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Title IX Presentation to the Faculty Meeting

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12/6/18

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What happens after a report is made?

Incident reported



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graph TD; A[Incident reported] --> B[Information reviewed by TIX Coordinator (TIXC)]; B --> C[TIXC sends email to individual and offers to meet to discuss options/resources];
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Information reviewed by TIX
Coordinator (TIXC)

TIXC sends email to individual and
offers to meet to discuss
options/resources

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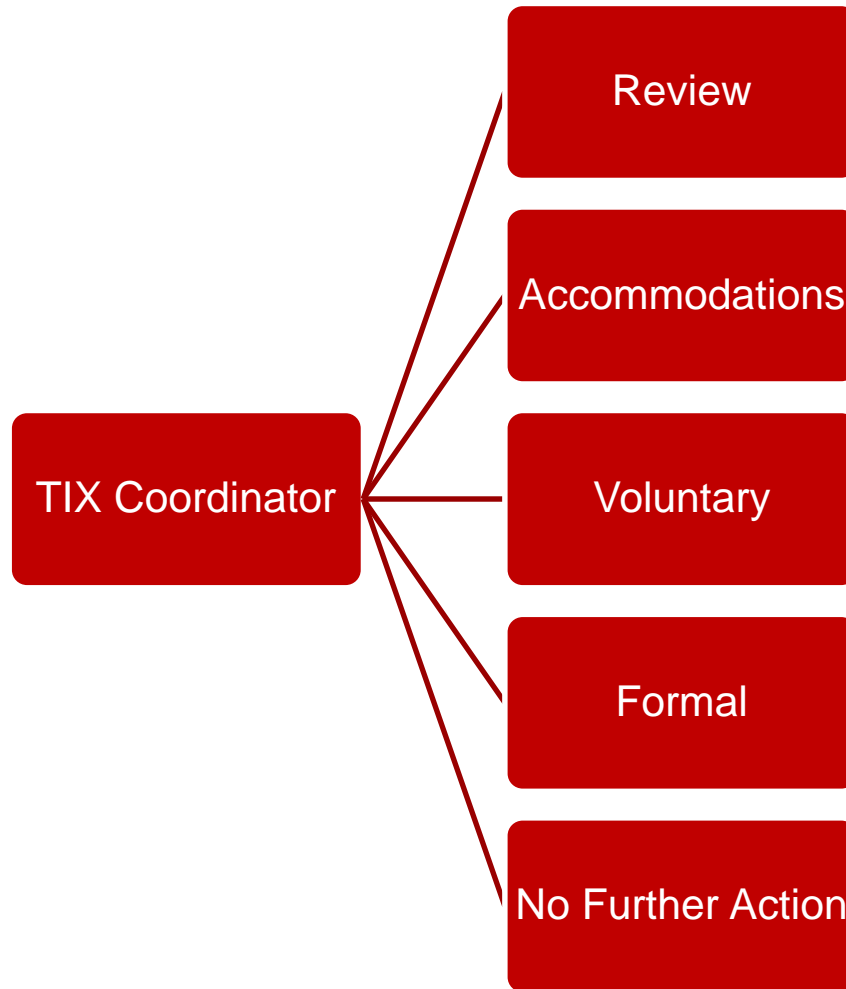
In the next slide, you will find a visual of procedural options available through our *Sexual Harassment and Misconduct policy*.

For all cases reported, the Title IX Coordinator reviews the information. In cases where a Complainant is identified in the report, the TIX Coordinator emails the individual providing information regarding his/her rights, resources and procedural options.

In all cases, accommodations are offered to both Complainants and Respondents as available.

If the Complainant agrees to meet with the Title IX Coordinator, the individual has the right to request a Voluntary Resolution, Formal Resolution or No Further Action and maintain the information on file. In cases where a Complainant requests No Further Action, s/he is advised that s/he may contact the TIX Coordinator, at any time, and decide on a different resolution path.

