TITLE IX
COMMUNITY MEETING

2016 Campus Climate Survey Results
Revisions to the Policy to Adjudicate Sexual Misconduct

April 2016

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2016 CAMPUS CLIMATE SURVEY
2016 Climate Survey

- Open from January 19 – February 22, 2016
- Survey drafted by working group charged by the Maryland Higher Education Commission

- 375 students responded – 22% response rate
- Overall, the sample is representative based on gender, race, ethnicity, and class year
  - Students who identified as white and students who identified as female were overrepresented compared to the general student body
Outline

• Accessibility of Policy
• Perceptions of Campus Culture
• General Perceptions of Safety
• How the College Would Respond to a Crisis
• How the College Would Handle an Incident of Sexual Misconduct
• Knowledge of Campus Resources
• Resources Received Since Coming to SMCM
• Incidence of Sexual Misconduct
• General Comments
Accessibility of Policy

- Knew where to find the Policy
- Indicated having read the Policy

<table>
<thead>
<tr>
<th>Year</th>
<th>Knew where to find the Policy</th>
<th>Indicated having read the Policy</th>
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<tbody>
<tr>
<td>2014</td>
<td>50</td>
<td>30</td>
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<tr>
<td>2015</td>
<td>70</td>
<td>45</td>
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<tr>
<td>2016</td>
<td>80</td>
<td>60</td>
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Accessibility of Policy

- Compared to 2015, more participants reported that they knew where to find the Policy, that they had read the Policy, and that they found the Policy to be clear.
- First-year and sophomore students were more likely to have read the Policy and found it to be clear than juniors and seniors.
Perceptions of Campus Culture

- All students reported significantly positive rankings about the College’s general campus culture.
- Over 80% of participants reported that:
  - They felt valued in the classroom.
  - Faculty were concerned about their welfare.
  - They were happy to be at the College.
  - They felt safe on campus.
- Only 51% indicated that administrators were genuinely concerned about students.
- Students of color reported weaker feelings that they were “part of this college” and were “happy to be at this college.”
General Perceptions of Safety

• In 2015, participants were asked, “Generally, how safe do you feel on campus?”
  • 93% reported that they felt very or somewhat safe
  • 7% reported that they felt unsafe
  • 0% were unsure

• In 2016, participants were asked about their agreement with the statement, “I feel safe on this campus.”
  • 83% agreed or strongly agreed
  • 11% were neutral
  • 5% disagreed or strongly disagreed

• In 2016, 45% of participants reported that the College did enough to protect the safety of students
Comments About Safety

• 7 students expressed displeasure with the way the College handled past incidents of sexual misconduct, with some believing that the College cared more about its image than student safety

• 5 students or fewer cited a need for more preventative measures, such as educational initiatives regarding alcohol use and consent

• 5 students or fewer mentioned a need for increased lighting on campus and more blue light phones
How the College Would Respond to a Crisis

• These questions received lower positive responses than other questions in the 2016 survey
• 45% of participants indicated that the College does enough to protect student safety
• 39% of participants agreed that the College would
  • Handle a crisis well
  • Respond rapidly in a difficult situation
  • Handle incidents fairly and responsibly
• It may be worthwhile to investigate what participants considered “a crisis” when responding to these questions
• In addition, continue efforts to build confidence among students in safety and crisis-response initiatives
How the College Would Handle an Incident of Sexual Misconduct

• The questions regarding the College’s handling of sexual misconduct issue elicited generally positive responses

• In 2015
  • 43% reported that the sexual misconduct procedures were very or somewhat fair to all parties involved
  • 24% reported that they were not fair

• In 2016
  • 58% of participants reported that the College would be likely/very likely to handle a report of sexual misconduct fairly
  • 17% reported that it was unlikely/very unlikely that the College would handle a report fairly.
Comments About Fairness

• 7 students indicated that they perceived that the Policy was unfair to victims in particular and that there were no consequences for perpetrators

• 5 students or fewer indicated that the Policy was fair in theory, but expressed a perception that the procedures were not followed

• 5 students or fewer indicated a perception that the Policy was applied unfairly depending on the affiliations of the students involved

• 5 students or fewer felt the process did not provide enough protections for someone accused of engaging in sexual misconduct
Knowledge of Campus Resources

- I know where to go to get help on campus.
- I know where to go to make a report.
- I understand what happens when a student reports sexual misconduct.

