

## **Review and Recommendations Regarding MSU Denver's Response to Sexual Misconduct**

**Background on Title IX and the Violence Against Women Reauthorization Act of 2013:** Title IX of the Education Amendments Act of 1972 is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Title IX applies to institutions that receive federal financial assistance from the Department of Education, including state and local education agencies. The Office of Civil Rights ("OCR") enforces Title IX compliance along with evaluates, investigates, and resolves complaints alleging sex discrimination.

Violence Against Women Reauthorization Act of 2013 ("VAWA") is a bill signed by then President Barack Obama which, among other provisions, amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). Notably, VAWA amended the Clery Act to require institutions to compile statistics of dating violence, domestic violence, sexual assault, and stalking as well as to include certain policies, procedures, and prevention efforts to each institutions Annual Security Report.

**Summary of Procedures:** As required by the OCR, each college and university is required to have one person who is responsible for being in compliance and having oversight of Title IX. At MSU Denver, Dr. Percy Morehouse in the Office of Equal Opportunity serves as our Title IX Coordinator. In November 2015, the Office of Equal Opportunity and the Dean of Students approved a Standard Operating Procedure. "The objective of this Standard Operating Procedure ("SOP") document is to establish guidelines for the collaboration between the Office of Equal Opportunity ("EO") and the Dean of Students Office at MSU Denver ("Institution") in the delivery of Title IX investigations, related processes pertaining to sexual misconduct complaints, and training and requisite communication/outreach related to sexual misconduct (Standard Operating Procedures Responding to Allegations and Training on Sexual Misconduct, November 19, 2015)." In the SOP, the Office of Equal Opportunity gave jurisdiction to the Dean of Students to oversee "training and outreach to MSU Denver students on matters pertaining to sexual misconduct, as required by the Violence Against Women Act and/or related federal or state legislation (Standard Operating Procedures Responding to Allegations and Training on Sexual Misconduct, November 19, 2015)." Additionally, both the Office of Equal Opportunity and the Dean of Students Office agreed on shared responsibilities related to awareness and prevention programs.

**Assessment of MSU Denver's Title IX Procedures and Prevention Efforts:** This past academic year, MSU Denver had the opportunity of conducting two separate assessment charges to analyze our policies, practices, and procedures on the topics of sexual misconduct.

**2016 Student Climate Survey Committee on Sexual Violence:** In Spring 2016, all students currently enrolled at Metropolitan State University of Denver (MSU Denver) were asked to participate in an anonymous survey in regard of their experiences with sexual violence and harassment during the Fall 2015-Spring 2016 Academic year. This nationally administered survey is designed and distributed by EAB, with universities self-selecting to participate. The survey included questions concerning the students' knowledge of rights and procedures related to reporting sexual violence and harassment as well as experiences in regard to sexual violence and harassment. At MSU Denver, a total of 1427 responses were received from a total of 19,923 surveys emailed to students (9% response rate). The data collected from MSU Denver students allowed comparison to national trends, as self-reported by university students on thirty-four campuses in the nation. MSU Denver data was further disaggregated by the MSU Denver Student Campus Climate Survey on Sexual Violence Committee in order to identify the most salient trends unique to our campus community.

**2016-2017 MSU Denver Student Climate Survey on Sexual Violence Committee:**

- Mike Rager (Chair): Title IX Investigator/Student Conduct Specialist, Dean of Students Office
- Angela Marquez: Associate Equal Opportunity Director, Office of the President, Equal Opportunity Office
- Velveta Howell: Special Assistant to the President/Special Counsel to the Offices of Diversity, Equal Opportunity and General Counsel
- Beck Mayhew: LGBTQ Student Resource Center, Student Representative
- Liz Milewski: MSU Denver Student Government Assembly President, Student Representative
- Kylie Mallory-Halter: Victim Services Coordinator, the Phoenix Center at Auraria ("PCA")
- Stephanie Abell: Assistant Director of Events, Graphic Design and Social Media-Student Activities
- Dr. Katherine Martinez: Assistant Professor, Institute for Women's Studies and Services
- Dr. Deborah Horan: Assistant Professor, Department of Elementary Education and Literacy, Representative from the Council of Chairs
- Morgan Swaney: Business Intelligence Specialist, Team DELTA

