**CAMPUS SEXUAL VIOLENCE TASK FORCE
Final Report: Goals and Recommendations**

**Clayton State University**

**June 2014**

**Introduction**Sexual misconduct is a concern on college campuses nationwide. According to a *Dear Colleague Letter* issued April 4, 2011, by the Office for Civil Rights, 20 percent of female students and 6.1 percent of male students are victims of completed or attempted sexual assault while in college. As incidents of sexual assault and violence continue to increase, new recommendations, standards of best practices and legislation emerge in order to attempt to protect students and prevent additional assaults. Building on the requirements of the Clery Act, which requires annual reporting of statistics for various criminal offenses, the Campus Sexual Violence Act (Campus SaVE) was signed into law in March 2013 as a new amendment to the Violence Against Women Act of 1994.

In February 2014, Clayton State University President Tim Hynes confirmed the University’s commitment to do all it can and should do to prevent sexual assault of its students and to properly respond to every individual report of sexual assault. To that end, he charged a group of University academic personnel, staff and students to come together as the Campus Sexual Violence Task Force.

This report outlines the work of the Task Force and offers recommendations in response to the President’s charge.

**President Hynes’ Charge to the Task Force**

The Violence Against Women Reauthorization Act (VAWA) was signed into law last year and imposes new obligations on colleges and universities under its Campus Sexual Violence Act provision, Section 304. The obligations refine, clarify, and to some extent change existing requirements and enforcement regulations. In light of the requirements, as well as the ever present need to regularly review policies and practices, Clayton State University (CSU) will establish a task force to review and address the needs of our campus in this area.

Charge: *To review Clayton State University’s current procedures and policies; investigate commendable practices from other institutions; develop new policies, procedures, and practices to fill any identified gaps; and propose a plan for their implementation.* The Campus Sexual Violence Act Task Force shall take into account and adhere to state and federal laws, especially Title IX of the Education Amendments of 1972, as well as the new requirements established by the Violence Against Women Reauthorization Act which will be effective March 7, 2014. In exploring this topic, the committee should consider the following components:

● Sexual assault, domestic violence, dating violence, and stalking reporting procedures, including Clery Act compliance

● The student conduct process as it relates to sexual assault, domestic violence, dating violence, and stalking cases, including the structure of the grievance procedure required by Title IX and the process of conduct review mechanisms

● Support services for students who are victims of sexual assault, domestic violence, dating violence, and stalking

● Training programs that promote awareness of rape, acquaintance rape, domestic violence, dating violence, and stalking, particularly for all faculty, staff and students who serve in roles in which a student might report a sexual assault and who participate in conduct review activities

Members of the Campus Sexual Violence Task Force

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**Methodology**

The Task Force met five times during February – May 2014. Task Force members also communicated in sub-groups outside regularly scheduled meeting times. Over this period the Task Force reviewed Clayton State University’s (CSU) current programs and services, Task Force reports from other colleges and universities, benchmarking reports from government agencies, and legal mandates provided by Title IX, The Campus Sexual Violence Elimination Act (SaVE,) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery.) In addition, current CSU policies were reviewed and compared to new requirements in order to identify areas for update and change.

Fortunately, the Task Force’s review of CSU’s current programs revealed that CSU already had a number of services and programs through various departments on campus. These include:

Human Resources Sexual Harassment training for all employees

Community Standards Published information regarding rights of victims of sexual
 misconduct, and Clery Act reporting

Counseling and Psychological Services Awareness programs including Clothesline Project, Take
 Back the Night, Bystander Intervention, Vagina Monologues,
 Sex Signals, Domestic Violence Awareness and Education; and
 support services for student victims

Campus Life Programs on anti-bullying, domestic violence, and human
 trafficking through AmeriCorps; and “These Hands Don’t Hurt
 through Alpha Kappa Lambda Fraternity’s philanthropy