Agree/Strongly Agree
Neutral
Disagree/Strongly Disagree
Resources Received Since Coming to SMCM

• Since coming to SMCM, participants reported receiving written or verbal information from the College about the following topics:
  • The definition of sexual misconduct (94%)
  • How to help prevent sexual misconduct (93%)
  • Title IX protections against sexual misconduct (92%)
  • Where to go to get help if someone you know experiences sexual misconduct (84%)
  • How to report sexual misconduct (81%)

• Over 80% reported seeing posters, completing online training, and attending orientation events about this issue
A moment to pause

• Please note that we are about to discuss information survey participants provided about their experiences of sexual misconduct
  • Incidence of sexual misconduct
  • The identities of the perpetrators
  • Who the participants told
  • When and where it occurred
  • Barriers to reporting

• Resources
  • SMCM Counseling Services: 240-895-4289
  • SMART: 301-904-2015
  • Walden Crisis Hotline: 301-863-6661
Incidence of Sexual Misconduct

- A subset of 178 participants chose to answer questions about the incidence of sexual misconduct
  - Of this group, 44 reported that they had experienced sexual misconduct since coming to St. Mary’s
  - The remaining 197 survey participants chose not to answer these questions.
- Accordingly, approximately 12% of survey participants chose to answer these questions and reported that they experienced sexual misconduct since coming to the College
- Approximately 36% of survey participants chose to answer these questions and reported having not experienced sexual misconduct or preferred not to say
- Approximately 52% of survey participants did not answer these questions
Identities of the Perpetrators

- Participants were asked who was involved in the unwanted behavior and invited to check all the responses that applied.
  - 32 reported that the other person was a student
  - 14 reported that the other person was an acquaintance
  - 10 reported that the other person was a stranger
  - 9 reported each of the following categories:
    - Non-romantic friend, ex-romantic partner
  - 5 participants or fewer reported each of the following categories:
    - Current romantic partner, family member, co-worker, casual or first date, other, prefer not to say
Who participants told

• Of the 44 participants who experienced sexual misconduct, 30 students decided to tell someone about the incident
  • 11 told a faculty, staff, or student staff member

• 26 participants told a close friend
• 10-15 participants told one of the following:
  • Parent or guardian, romantic partner, SMCM Counseling Services
• 5-9 participants told one of the following:
  • SMCM Residence Life, SMCM Title IX Coordinator, other family member, SMCM Public Safety, SMCM faculty
• 5 participants or fewer told one of the following:
  • Other, Peer Health Educator, police or law enforcement, rape crisis center, religious leader, SMCM Health Services, SMCM Sexual Assault Advocate, SMART
When and where it occurred

- When did the misconduct occur?
  - 31% reported during their first year, 48% sophomore year, and 21% junior year
  - Fewer than five students reported their senior year, “other,” or “prefer not to say”

- In which semester did the misconduct occur?
  - 50% reported that the misconduct reported in the fall, 37% reported that it occurred in the spring, and fewer than five students reported “other”

- 88% of these incidents occurred on-campus and 12% occurred off-campus
Barriers to reporting

- 12 participants who decided not to tell anyone about the incident provided the following reasons for their decision:
  - 9 reported that they didn’t think what happened was serious enough to talk about
  - 7 reported that it was a private matter and they wanted to deal with it on their own
Barriers to reporting

- 5 students or fewer reported the following responses:
  - Concerned others would find out
  - Didn’t feel the campus leadership would solve their problems
  - Didn’t know reporting procedures on campus
  - Didn’t think others would think it was serious
  - Didn’t think the incident had anything to do with the College
  - Didn’t think the College would do anything about their report
  - Fear of not being believed
  - Fear the person who did it would try to get back at them
  - Fear that others would harass them or react negatively
  - Felt embarrassed or ashamed
  - Had other things they needed to focus on and concerned about (such as classes or work)
  - Thought they would be blamed for what happened
  - Wanted to forget it happened
  - Other
General Survey Comments

• 8 students had suggestions about ways to improve the survey
• 7 students complimented the Title IX office
• 5 students or fewer mentioned being excited that the climate survey was being done
• 5 students or fewer mentioned Public Safety as either causing confusion or not providing accurate information
• 5 students or fewer referenced their own experiences with sexual assault and the difficulty that caused them
Next steps

• This survey data will be presented at the Spring Title IX Community Meetings, open to all members of the campus community

• Continue to analyze the 2016 survey data, to determine appropriate next steps, and to prepare a narrative report for the Maryland Higher Education Commission, due by June 1, 2016
Questions and Comments
REVISIONS TO THE POLICY TO ADJUDICATE SEXUAL MISCONDUCT
# Our timeline

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<th>Year</th>
<th>Event</th>
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<td>Spring 2015</td>
<td>Dr. Jordan charged a working group to examine civil rights model; group recommended that the College “seriously consider” this model</td>
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<td>Fall 2015</td>
<td>Draft policy revision based on best practices, other institutions’ policies, feedback from the community</td>
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<td>October 2015</td>
<td>Discuss policy revision with Board of Trustees Student Affairs Committee</td>
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<td>November 2015</td>
<td>Meet with SGA policy review committee</td>
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<td>December 2015</td>
<td>Solicit community feedback at open Title IX meetings</td>
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<td>January 2016</td>
<td>Present update to Board of Trustees</td>
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<tr>
<td>April 2016</td>
<td>Solicit community feedback at open Title IX meetings, SGA, SGA policy review committee, faculty senate, staff senate, etc.</td>
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<tr>
<td>May 2016</td>
<td>Present final proposal to Board of Trustees</td>
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<td>Summer 2016</td>
<td>Implement revised policy for 2016-2017 academic year</td>
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Policy Against Sexual Misconduct