**Summative list of Recommendations from the Student Climate Survey on Sexual Violence:**

- Demographic Trends:
  - Request an option for participants to self-identify credit load at the start of the fall 2017 semester.
  - Request a survey item in order to determine year in school to better identify third year students.
  - Increase trainings for transfer students on reporting and awareness in regard to weapons used by perpetrators.
  - Launch an education campaign about harassment and stalking for year one and then another campaign for year three, with multiple touch points and a way to reach the third-year students.
- Sexual Violence Prevention Training for Students:
  - Require mandatory training for all students on the topics of sexual misconduct and reporting options.
  - Provide additional training on resources and procedures during New Student Orientation and Transfer Student Orientation.
  - Partner with the Student Affairs Committee within Faculty Senate and with the Council of Chairs on how to incorporate training for all students.
  - Design an education campaign for year one and then another campaign for year three, with multiple touch points and a way to reach the third-year students.
- Ability to Report:
  - Increase community awareness about MSU Denver's [Title IX] reporting procedures.
  - Increase awareness of how to support victims of sexual violence to address reported "victim blaming."
  - Initiate campaign to support victims that their reported concerns are acknowledged and validated (i.e. Start by Believing Campaign).
  - Educate faculty, staff, and administration on procedures for supporting victims who disclose harassment or abuse.
  - Adjust the presentation time during the New Employee Orientation from the end of the day to the middle of the day so that the Dean of Students has the opportunity to discuss resources, reporting options, and how to support victims of sexual violence with a more alert audience.

- **Harassment (Jokes and Remarks):**
  - Increase collaboration between the LGBTQ Student Resource Center and Educational Technology Center (ETC).
  - Explore the possibility of the LGBTQ Student Resource Center visiting classrooms for presentations on proper language use.
  - Examine the relationship between students who disclosed mental illness and are experiencing harassing jokes in class.
  - Determine the source of harassment (i.e., faculty, staff, administrator, or students) through a requested addition of a survey item in the next survey administration.
  - Consider conducting campus focus groups for additional insight on sources of harassment.
- **Threatened to be "Outed":**
  - Enhance support for students who identify as bisexual to address fear of retaliation from harassment.
  - Increase visibility of LGBTQ campus resources during student orientation.
  - Propose possible revisions in campus policy that include syllabi statements about the specific harassment of and support for LGBTQ students on campus.

**2017 EverFi Sexual Assault Diagnostic Inventory:** MSU Denver was invited by the Colorado Attorney General's Office to participate in the EverFi Sexual Assault Diagnostic Inventory ("SADI"). The SADI is a comprehensive 80-item assessment that looks into an institution's sexual assault prevention efforts. Representatives from the Office of Equal Opportunity, the PCA, the Dean of Students Office, and Student Activities responded to the 80-item assessment (See Assessment team below). The SADI focused on three key domains which were: Programming, Critical Process (process to address sexual misconduct), and Institutionalization (resource allocation toward sexual assault prevention). Once the responses were submitted, EverFi compiled a feedback report which contained benchmark data allowing for MSU Denver to compare itself to other colleges and universities across the country.