Public Safety Capturing relationship information in crime reports to ensure
 they identify incidents of domestic violence, dating violence,
 and stalking; presentation to sorority groups on dating
 violence; defense classes for women; raising awareness of
 incidents through campus media outlets; employee training;
 publication of Clery reports on department website

Nonetheless, The Task Force identified a number of areas for change based on needs for improvement and growth, as well as new regulations. These are detailed in the next section, Recommendations. Our recommendations include policy and procedural changes needed to respond more effectively to sexual misconduct reports, to ensure that students who are victims of sexual misconduct are fully supported, and to strengthen our students’, faculty’s and staff’s sense of personal responsibility to each other and to the larger CSU community. The Task force recommendations also emphasize a student victim’s right to choose the options that best meet his or her needs and that support personal healing.

 **Task Force Recommendations and Rationales for Them**

**SEXUAL MISCONDUCT REPORTING**

***Recommendation 1***. CSU should provide clear information regarding support services available to the campus community in the event of sexual misconduct or other forms of interpersonal violence, , regardless of which office initially receives the report. The Task Force recommends the creation of a website with specific comprehensive information about sexual assault, domestic/dating violence, and stalking. It is critical that students, staff, academic personnel, parents and other members of the CSU community have easy access to information, including resources, polices, and programs related to these acts of violence, as well as information about reporting options. A single website with an intuitive URL (csu.edu/interpersonalviolence, for example) should be developed and maintained to house information from various sources.

**Rationale**: There is not a single point of contact for receiving reports of violent acts. Student victims respond differently to these situations and thus control when and how an incident is reported. The reporting process is initiated when the student approaches University personnel; therefore a variety of personnel may receive the initial complaint. A student might choose to report to the Department of Public Safety, a Resident Assistant, a professor, staff members at Counseling and Psychological Services, a practitioner at University Health Services, or an academic advisor. Rather than attempting to designate or require one point of entry for sexual misconduct, protocols should be in place so that staff and faculty who receive a complaint will know where to refer the student to ensure that he or she receives appropriate support. Staff and faculty will also inform students about options including reporting incidents to law enforcement. All university personnel should also be knowledgeable about campus programs and services available to students.

***Recommendation 2*.** Faculty and staff should be trained on their reporting requirements.

**Rationale**: Certain employees of higher education have legally mandated reporting responsibilities relating to certain types of violent acts, specifically sexual assault. For example, Title IX legislation dictates that university employees considered to be “responsible employees” must inform the Title IX Coordinator of all reports of sexual misconduct. It is up to the university to determine who these mandated reporters are, and all university employees should be informed of these requirements.

***Recommendation 3***. Students should be informed that any sexual misconduct reported to a non-confidential resource must be referred to the CSU Title IX Coordinator as required by the *Dear Colleague Letter*.

**Rationale**: The *Dear Colleague Letter* specifically requires that a Title IX Coordinator facilitate the university’s investigation of Title IX complaints, including sexual misconduct. Students should be aware that non-confidential University staff and faculty have an obligation to refer any sexual misconduct complaints reported to them to the Title IX Coordinator.

***Recommendation 4***. Confidential and non-confidential campus resources should be explicitly defined.

**Rationale**: It is important that students know which resources are confidential and non-confidential, and to whom these resources reports. Regarding confidentiality, the *Dear Colleague Letter* states:

 “*Schools also should inform and obtain consent from the complainant … before beginning an
 investigation. If the complainant requests confidentiality or asks that the complaint not be pursued, the
 school should take reasonable steps to investigate and respond to the complaint consistent with the
 request for confidentiality or request not to pursue an investigation. If a complainant insists that his or
 her name or other identifiable information not be disclosed to the alleged perpetrator, the school should
 inform the complainant that its ability to respond may be limited.” (p.5)*

***Recommendation 5***. Students should be able to request anonymity. Requests of anonymity by students who are informally disclosing an incident to a faculty or staff member should be respected. In these cases, if the incident is of sexual misconduct, the University employee will report the details of the sexual misconduct incident to the Title IX Coordinator, excluding the name of the student. Similarly, the identity of students who wish to remain anonymous following an informal report of any other act of interpersonal violence to a faculty or staff member should be protected.

