and staff
 - Mandated training of all responsible employees
- d. Commonalities in OCR enforcement activities:
 - Focus on policies and procedures
 - Training
 - Title IX coordinator duties & visibility
 - Campus Climate-surveys

III. Where are we now: Recent Developments

- a. Haygood-Jackson noted that the Sexual Assault Response Protocol is being made more inclusive. They are broadening the scope to make it clear that it applies in any situation involving sexual violence or harassment..
- b. Ambler discussed other recent actions at W&M
 - Delegation at National Dialog on Sexual Assault (UVA)
 - Conference with TRADOC
 - On-Line Sexual Harassment Training Module for Faculty & Staff
 - Town Hall Meeting and Saturday Teach In after Sigma Chi email
 - Collaboration with Faculty Assembly Leadership and Student Affairs

- Gender Issues Coordinating Group: Focus on Campus Climate (no longer exists since the Task Force is now formed)
- Title IX Summit, Summer 2014

c. Thomas discussed the recent examination of the Sexual Misconduct Policy. This examination brought up questions such as:

- Are our policies appropriate as far as expectations, resources, what documents to go to?
- How are people held accountable? What is the impact of alcohol on these incidences?
- Is the process transparent?
- How does this policy incorporate how we respond to domestic violence, dating, stalking?
- What does it mean when you come forward-what does that mean as far as next steps?
- How are sanctions carried out?

*Revisions to the policy should be ready in the next few weeks.

d. Gilbert's office is looking into resources in the investigative process and adjudication process:

- Significant amount of time in investigating cases. Important to have a much more thorough investigation process. We must gather facts and not use hearing as the only venue. These investigations can result in a report of 75-100 pages and take up to 90 staff hours to complete.
- OCR expects them done in 60 days. They do not take as an excuse that we have x number of other cases open.
- Ambler noted that if we do what we want to do well, we will have more reports and that will further tap our resources.
- Boyce added that she currently has 13 open matters and 4 are student sexual harassment cases.

IV. Organizing Our Efforts

a. Haygood-Jackson-safe space in Campus Center-Students can go there if they are still questioning and are not ready to go through an official door, or to the counseling center. The safe space provides advocacy and education.

- Students are invested and have ownership
 - Tucker added that students have been looking for a space like this for quite some time
 - Important to note that there is no bottom line for students to come to the door “Gray Matters.” It’s ok that you aren’t quite sure what happened
- b. Care Support Services
- We don’t just stop dealing with students when the sanction is given. There is ongoing support and resources
- c. Outreach and Climate Actions
- Climate survey-Fisler looking at surveys from other institutions to try and determine what makes sense for our campus
- d. Garrison discussed education and prevention
- Students take modules online
 - Throughout orientation they have programs about alcohol and sexual assault
 - Healthful relationships. They offer 60 workshops about what makes a healthy and unhealthy relationship.
 - Various workshops, programs, and drop-in appointments are available. It is important that future programs are developmentally appropriate.

V. Ambler adjourned the meeting at 5:45 p.m. She said that the entire group would get together one more time before breaking into sub-groups.

*Materials will be added to the Blackboard site once created