**2017 MSU Denver SADI Assessment Team:**

- Mike Rager (Chair): Title IX Investigator/Student Conduct Specialist, Dean of Students Office
- Dave Haden: Associate Dean for Student Engagement and Wellness
- Dr. Percy A Morehouse, Jr.: Executive Director, Equal Opportunity and Assistant to the President
- Megan Alpert: Director, Phoenix Center at Auraria
- Kylie Mallory-Halter: Victim Services Coordinator, Phoenix Center at Auraria
- Angela LeValley: Director, Student Activities
- Aaron Futrell, Student Government Assembly Representative

**Summative List of Recommendations from the Sexual Assault Diagnostic Inventory:**

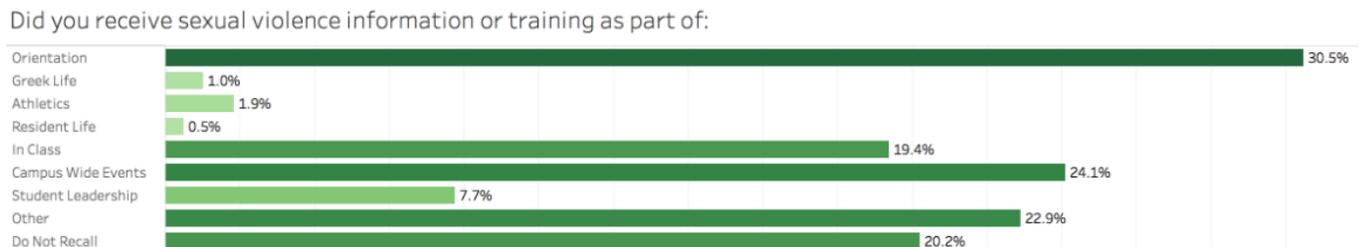
- **Programming:**
  - Consider incorporating additional, evidence-based prevention strategies into sexual assault prevention efforts, including in-person presentations led by trained professional staff.
  - Expand the scope of those for whom provide specific, targeted programming: first year students, international students, racial/ethnic minority students, transfer students.
  - Mandate primary prevention training for incoming students, and provide additional programmatic opportunities for faculty, staff and students to engage with the topic of sexual assault prevention.

- **Critical Processes:**
  - Intended outcomes for sexual assault prevention efforts should be currently measured.
  - Utilizing input from data sources, stakeholders, and best practice recommendations, engage in a formal strategic planning process to inform and guide prevention efforts.
  - Articulate specific, measurable goals to set, track, and assess violence prevention efforts.
- **Institutionalization:**
  - MSU Denver could benefit from additional prevention staff. The campus currently has one full-time equivalent (FTE) for every 10,000 students (the number of FTE serve students who attend the University of Colorado at Denver, the Community College of Denver, and MSU Denver).
  - MSU Denver's funding towards violence prevention efforts is less than schools of a similar size and could benefit from increase in funding to improve prevention efforts.
  - Engage in a needs assessment to increase the degree of progress and activity of Title IX advisory group.

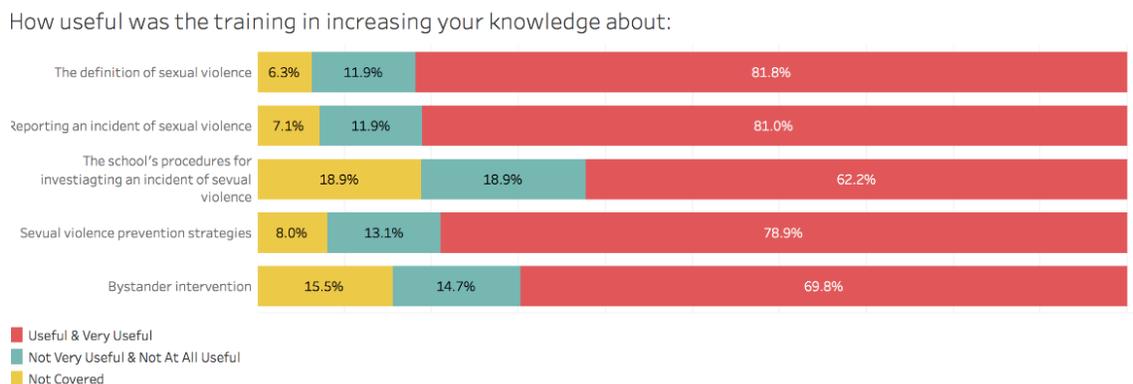
**Key Considerations:** Below are recommendations and key considerations that were consistent with both the 2016 Student Climate Survey on Sexual Violence and the 2017 SADI assessments.