If a student victim discloses an incident to a responsible party (as determined by Title IX regulations) and requests confidentiality, the University must weigh that request against the University’s obligation to provide a safe environment for students, including the victim. If the University honors the request for confidentiality, the student victim should be made aware that the University’s ability to meaningfully investigate and pursue disciplinary action may be limited.

**Rationale**: Students should have the ability to anonymously report incidents, including incidents of sexual misconduct. A student’s wishes should be given full consideration at all times when confidentiality, particularly anonymity, is requested, because it is imperative that students be fully supported in their efforts to respond as they determine what is in their own best interest. To this end, we recommend that the University safeguard each student’s confidentiality, and support the student’s right to make choices and options available whenever possible.

***Recommendation 6***. The Department of Public Safety should review its investigative procedures to allow for expanded categories for reporting acts of violence.

**Rationale**: The Campus SaVE expands the reporting requirements established in the Clery Act to include domestic violence, dating violence and stalking. In addition, the Campus SaVE act adds two new categories of individuals who are protected under the law – national origin and gender identity. The new categories allow for the commission of a hate crime, based on whether the individual was victimized because of their status or because of their perceived status.

***Recommendation 7***. CSU should conduct a campus climate survey in order to understand the current state of the problem of these varying forms of interpersonal violence on campus.

**Rationale**: The *First Report of the White House Task Force to Protect Students from Sexual Assault* provides a toolkit to conduct a survey, and urges schools to conduct the survey next year (2015.) The survey is available at NotAlone.gov.

**INVESTIGATIVE PROCESS/DISCIPLINARY PROCEDURES

*Recommendation 8***. Initiate a committee to develop a comprehensive policy that details the university’s overall response to interpersonal violence.

**Rationale**: Currently, the CSU student conduct process and disciplinary procedures define “harassment and stalking,” and “sexual assault” under the list of “prohibited forms of conduct.” There are not, however, specific disciplinary procedures that address the highly personalized experience of interpersonal violence. The *First Report of the White House Task Force to Protect Students from Sexual Assault* provides a checklist for campus sexual misconduct policies that serves as a guideline for universities to develop their own policies based on the unique aspects of their universities. The White House Task Force suggests that institutions utilize a range of stakeholders, including students, public safety, local law enforcement, resident assistants, LGBTQ groups, survivors of sexual assault, and providers of victim support services, to draft the policy.

***Recommendation 9****.* Sexual harassment policies and procedures should clearly reflect Title IX policies.

**Rationale**: Human Resources’ Sexual Harassment Policy is easy to find and contains most of the information required. However, the policy should be updated to include a policy that specifically addresses Title IX’s anti-retaliation legislation to protect those who report incidents. Human Resources provides Sexual Harassment training to employees, but it is not clear whether this training is also provided to Hearing Board Officers or students. The Human Resource website should also provide the name of the CSU Title IX Coordinator.

The Office of Community Standards publishes a Student Resource Handbook that includes Conduct Regulations including policies regarding sexual harassment, stalking, and sexual misconduct. This information is clear and extensive, but should also include information regarding Title IX’s anti-retaliation legislation.

**SUPPORT SERVICES

*Recommendation 10***. Designate a Coordinator of Interpersonal Violence Support Services for the campus to coordinate sexual assault domestic/dating violence, and stalking programming, polices and services.