College Process & Options



Note: Accommodations are available on an on-going basis to parties.

When we receive a report of sexual misconduct

When we receive a report of sexual misconduct our primary goal is to provide access to services, and inform individuals about their rights and procedural options. We also encourage individuals to speak with law enforcement to learn about their options through the criminal justice system.

We provide this information so that individuals who report incidents are equipped to make their own decisions about how they wish to proceed.

While we talk about what our process entails, we leave it up to the Complainant to decide whether to initiate a process. We reserve the right to initiate a formal investigation over the wishes of the Complainant when we believe there is an overriding threat to the individual or the Dickinson College community. Otherwise, we believe that keeping the procedural decision in the hands of the Complainant best balances any competing interests.

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The next slides provide a summary of the Voluntary Resolution Process and Formal Resolution Process.

Voluntary Resolution Process Summary

Intake

- Report comes in; TIX Coordinator reviews information
- Initial Email sent to Complainant, including information about rights, resources and procedural options
- TIX Coordinator meets with the Complainant to provide information about rights, resources and procedural options
- TIX Coordinator gathers the wishes of the Complainant as to the process
- TIX Coordinator will, in most cases, uphold the wishes of the Complainant unless there is an overriding threat

Communication

- TIX Coordinator sends an email to the Respondent, including information about the allegations, rights and resources
- TIX Coordinator meets with the Respondent and reviews process, provides information about rights and resources. The meeting is also an opportunity for the Respondent to share his/her account of the incident
- TIX Coordinator will review remedies requested and ask whether the Respondent agrees to the remedies
- TIX Coordinator will put remedies in place for the Voluntary Resolution process when parties agree

Resolution

- Remedies are put in place and can be revisited on an on-going basis (ex: mediation; shared employment where schedules may change from semester to semester; parties may later agree to rescind mutual No Contact Agreements; housing may be checked prior to a semester in order to avoid parties residing in the same residence; etc.)

Formal Process Summary

Intake

- Preliminary Review/Assessment
- Initial Email to Complainant (including information about rights, resources, and procedural options)
- Initial Meeting with Complainant
- College may impose interim measures, if appropriate
- Provide resources, support, accommodations

Notice

- Notice with information about the allegation(s) is sent in writing to Respondent (including information about policy, rights and resources)
- Initial Meeting with Respondent (to review process, any interim measures, accommodations, rights and resources)
- Provide resources, support, accommodations

Investigation

- TIX Coordinator designates Investigators to case (both parties receive notice/check for conflict of interest)
- Investigators conduct comprehensive interviews with both parties, any witnesses, and gather any evidence (police reports, medical reports, communications between parties, etc.)
- Investigators draft Investigation Report
- Complainant and Respondent have the opportunity to review draft Investigation Report
- Parties have the opportunity to provide any additional information to Investigators, can ask questions, request to include additional evidence
- Investigators may take additional investigative steps and will finalize Investigation Report
- Investigation Report, including findings is submitted to the TIX Coordinator

Formal Process Summary

Resolution

- The Investigation Report and all relevant information is forwarded to either a Review Panel (for students) or Reviewer (ex. HR Official for cases where Respondent is staff)
- The Review Panel/Reviewer determines whether or not there is a policy violation
- If it is determined there is a policy violation(s), both parties have the opportunity to submit impact/mitigation statements and character references
- After review of any statements submitted, the Review Panel/Reviewer determines sanctions

Appeal

- Both parties have the right to Appeal (grounds for Appeal include, new information that was not available during investigation and info. that could affect the finding; a deviation from College policy or procedures that materially affected the outcome; and sanction is too harsh or too lenient)
- The other party will be notified in writing of any appeal, will be provided a copy of the appeal submitted, and will have the opportunity to respond in writing

Resolution

- The designated Appeal Official will review appeal(s) and make a decision
- The Appeal Official will communicate the result of the appeal(s) to the Complainant and Respondent
- Appeal decisions are final

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In the next slide, you will find some of the ways in which we can respond when a student has requested accommodations. The bolded items represent examples that might involve a faculty member.

