



# WILLIAM & MARY

CHARTERED 1693

## Title IX at W&M: 2016 Progress Report

In September 2015, the President announced the completion of the [Task Force on Prevention of Sexual Harassment and Assault](#)'s work and adoption of its recommendations. This [announcement](#) discussed recent actions taken to improve our prevention and response, including (1) shifting to an investigative model for addressing student-on-student sexual assault (and other forms of sexual misconduct), (2) creating additional staff positions (two investigators, a survivor advocate expert, and a prevention specialist), and (3) centralizing prevention, education, and training oversight. The [results of the campus climate survey](#) were also released. The [Coordinating Committee for Prevention of Sexual Assault and Harassment](#), assembled in fall 2015, is continuing the work of the President's Task Force.

This document summarizes key actions taken during the academic year 2015-2016, since the President's announcement. Many of these actions implement Task Force recommendations.

**Policy Actions.** *Policies are necessary for both prevention and remedy of sexual harassment. By defining institutional expectations, they are the foundation of prevention; by establishing prohibited conduct, they permit enforcement and remediation.*

- Revision of the [Discrimination, Harassment and Retaliation Policy](#). The revisions make minor improvements/clarifications to provisions on reporting obligations and treatment of reports of harassing conduct that has not (yet) created a hostile environment.
- [Revision of the Policy on Sexual Misconduct, Dating and Domestic Violence, and Stalking](#). This policy, formerly applicable to students, now extends to faculty and staff. (Faculty and staff were subject to policies prohibiting sexual misconduct prior to these revisions, but the revision creates a clearer, more direct policy prohibition for these members of the campus community.) The policy was revised effective August 17, 2015, in interim form. Finalization is anticipated summer 2016.

**Education and Awareness Actions.** *These actions include both policy promotion efforts as well as education and outreach on issues such as safe alcohol use and healthy relationships.*

- **General Actions:**
  - A new professional position focused on education was created: a Sexual Violence Prevention Specialist. We anticipate this position being filled summer 2016.
  - Changed the name of the Title IX Coordinator's Office to the "Office of Compliance & Equity" and improved the [Office website](#) to clarify the central oversight role of the Title IX Coordinator with respect to education, prevention, and training efforts, in accordance with Task Force recommendations.
  - Continued build-out of the [sexual violence website](#) launched in August 2015, for example to provide information about [PERKs](#).

- **Student-targeted actions:**

- Posted broadly across campus [posters for student survivors of sexual assault](#), describing reporting options and resources and encouraging preservation of evidence. These posters are hung in bathroom stalls and bulletin boards and kiosks, to maximize student exposure. Updated posters were disseminated in April 2016, as part of recognition of Sexual Assault Awareness Month.
- Distributed a one page informational flyer to all on campus residents, approximately 5,000 students, in the fall of 2015. This flyer is handed out at resident check in along with the student key.
- Expanded and improved programming for incoming students:
  - Updated [online training required by all incoming undergraduates](#), the Haven, incorporating updated policies and procedures and resource information. Students were required to complete this program prior to coming to campus.
  - Expanded bystander intervention education and training as part of new student on-campus orientation activities, with required follow-up programs continuing into the fall semester. Sessions include an enhanced focus on the definitions and implications of “consent” and “incapacitation” in the context of sexual interactions and decision-making.
- [Title IX Collaborative Staff](#) participated on a panel discussion about relationship abuse and sexual assault on campus. The event was presented by a campus sorority chapter and included the Title IX Coordinator, as well as other campus resources for support and response available for victims.
- Discussed campus climate survey with members of the fraternity/sorority community as well as with chapter advisors.
- Expanded and improved programs for law students and Arts & Sciences graduate/teaching assistants.

- **Faculty/Staff-targeted actions:**

- In summer 2015, W&M purchased a new training course provided by EverFi – Haven for Faculty and Staff. This course was produced by EverFi working in partnership with the University of Michigan to comply with Title IX and the Violence Against Women Act. W&M is currently customizing the course for release to the campus community. This course will replace the online training completed in Winter/Spring 2015.
- Created a [section of the new sexual violence website](#) aimed at responsible employees (faculty and staff) with information about their reporting obligations. Faculty and staff also have access to this information through Banner (myWM).
- In-person educational sessions were provided in fall 2015-spring 2016 by the Title IX Coordinator or Deputy Title IX Coordinator to (1) new faculty in Arts & Sciences and the Arts & Sciences department chairs and program directors, (2) the Business School faculty, (3) the Virginia Institute of Marine Science faculty and administrative staff, (4) the School of Education and School of Business faculty and administrative staff, (5) Law School faculty, (6) Teaching Assistants and Graduate Assistants, (7) Haven volunteers, and (8) Student Affairs staff. These sessions included distribution of guidance materials about mandatory reporting requirements for responsible employees and resources available to victims.