1. **Key Consideration 1:** Increase institutional support for the Dean of Students Office and the PCA to increase education and prevention efforts. Both the SADI and 2016 student climate survey on sexual violence indicated there is a disconnect between students not being educated on sexual misconduct, sexual harassment, investigation procedures, and having the resources to successfully provide outreach and education. Education and prevention efforts are also a requirement under VAWA.

**Table 1.1: Sexual Violence Training Received (2016 Student Climate Survey on Sexual Violence)**

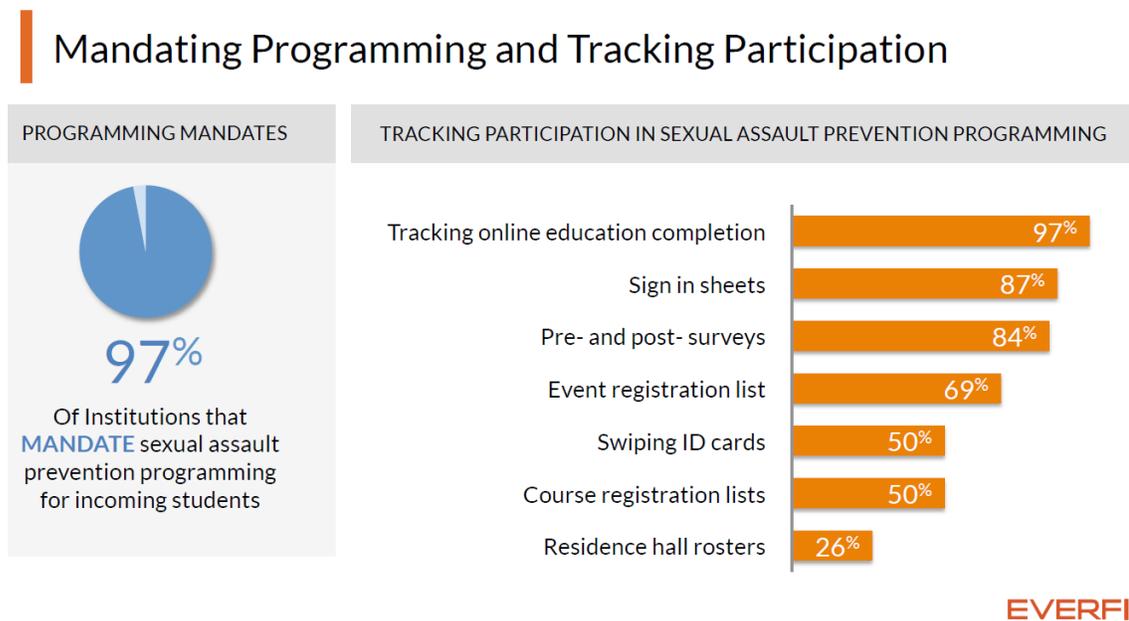


**Table 1.2: Usefulness of Training (2016 Student Climate Survey on Sexual Violence)**



2. **Key Consideration 2:** Consider sexual assault prevention programming for incoming students. Both the SADI and 2016 student climate survey indicated students are not provided adequate information on sexual violence prevention when they enroll at MSU Denver. When provided the opportunity to participate in volunteer online module educating students on sexual violence, only 439 students completed the module (2% completion rate). One consideration made by the 2016 student climate survey was to include additional training during New Student Orientation and Transfer Student Orientation by the Dean of Students as well as the Phoenix Center at Auraria. Additionally, the 2016 student climate survey on sexual violence recommended their committee partner with the Student Affairs Committee within Faculty Senate and the Council of Chairs on how to collaboratively incorporate training for all students.

**Table 2.1: Percent of Institutions Who Require Sexual Assault Prevention Programming Who Participated in the 2017 SADI (2017 SADI)**



**Table 2.2: Student Volunteer Participation in the 2016-2017 Roadrunners United: Interpersonal Violence Module**