The range of measures/support services/accommodations can be available regardless of the process (Voluntary Resolution, Formal Resolution, No Further Action).

The Title IX Coordinator works closely with faculty when either a Complainant or Respondent makes a request for academic accommodations. Because the TIX process is private, the Title IX Coordinator can not share details of the incident with faculty, but can ensure the faculty member that an incident has occurred and that the Title IX Coordinator is working closely with the student.

What each student needs varies and we tailor our accommodations based on the incident that occurred and how an individual has been impacted. Our goal is to remedy any negative effects or consequences that an individual may have experienced due to an incident of sexual misconduct.

The Title IX Coordinator is available to meet with faculty to discuss available options to support accommodation requests.

Range of Measures (interim and/or on-going)

We are required to support students and provide available accommodations.

- **No-Contact Directive for all parties**
- **Change in class schedule, including the ability to transfer course sections or drop a course without penalty**
- **Rescheduling of exams and assignments**
- **Providing academic support services, such as tutoring**
- Change in work schedule or job assignment
- Change in living arrangements
- Limiting an individual or organization's access to certain College facilities or activities pending resolution of the matter
- Providing an escort to ensure safe movement between classes and activities
- Providing counseling services and assistance in setting up initial appointment
- Providing medical services
- Change in student status, such as voluntary leave of absence, interim separation/suspension

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The next slide includes a sample email from the Title IX Coordinator. The goal for the Title IX Coordinator is to work collaboratively with faculty, who best know their materials and classes, and consider options in providing support and accommodations to students.

There are many ways in which we can consider how to support students. The TIX Coordinator will look to you to understand what can be available for students in your specific classes.

Some of the ways in which faculty have assisted with remedies include:

- not penalizing students if they missed a few classes after an incident
- extending deadlines for assignments
- allowing additional time for testing
- allowing a student to take an alternative test at a later date

Example Email to Faculty

Hello Professor,

My office oversees the College's response to reports of sexual harassment that may impact members of our community, including the provision of resources and support services to assist students so that their educational opportunities are not negatively impacted any more than necessary by an incident.

I have been working with a student in your class named [NAME], and, while I cannot disclose many specific details regarding the context of my interaction, I can confirm that [NAME]'s ability to attend your class over the past [TIMEFRAME] has been affected by an incident that we have been processing through my office.

I would very much appreciate it if you would be willing to exercise your discretion in allowing [NAME] some flexibility with respect to their attendance in your class due to the incident.

Thank you very much for your time and consideration in this matter. If you have any questions or concerns related to my e-mail or the student's performance in your class, please do not hesitate to reach out at any time.

Sincerely,
Katharina Matic
TIX Coordinator

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The next slide provides information about the types of cases reported to the TIX Coordinator during the Fall 2018 semester.

All cases are reviewed by the Title IX Coordinator, and if there is information as to the identity of the Complainant, an email is sent to the individual that includes information about available services, accommodations, their rights and procedural options.

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Types of Cases Reported - Fall 2018

Type	Count
Domestic/Dating Violence	4
Fondling	8
Gender-based discrimination	1
Retaliation	3
Sexual Assault	9
Sexual Exploitation	1
Sexual Harassment	16
Stalking	1
TIX Related (unspecified)	1
TOTAL	44

Anonymous Reporting

Any student can file an Anonymous Report by visiting the TIX Office's website at <https://www.dickinson.edu/titleix>.

To remain anonymous, an individual simply does not include their identifying information in the report, but can include all other information they are aware of.

This online report is centralized, so that once a report is submitted, it is sent directly to the Title IX Coordinator for review.

It is important to note, that most faculty and staff members are mandated reporters and therefore cannot make an Anonymous report, nor can they maintain anonymity of the person making the report to them.

Reporting

The next slide provides information as to how many Complainants remained Anonymous or were not identified. You will find that the majority of Complainants were identified.