**Training Actions.** *Many of the actions listed under “Education and Awareness” serve some training purpose. The items listed under this heading focus on actions designed to create or increase skills or technical knowledge among investigators, adjudicators, appellate officers, and others directly involved in responding to Title IX/VAWA incidents, including [the Title IX Collaborative Staff](#).*

- Conducted a full-day, in person training for investigators, adjudicators, appellate officers, and advisors, attended by the university’s Provost, Vice President for Student Affairs, Dean of Students, University Counsel, and other senior university officials. This interactive training was provided by [Daniel Swinton of NCHERM/ATIXA](#) and covered relevant topics including:
  - Title IX, Clery & VAWA
  - Forms of sexual harassment
  - Consent construct with case study
  - Evidentiary standard
  - Bias & prejudice; cultural competency
  - Credibility determinations
  - Sanctioning and appeals.
- Title IX coordinators and investigators completed multiple training and education programs, including:
  - Virginia Department of Criminal Justice Services (DCJS) Investigation of Sex Crimes Training for Campus Police and Public Safety Agencies
  - DCJS training for Investigation of Dating Violence, Domestic Violence, and Stalking for Campus Police, Public Safety and Civil Rights (Conduct/Title IX) Investigators
  - Association of Title IX Administrators Civil Rights Investigator Level One Training and Certification Course (attended by new Compliance & Title IX Investigator).
- Expanded W&M Police’s crime prevention capacity by certifying an additional Crime Prevention Specialist officer through the American Crime Prevention Institute.
- Completed additional required training for every W&M Police officer in (1) Investigation of Sex Crimes for Campus Police and (2) Public Safety and Bystander Intervention.
- Provided in-person training and updated training manual to W&M administrators who serve as advisors to students in Title IX investigations.

**Investigation and Remediation Actions.** *The changes to the sexual misconduct procedure, described above, are designed to improve investigation and resolution of complaints. These are additional steps:*

- Overhaul of the procedure used to address student-on-student Title IX and VAWA incidents (sexual harassment (including sexual assault). The [Student Sexual Harassment and Misconduct Grievance/Complaint Procedure](#) was revised effective September 16, 2015, and has been used to process all complaints and reports of sexual misconduct received beginning Fall semester 2015. The revised procedure shifts from a hearing-based model to an investigative model. Although the revised Procedure is in interim form, we anticipate only minor changes when it is finalized in non-interim form in summer 2016. In implementing the new investigative process, other improvements were made:
  - Implemented [Title IX Review Team initial assessments](#) of all reported incidents of sexual harassment or misconduct as well as VAWA incidents
  - Improved communications at all process phases, including determination notifications
  - Updated “rights and responsibilities” handouts and [web-based informational resources for students involved in Title IX investigations](#)
  - Allowed parties to use advisors of their choice, including attorneys, and to bring advisors to interviews and other meetings

- Specified timelines for all significant phases of the process.
- An additional investigator position was created and filled in April 2016. This is the second full-time investigator position.
- Adoption of a [new, consolidated procedure for addressing reports of employee \(faculty or staff\) sexual misconduct, harassment, or discrimination](#), designed in accordance with OCR guidance. Developing and adopting this procedure required approval from the Faculty Assembly, the Board of Visitors, and other university-wide committees and officials.
- Retained expert assistance for the Provost (appellate officer for student misconduct cases) to assist in review and communication of appeals.
- Creation of a new full-time professional staff position: the Haven Director. [The Haven](#) is a student-centered resource, equipped to help survivors of sexual assault understand their options and obtain campus support. The Haven Director is a full-time administrator and a new core member of our collaborative Title IX staff. The Haven Director began work in February, 2016.
- Implementation of a new Title IX module of the Advocate (Simplicity) system for managing Title IX reports and investigations.
- Created new and made improvements to existing reporting mechanisms including:
  - Created a [third-party reporting form](#) for responsible employees to make mandated reports of Title IX incidents.
  - Improved the [anonymous report form](#) to permit filers to provide more information (while remaining anonymous).

### **Outreach and Climate Actions.**

- A section of the new sexual violence website, [Statistics and Community](#), is dedicated to sharing outreach and climate information as well as historical Title IX statistics (e.g. number of reports, non-individualized adjudication outcomes) for the campus.
- The Clery Act [Annual Security Report](#), released to the campus community on September 28, 2015, contained improved and enhanced policy statements and other information relating to Title IX and VAWA crimes.