**Rationale**: Many universities have staff positions in place to coordinate these specific types of programming, policies and services. This is considered a best practice. This professional should be charged with implementing the Task Force recommendations and providing ongoing services. This position should provide victim advocacy and leadership for institution-wide assault prevention and response. Primary prevention and awareness programming should include

The definition of consent in sexual relationships
 Reporting sex offenses
 Bystander intervention
 Definitions of domestic/dating violence/stalking
 Risk reduction
 Ongoing prevention and awareness program

***Recommendation 11***. Create an Interpersonal Violence Response Team

**Rationale**: This team will meet monthly to share information and trends related to sexual assault, domestic/dating violence, and stalking and coordinate information development and dissemination, and review and make recommendations regarding gaps and weaknesses in existing programs, polices and services. We recommend that the team be composed of individuals from University Health Services, Public Safety, Community Standards and Counseling and Psychological Services. The Coordinating Team should also consult with representatives from other offices as needed (Residence Life, Campus Life, Orientation and New Student Programs, etc.)

***Recommendation 12***. Enhance relationships and increase specific collaborations with local hospitals (including Sexual Assault Nurse Examiners,) Southern Crescent Sexual Assault Center, and Solicitor’s office for community sexual violence support services.

**Rationale**: Relationships with community services can facilitate the student victim’s participation in the reporting process. In addition, medical assessments following a sexual assault are essential for the student victim’s health as well as possible future criminal prosecution. Support services are provided by various local agencies.

**TRAINING

*Recommendation 13***. Provide comprehensive training to all university employees.

**Rationale**: New requirements dictate that employees be trained with regard to their reporting responsibilities, requests for confidentiality, and Title IX requirements. Employees should also receive training on how to identify interpersonal violence, appropriate methods for responding to a student who may have experienced violence, the impact of trauma on victims, and support services available on campus and in the community. In addition, employees should participate in bystander training specifically designed to reduce the incidence of sexual assault.

***Recommendation 14***. Develop and provide comprehensive training to all students during their first semester of attendance at CSU, preferably during orientation. In addition, consider implementing a bystander intervention program, many of which have been demonstrated and used effectively by institutions across the country.

**Rationale**: New requirements dictate that students also be offered “primary prevention and awareness programs” that promote awareness of rape and sexual assault, domestic violence, dating violence, and stalking. Training should include information about Title IX requirements and what constitutes sexual violence and other forms of violence, reporting options, including formal reporting and confidential disclosure options, university grievance procedures, and Title IX’s protection against retaliation. Students should also be educated about the persons on campus to whom they can confidentially report incidents of sexual violence and other forms of violence, and the university’s responsible employees who are required to report the incident to the Title IC coordinator.

Because research indicates that students who are in their first few weeks of college are at a particularly high risk for experiencing interpersonal violence, specifically sexual assault, it is imperative that training occur as soon as possible in a student’s college career. Additional training should follow at multiple points during the first year, as well as during subsequent years of college and for graduate students.

**Implementation and Timeline**

Official recommendations from the Office of Violence Against Women are anticipated in June 2014. The statute will become effective October 1, 2014 and universities are expected to exercise good faith attempts to comply in the interim. Regulations will be effective July 1, 2015.

It is recommended that an Implementation Committee be given the authority and accountability for ensuring progress is made on the recommendations contained in this report within one year. The Implementation Committee will be responsible for convening a team of appropriate people for each recommendation. All work will be done collaboratively.

The Implementation Committee will set a goal to see significant progress on the majority of recommendations in this report within one year, by July, 2015. Regular status updates will be provided to the President, and a one year status update from the Implementation Committee to the President will be provided in July 2015.

We recommend the following action steps as priorities:

1. Conduct a campus climate survey to understand the current state of the problem of these varying forms of interpersonal violence on campus (Fall, 2014).
2. Develop and maintain a comprehensive website that provides information to students regarding options for reporting violence, support services in place for students, and information on what to do if violence occurs (Fall, 2014).
3. Train faculty and staff regarding their roles in reporting incidents of violence they receive from students.
4. Create a comprehensive sexual misconduct policy applicable to all constituents of Clayton State University.
5. Designate a Coordinator of Interpersonal Violence Support Services.
6. Create an Interpersonal Violence Response Team.