In a number of cases where a Complainant was not identified or remained Anonymous, the College had other information in the report, such as the identity of the Respondent, details regarding the incident, or the identifying information of other possible witnesses.

Anonymous reporting is valuable in that it allows the College to move forward with a preliminary review and investigation of the reported matter. The College can use this information to respond to incidents that may affect the campus climate by conducting targeted educational training and programming for a specific group, organization, or department; or request increased Campus Security patrols at a particular location.

Complainant Information

Complainants	44
Anonymous (did not self-identify)	4
Not identified in report (by others)	3
Identified	37

Reporting

The next slide provides information as to how many Respondents were not identified or were unknown. You will find that the majority of Respondents were identified in reports.

In a number of cases where a Respondent was not identified, the College had other information, such as the identity of the Complainant or details regarding the incident.

The College reached out to each Complainant identified to provide information regarding rights, resources, accommodations, and procedural options. In a number of cases, the TIX Coordinator met with individuals who chose not to identify the Respondent. In such cases, Complainants are informed of their options and encouraged to contact the TIX Coordinator at a later time if they decide they would like to request a resolution process.

Respondent Information

Respondents	42*
Not identified at the choice of Complainant/Reporting party	12
Unknown (not identified in report)	5
Identified	25

***Note:**

For the Fall 2018 data, there is a 2 count difference between Complainants and Respondents because one case included multiple Complainants against the same Respondent.

Dickinson TIX Cases

The next slide showcases the procedures implemented for sexual misconduct reports, including –

- Cases currently under review
- Cases that have been reviewed but for which there was No Further Action
- Cases that were resolved through a Voluntary Resolution Process and
- Cases that were resolved through a Formal Resolution Process

Note: In all cases where the Complainant was identified, information about rights, resources, accommodations, and procedural options were provided.

Recorded Dickinson TIX Cases (2015 – present)

	2016-2017	2017-2018	2018 to date
Currently In Review	-	-	1
Reviewed/ No Further Action	7*	20*	30
Voluntary Resolution	4*	4*	9
Formal Investigation	9 (4)	5 (2)	2
Total	20*	29*	42

***These numbers may increase as we gather information for the centralized repository.**

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In the next slides, we provide information about complaints received in the past several years, outcomes and sanctions.

We are committed to transparency regarding the types of reports we receive and resolution of these matters while remaining committed to protecting the privacy of the individuals whose very real experiences are represented. In those categories where there is a small number of cases, we aggregate the results to protect the privacy of the individuals involved.

TIX Investigations - Student Respondents (2015-present)

Complainant	Allegations	Outcomes
Student	Sexual Assault (touching)	Not Responsible
Student	Stalking Harm to Others Intimate Partner Violence	2-semester Suspension Anger Mgmt Assess & Treat Substance Use Assess & Treat
Student	Sexual Harassment Sexual Assault (touching)	2-semester Suspension
Student	Sexual Harassment Stalking Intimate Partner Violence	Expulsion
Student	Sexual Assault	Not Responsible
Student	Sexual Assault	Expulsion
Student	Sexual Assault (touching)	1-semester Suspension Counseling
Student	Sexual Assault Intimate Partner Violence	Not Responsible
Student	Sexual Assault Retaliation Harm to Others	Not Responsible Not Responsible Not Responsible
	Sexual Assault (touching) Sexual Harassment	2-semester Probation Training
Student	Sexual Assault (touching)	1-semester Probation

TIX Investigations - Employee Respondents (2015-present)

Complainants	Allegations	Outcome Examples
Student or Dickinson College	Sexual Harassment Gender Inequity Dishonesty	Not Responsible 1-yr Suspension 2-yr Pay Freeze Loss of Sabbatical Psych Exam TIX Training Dismissal

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Thank You!

If you have any questions or comments, please contact:

titleix@dickinson.edu

For more information, visit our website at:

<https://www.dickinson.edu/titleix>