- On the “Campus Rights” webpage
- [http://www.smcm.edu/campus-rights/](http://www.smcm.edu/campus-rights/)
- Requires Board approval to change

- Continually improve our policy
- Tailor it for our community
Current hearing model

- Investigator conducts investigation, prepares investigative report
- **Threshold determination** by Student Conduct Officer with Title IX Coordinator
- If so, move on to a hearing:
  - Investigator makes statement
  - Parties make opening statements and answer questions
  - Witnesses and investigator answer questions
  - Parties make closing statements
- Hearing board or external adjudicator makes determination of facts of case, whether policy was violated, recommends sanctions if necessary
- Parties may file appeal to Dean of Students or designee
Concerns about the hearing model

• May be re-traumatizing to students
• Concerns about privacy on campus
• Challenge of ensuring that pool of panelists maintains appropriate training
A comparison of two models

Key Point
- Parties have the same due process rights in both models: notice and the opportunity to be heard, to submit evidence, and to identify witnesses

Issues to consider
- Who makes determination of responsibility?
- Who issues sanctions?
- Who hears appeals?
Procedures to Resolve Complaints of Sexual Misconduct (draft)

- Formal Complaint
- Notice of Investigation
- Investigation
- Summary of Evidence
- Parties’ Response to Evidence & Revised Summary
- Outcome
- Appeal
1. Formal Complaint

- Complainant submits a **formal complaint in writing** or the Title IX Coordinator drafts a complaint based on the complainant’s statements.
- Formal complaint includes description of allegations with relevant dates, places, names of parties, statements made, documentation, and requested remedy.
- The formal resolution process shall generally be completed within **60 days** of the receipt of the initial report of allegations of sexual misconduct.
2. Notice of Investigation

- Title IX Coordinator sends **written notice of investigation** to both parties, including the name of the complainant; the date, time, and place of alleged misconduct; the policy provisions, the range of potential sanctions, and the name(s) of investigator(s).

- One or more **investigators** are assigned by the Title IX Coordinator; they may be College employees or external investigators. Investigators will have specific training and experience. Parties may notify the Title IX Coordinator of investigators’ conflicts of interest.
3. Investigation

- The investigation ordinarily includes interviews with the parties and any witnesses, review of pertinent documents, etc.

- At the initial interview of the respondent or within 3 days, the respondent may provide a written response to the allegation including names of witnesses and pertinent documentation.
3. Investigation

• After each interview, the investigator(s) shall prepare a **written summary of the interview** and email it to the person who was interviewed for comments or additional information.

• Investigator(s) will strive to conduct the investigation in **20-25 business days** after the notice of investigation.
4. Summary of Evidence

- At end of investigation, investigators prepare a **written summary of the information gathered**, including names of witnesses, summaries of information provided by witnesses, and copies of all documents or evidence.

- The summary of evidence is marked “**confidential**” and emailed to both parties. Parties and advisers are required to treat the summary of evidence as confidential.
5. Parties’ Response to Evidence and Revised Summary

• All parties have 5 business days to **review** the summary of evidence and **submit** any written comments, additional information, or questions.

• The Title IX Coordinator will submit the parties’ responses to evidence to the investigator(s), who will review the parties’ responses and may conduct additional interviews.
5. Parties’ Response to Evidence and Revised Summary

• If necessary, the investigator(s) will prepare a revised summary of evidence based on the parties’ responses to evidence.

• Within 3 business days after the response to evidence is due, the parties may submit an impact statement describing the impact of the case on them and/or requested sanctions to the Title IX Coordinator. These statements are given to the investigator(s) if the respondent is found responsible.
6. Outcome

• The investigator(s) will submit a **written outcome** to the Title IX Coordinator including findings of fact, the evidence relied on to render the findings of fact, and a determination of whether the conduct violated the policy.

• If the respondent is found responsible, the investigator(s) will review the parties’ impact statements and may consider the respondent’s disciplinary history to determine **sanctions**.

• Investigator(s) will strive to complete the outcome within **10 business days** of receipt of the parties’ response to evidence.

• Title IX Coordinator emails the outcome to the parties.
7. Appeal

• Either party may appeal the outcome, including determination and/or sanctions, to the appeal officer.

• Appeal must be filed within 5 business days of receipt of the outcome. If a party appeals, the other party will have 3 business days to respond to the appeal in writing.

• Appeal officers will be appointed from a pool of external appeal officers with specific training and expertise in Title IX matters.

• Appeal decisions will be rendered within 15 business days from date of the submission of documents.
Questions and Comments

- Formal Complaint
- Notice of Investigation
- Investigation
- Summary of Evidence
- Parties' Response to Evidence & Revised Summary
- Outcome
- Appeal
Thank you!

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